

chapter 1, Laws of 1973 and these rules, requests for copies of the board's decisions and other matters, shall be addressed as follows: Shorelines Hearings Board, Environmental Hearings Office, 4224 6th Avenue SE, Building 2 Rowesix, MS: PY-21, Lacey, Washington 98504. [Statutory Authority: RCW 90.58.175. 81-19-025 (Order 82-1, Resolution 82-1), § 461-12-120, filed 9/9/81; Order 1, § 461-12-120, filed 5/16/73.]

WAC 461-12-130 Adoption of form. The board hereby adopts the use by all persons requesting inspection and/or copies of records the form set out below, entitled "request for public records."

We have received your request for copies of our public records. Please complete the form and return it with the amount required. We will forward the requested copies to you as soon as we receive this form.

Thank you.

Return to:

Shorelines Hearings Board
Environmental Hearings Office
4224 6th Avenue SE
Building 2 Rowesix, MS: PY-21
Lacey, Washington 98504

**SHORELINES HEARINGS BOARD
REQUEST FOR PUBLIC RECORDS**

Date ----- Time -----

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I certify that the information obtained through this request for public records will be used in compliance with chapter 42.17 RCW.

Signature

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[Statutory Authority: RCW 90.58.175. 81-19-025 (Order 82-1, Resolution 82-1), § 461-12-130, filed 9/9/81.]

Title 463 WAC

**ENERGY FACILITY SITE EVALUATION
COUNCIL**

(Formerly: Thermal Power Plant Evaluation Council)

Chapters

- 463-06 General--Organization--Public records.**
- 463-14 Policy and interpretation.**
- 463-30 Procedure--Contested case hearings.**
- 463-39 General regulations for air pollution sources.**
- 463-40 Dangerous wastes.**
- 463-42 Procedure--Guidelines--Applications for site certification.**
- 463-46 Guidelines interpreting and implementing the State Environmental Policy Act.**
- 463-54 Certification compliance determination and enforcement.**

Chapter 463-06 WAC

GENERAL--ORGANIZATION--PUBLIC RECORDS

WAC

463-06-030 Council office--Business hours.

WAC 463-06-030 Council office--Business hours. The council office is located at Rowesix, 4224 - 6th Avenue S.E., Olympia, Washington. It is open each day for the transaction of business from 8:00 a.m. to 5:00 p.m., Saturdays, Sundays, and legal holidays excepted. Notices, applications, business correspondence, or other communication should be sent to the council office. [Statutory Authority: RCW 80.50.040(1). 81-20-028 (Order 81-4), § 463-06-030, filed 9/30/81; Order 103, § 463-06-030, filed 11/4/76. Formerly WAC 463-20-060.]

Chapter 463-14 WAC

POLICY AND INTERPRETATION

WAC

463-14-080 EFSEC deliberative process.

WAC 463-14-080 EFSEC deliberative process. RCW 80.50.100 requires the council to report to the governor its recommendation as to the approval or rejection of an application for certification. In order for the council to develop such a recommendation it shall utilize a deliberative process for analysis and evaluation of an application to determine compliance with the intent and purpose of chapter 463-42 WAC. The council will contract for an independent consultant study of the application. An environmental impact statement also will be adopted.

The council during the deliberative process will conduct an extensive public hearing as a contested case for the presentation of evidence on the application. The

council will conduct sessions for the taking of public testimony concerning the proposed project. The council will evaluate public comments received as part of the environmental review. The council throughout all of the deliberative process will consider any laws or ordinances, rules or regulations which may be preempted by certification. The council in open session, when fully satisfied that all issues have been adequately discussed will consider and by majority decision will act on the question of approval or rejection of an application. [Statutory Authority: RCW 80.50.040(1). 81-20-028 (Order 81-4), § 463-14-080, filed 9/30/81.]

