



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Energy Facility Site Evaluation Council

Permanent Rule
 Emergency Rule

(1) Date of adoption: April 14, 1992

(2) Purpose: To require applicants to identify other agencies' requirements for a proposed project.

(3) Citation of existing rules affected by this order:
Repealed:
Amended:
Suspended:

(4) Authority for adoption:
Statute: RCW 80.50.040(1)
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR 92-06-070 on March 3, 1992 (date).
Describe any changes other than editing from proposed to adopted version:

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules **Emergency Rules**
 31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED
APR 23 1992
TIME: 8:54
BY: 92-10-001

NAME (TYPE OR PRINT)
ROBERT G. WALDO
SIGNATURE
Robert G. Waldo
TITLE
Chair EFSEC
DATE
4/14/92

NEW SECTION

WAC 463-42-685 PERTINENT FEDERAL, STATE AND LOCAL REQUIREMENTS. (1) Each application submitted to the council for site certification shall include a list of all applicable federal, state, and local codes, ordinances, statutes, rules, regulations and permits that would apply to the project if it were not under council jurisdiction. For each listed code, ordinance, statute, rule, regulation and permit, the applicant shall describe how the project would comply or fail to comply with each requirement. If the proposed project does not comply with a specific requirement, the applicant shall discuss why such compliance should be excused.

(2) Inadvertent failure to discover a pertinent provision after a reasonable search shall not invalidate the application, but may delay processing the application as necessary to gather and consider relevant information.