

WSR 21-14-018

AGENDA

UTILITIES AND TRANSPORTATION

COMMISSION

ENERGY FACILITY SITE

EVALUATION COUNCIL

[Filed June 28, 2021, 8:43 a.m.]

The Washington utilities and transportation commission (UTC) submits its semi-annual rule development agenda report for publication in the Washington State Register pursuant to RCW 34.05.314. This report also includes the rule development agenda for the energy facility site evaluation council (EFSEC).

Please direct any questions to Paige Doyle at 360-664-1140 or paige.doyle@utc.wa.gov.

UTC

**Semi-Annual Rules Development Agenda  
(July 1 - December 31, 2021)**

This report is the utilities and transportation commission's semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rule-making activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The commission maintains a schedule of rule-making activity that is updated several times per month. See www.utc.wa.gov.

WAC CHAPTER	DOCKET	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
				CR-101	CR-102 or CR-105	CR-103 HEARING	
<b>CURRENT:</b>							
480-62	TR-200536	HB 1841 rule making	Betty Young 360-664-1202	<b>7/21/20</b>	To be determined	To be determined	Revise chapter 480-62 WAC to implement HB 1841.
480-100-600	UE-210183	Carbon and electricity markets rule making	Brad Cebulko 360-664-1309	<b>5/3/21</b>	To be determined	To be determined	Define the requirements for using markets purchases to meet the standards of RCW 19.405.030, [19.405.]040, and [19.405.]050, and to address to prohibition on double counting of nonpower attributes under RCW 19.405.040 with other programs. The commission may also consider the interpretation of the term "use" in RCW 19.405.040 (1)(a)(ii) and the reporting requirements for compliance with RCW 19.405.030.
WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES	
			CR-101	CR-102 or CR-105	CR-103 HEARING		
<b>PROPOSED:</b>							

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
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480-100-600	Cumulative impact analysis rule making	Kendra White 360-701-5363	To be determined	To be determined	To be determined	The cumulative impact analysis rule making will incorporate department of health's new analysis on climate change impacts and fossil fuel impacts into commission rules implementing the Clean Energy Transformation Act.

**EFSEC**

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WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
<b>CURRENT:</b>						
463-76	NPDES compliance	Sonia Bumpus 360-664-1363	7/26/17	To be determined	To be determined	Adopt ecology water quality rules and additional revisions to ensure consistency with EFSEC statutory authorities, ecology rules, and federal regulations to support environmental protection agency's (EPA) renewal of EFSEC's NPDES delegation.
<b>PROPOSED:</b>						
Title 463 WAC	Administrative updates	Sonia Bumpus 360-664-1363		(CR-105) To be determined	To be determined	Amend multiple chapters of Title 463 WAC to reflect EFSEC's administrative incorporation into UTC, such as EFSEC's street address, and other changes specifically dictated by statutory revisions.
Title 463 WAC	Process updates	Sonia Bumpus 360-664-1363	To be determined	To be determined	To be determined	Inquiry to examine whether EFSEC should adopt new or modify existing rules to address process changes related to siting and compliance monitoring.
463-76	Enforcement and appeals	Sonia Bumpus 360-664-1363	To be determined	To be determined	To be determined	Creates a new chapter of rules and amends multiple chapters of Title 463 WAC to incorporate statutory changes made in 2015 (SB 5310), and to clarify EFSEC's enforcement and appeals process.
463-78	Air quality permitting	Sonia Bumpus 360-664-1363	To be determined	To be determined	To be determined	Amend existing rule: 1. In response to EPA rule revisions in 40 C.F.R. Parts 51, 52, including startup, shutdown and malfunction, as necessary. 2. To be consistent with department of ecology rule revisions addressing new source review and additional prevention of significant deterioration issues in chapters 173-400 and 173-401 WAC including applicable provisions of the governor's proposed clean air rule, as necessary. 3. To support submittal of EFSEC's state implementation plan update to United States EPA.

Mark L. Johnson  
Executive Director  
and Secretary