Chapter 463-30 WAC

PROCEDURE--CONTESTED CASE HEARINGS

WAC

463-30-020	Council conducted hearings and administrative law judges.
463-30-030	Use of the term "council."
463-30-040	Repealed.
463-30-080	Commencement of contested case proceedings.
463-30-260	Definition of issues before hearing.
463-30-280	Attendance by council members at prehearing conferences.
463-30-295	Orders regarding procedure, scheduling and substantive issues.
463-30-320	Proposed council order or recommendation.
463-30-400	Intervention.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

463-30-040	Hearing examiner designation. [Order 109, § 463-30-040, filed 11/16/76.] Repealed by 82-10-027 (Order 82-2), filed 4/30/82. Statutory Authority: RCW 80.50.040(1).
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WAC 463-30-020 Council conducted hearings and administrative law judges. The council may conduct contested case hearings pursuant to chapter 80.50 RCW or it may utilize an administrative law judge provided by the office of administrative hearings pursuant to chapter 34.12 RCW. In the event the council elects to conduct the hearing, the hearing shall be governed by the regulations and procedures contained in this chapter as applicable. [Statutory Authority: RCW 80.50.040(1). 82-10-027 (Order 82-2), § 463-30-020, filed 4/30/82; Order 109, § 463-30-020, filed 11/16/76.]

WAC 463-30-030 Use of the term "council." The term "council," for purpose of this chapter, shall refer to the members of the energy facility site evaluation council as constituted by law, or a panel of such members. [Statutory Authority: RCW 80.50.040(1). 82-10-027 (Order 82-2), § 463-30-030, filed 4/30/82; Order 109, § 463-30-030, filed 11/16/76.]

WAC 463-30-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-30-080 Commencement of contested case proceedings. Contested case proceedings pursuant to RCW 80.50.090(3) shall be commenced upon issuance of a formal notice of hearing by the council. [Statutory

Authority: RCW 80.50.040(1). 81-07-019 (Order 81-1), § 463-30-080, filed 3/11/81; Order 109, § 463-30-080, filed 11/16/76.]

WAC 463-30-260 Definition of issues before hearing. In all contested case proceedings the issues to be heard shall be made as precise as possible so that the council may expeditiously conduct the hearing on relevant material and contested matters. It is the intent of this section and a purpose of prehearing conferences to foster agreement by the parties regarding issues to be heard. The council may define specific issues to be heard based upon its own expertise and issues raised by parties in a proposed prehearing order. The proposed prehearing order shall be noted for hearing at which time parties objecting to the limitations of issues shall set forth additional issues and the facts upon which they are based. After a hearing on the prehearing order the council shall issue an order defining the issues for hearing and shall limit the scope of the hearing to those issues. Such order may be modified only by the council on its own initiative or upon motion by a party with good cause shown. [Statutory Authority: RCW 80.50.040(1). 83-01-126 (Order 82-4), § 463-30-260, filed 12/22/82; Order 109, § 463-30-260, filed 11/16/76.]

WAC 463-30-280 Attendance by council members at prehearing conferences. Individual council members may be present and participate in prehearing conferences. [Statutory Authority: RCW 80.50.040(1). 83-01-126 (Order 82-4), § 463-30-280, filed 12/22/82; Order 109, § 463-30-280, filed 11/16/76.]

WAC 463-30-295 Orders regarding procedure, scheduling and substantive issues. The council may enter prehearing orders regarding procedure, scheduling and substantive issues which shall control the subsequent course of the proceedings unless modified by subsequent council action on its own motion or motion by a party upon good cause shown. [Statutory Authority: RCW 80.50.040(1). 83-01-126 (Order 82-4), § 463-30-295, filed 12/22/82.]

WAC 463-30-320 Proposed council order or recommendation. In any case where a contested case proceeding is conducted by an administrative law judge or a panel of council members less than a majority, there shall be prepared a proposed council order, supported by written findings of fact and conclusions of law, copies of which shall be served upon all parties. The proposed order, findings and conclusions shall be transmitted to the council. In a site certification proceeding, the proposed council order shall be designated a proposed council recommendation and shall be styled accordingly. [Statutory Authority: RCW 80.50.040(1). 82-10-027 (Order 82-2), § 463-30-320, filed 4/30/82; Order 109, § 463-30-320, filed 11/16/76.]

WAC 463-30-400 Intervention. On timely application in writing to the council, intervention shall be allowed to any person upon whom a statute confers a right

to intervene and, in the discretion of the council, to any person having an interest in the subject matter and whose ability to protect such interest may be otherwise impaired or impeded. All petitions to intervene shall be verified under oath by the petitioner, shall adequately identify the petitioner, and shall establish with particularity an interest in the subject matter and that the ability to protect such interest may be otherwise impaired or impeded. In exercising discretion with regard to intervention, the council shall consider whether intervention by the petitioner would unduly delay the proceeding or prejudice the rights of the existing parties. The council may establish a date after which petitions to intervene will not be considered except for good cause shown. When such a date has been established, the council will assure that adequate public notice is given. [Statutory Authority: RCW 80.50.040(1). 81-20-028 (Order 81-4), § 463-30-400, filed 9/30/81; Order 109, § 463-30-400, filed 11/16/76.]

Chapter 463-39 WAC

GENERAL REGULATIONS FOR AIR POLLUTION SOURCES

WAC
463-39-115 Standards of performance for new stationary sources.

WAC 463-39-115 Standards of performance for new stationary sources. Subparts A, D, Da[,] GG[,] J, K and Y of Title 40, code of federal regulations, part 60 (standards of performance for new stationary sources), as promulgated prior to May 1, 1982 are by this reference adopted and incorporated herein with the exception of sections 60.5 (determination of construction or modification) and 60.6 (review of plans). For the purpose of state administration of the federal regulations adopted by reference hereby, the term "administrator" as used therein shall refer to the council.

Sections 60.5 and 60.6 of Title 40, code of federal regulations, are not incorporated herein because they provide for preconstruction review of new stationary sources only on request. By virtue of WAC 463-39-110, such review under the state program is mandatory and an order of approval is required before the construction, installation or establishment of a new stationary source may commence. [Statutory Authority: RCW 80.50.040(1). 82-14-051 (Order 82-3), § 463-39-115, filed 6/30/82; 79-09-006 (Order 79-1), § 463-39-115, filed 8/6/79.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 463-40 WAC

DANGEROUS WASTES

WAC
463-40-010 Purpose.

463-40-020 Coverage.
463-40-030 Regulations.
463-40-040 Monitoring and enforcement.

WAC 463-40-010 Purpose. The energy facility site evaluation council, under authority invested in it by chapter 80.50 RCW is charged with the responsibility of adopting rules sufficient to the protection of the public and the environment from the effects of dangerous wastes generated at energy facilities subject to chapter 80.50 RCW. [Statutory Authority: RCW 80.50.040(1). 83-01-127 (Order 82-5), § 463-40-010, filed 12/22/82.]

WAC 463-40-020 Coverage. The provisions of this chapter shall apply state-wide for those generators of dangerous wastes under the jurisdiction of the energy facility site evaluation council. [Statutory Authority: RCW 80.50.040(1). 83-01-127 (Order 82-5), § 463-40-020, filed 12/22/82.]

WAC 463-40-030 Regulations. Notwithstanding the provisions of WAC 173-303-801, to the extent of their applicability and appropriateness, the provisions of chapter 173-303 WAC shall apply to the on-site activities, at energy facilities subject to this chapter, which involve the generation, storage, transportation, treatment or disposal of dangerous wastes. [Statutory Authority: RCW 80.50.040(1). 83-01-127 (Order 82-5), § 463-40-030, filed 12/22/82.]

WAC 463-40-040 Monitoring and enforcement. The council will contract with the department of ecology (DOE) for the monitoring activities for dangerous wastes regulated by this chapter under a certification agreement. As a result of said monitoring activities, DOE shall report to the council any activity by a permittee which in its judgment requires the initiation of appropriate enforcement activities by the council. The council shall then take or initiate action to enforce the terms of any certification agreement. This in no way shall restrict any enforcement by other public agencies and officials under existing law. If DOE determines that immediate action is needed to enforce the act or any statute or regulation derived therefrom, it shall report immediately to the chairman who shall initiate such immediate enforcement action as may be necessary. Such action shall remain in effect until confirmed or modified by the council. [Statutory Authority: RCW 80.50.040(1). 83-01-127 (Order 82-5), § 463-40-040, filed 12/22/82.]

Chapter 463-42 WAC

PROCEDURE--GUIDELINES--APPLICATIONS FOR SITE CERTIFICATION

WAC
463-42-010 Purpose and scope.
463-42-012 General—Organization—Index.
463-42-015 General—Description of applicant.
463-42-020 Repealed.
463-42-025 General—Designation of agent.

463-42-030	Repealed.	463-42-400	Repealed.
463-42-035	General—Fee.	463-42-405	Physical environment—Compatibility with water quality standards.
463-42-040	Repealed.		Repealed.
463-42-045	General—Where filed.	463-42-410	Physical environment—Hydrographic study of waters.
463-42-050	Repealed.	463-42-415	Repealed.
463-42-055	General—Form and number of copies.	463-42-420	Physical environment—Ground-water activity.
463-42-060	Repealed.	463-42-425	Repealed.
463-42-065	General—Full disclosure by applicants.	463-42-430	Physical environment—NPDES application.
463-42-070	Repealed.	463-42-435	Repealed.
463-42-075	General—Assurances.	463-42-440	Physical environment—Inventory of potentially affected vegetation, animal life, and aquatic life described.
463-42-080	Repealed.		Repealed.
463-42-085	General—Mitigation measures.	463-42-450	Physical environment—Impact of construction and operation on vegetation, animal life, and aquatic life.
463-42-090	Repealed.	463-42-455	Repealed.
463-42-095	General—Sources of information.		Repealed.
463-42-100	Repealed.	463-42-460	Physical environment—Description of measures taken to protect vegetation, animal life, and aquatic life.
463-42-105	General—Graphic material.	463-42-465	Repealed.
463-42-110	Repealed.	463-42-470	Physical environment—Noise and glare.
463-42-115	General—Specific contents and applicability.	463-42-475	Repealed.
463-42-120	Repealed.	463-42-480	Repealed.
463-42-125	Proposal—Site description.	463-42-485	Physical environment—Local land use plans and zoning ordinances.
463-42-130	Repealed.		Repealed.
463-42-135	Proposal—Legal descriptions and ownership interests.	463-42-490	Physical environment—Multipurpose use of transmission routes.
463-42-140	Repealed.	463-42-495	Repealed.
463-42-145	Proposal—Construction on site.	463-42-500	Physical environment—Safety standards compliance.
463-42-150	Repealed.	463-42-505	Repealed.
463-42-155	Proposal—Energy transmission systems.	463-42-510	Physical environment—Safety where public access allowed.
463-42-160	Repealed.	463-42-515	Repealed.
463-42-165	Proposal—Water supply.	463-42-520	Physical environment—Emergency plans.
463-42-170	Repealed.	463-42-525	Repealed.
463-42-175	Proposal—System of heat dissipation.	463-42-530	Human environment—Socioeconomic impact.
463-42-180	Repealed.	463-42-535	Repealed.
463-42-185	Proposal—Characteristics of aquatic discharge systems.	463-42-540	Human environment—Access.
	Repealed.	463-42-545	Repealed.
463-42-190	Proposal—Wastewater treatment.	463-42-550	Human environment—Transportation impact.
463-42-195	Repealed.	463-42-555	Repealed.
463-42-200	Proposal—Spillage prevention and control.	463-42-560	Human environment—Transportation facility construction.
463-42-205	Repealed.	463-42-565	Repealed.
463-42-210	Proposal—Surface-water runoff.	463-42-570	Human environment—Transportation of fuels and waste products.
463-42-215	Repealed.	463-42-575	Repealed.
463-42-220	Proposal—Emission control.	463-42-580	Human environment—Energy consumption.
463-42-225	Repealed.	463-42-585	Repealed.
463-42-230	Proposal—Construction and operation activities.	463-42-590	Human environment—Solid wastes disposal.
463-42-235	Repealed.	463-42-595	Repealed.
463-42-240	Proposal—Construction management.	463-42-600	Human environment—Radiation levels.
463-42-245	Repealed.	463-42-605	Repealed.
463-42-250	Proposal—Construction methodology.	463-42-610	Human environment—Aesthetics.
463-42-255	Repealed.	463-42-615	Repealed.
463-42-260	Proposal—Protection from natural hazards.	463-42-620	Human environment—Criteria, standards, and factors utilized to develop transmission route.
463-42-265	Repealed.	463-42-625	Human environment—Historical, archaeological, and recreational site preservation/creation.
463-42-270	Proposal—Security concerns.	463-42-635	Analysis of alternatives.
463-42-275	Repealed.		
463-42-280	Proposal—Study schedules.		
463-42-285	Repealed.		
463-42-290	Proposal—Potential for future activities at site.		
463-42-295	Repealed.		
463-42-300	Physical environment—Contour maps.		
463-42-305	Repealed.		
463-42-310	Physical environment—Earth removal.		
463-42-315	Repealed.		
463-42-320	Physical environment—Landscape restoration.		
463-42-325	Repealed.		
463-42-330	Physical environment—Environmental safeguards—		
463-42-335	Geologic and hydrologic survey.		
	Repealed.		
463-42-340	Physical environment—Air pollution control.		
463-42-345	Repealed.		
463-42-350	Physical environment—Air pollution impact.		
463-42-355	Repealed.		
463-42-360	Physical environment—Dust control.		
463-42-365	Repealed.		
463-42-370	Physical environment—Odor control.		
463-42-375	Repealed.		
463-42-380	PSD application.		
463-42-385	Repealed.		
463-42-390	Physical environment—Water source and usage.		
463-42-395	Repealed.		

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

463-42-020	Basic requirement—Full disclosure by applicants. [Order 113, § 463-42-020, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-065.
463-42-030	Application—Where filed. [Order 113, § 463-42-030, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-045.
463-42-040	Application—Form and number of copies. [Order 113, § 463-42-040, filed 2/4/77.] Repealed by 81-

- 21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-055.
- 463-42-050 Application—Organization—Index. [Order 113, § 463-42-050, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-012.
- 463-42-060 Application—Specific contents and applicability. [Order 113, § 463-42-060, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-115.
- 463-42-070 Application—Optional application form and content. [Order 113, § 463-42-070, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW.
- 463-42-080 Application—Option (2) procedural schedule. [Order 113, § 463-42-080, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW.
- 463-42-090 Application—Designation of agent. [Order 113, § 463-42-090, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-025.
- 463-42-100 Application—Fee. [Order 113, § 463-42-100, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-035.
- 463-42-110 Content—Graphic material. [Order 113, § 463-42-110, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-105.
- 463-42-120 Content—Sources of information. [Order 113, § 463-42-120, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-095.
- 463-42-130 Content—Construction and study schedules. [Order 113, § 463-42-130, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-285.
- 463-42-140 Content—Potential for future activities at site. [Order 113, § 463-42-140, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-295.
- 463-42-150 Content—Analysis of alternatives. [Order 113, § 463-42-150, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-645.
- 463-42-160 Content—Safety standards compliance. [Order 113, § 463-42-160, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-505.
- 463-42-170 Content—Description of applicant. [Order 113, § 463-42-170, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-015.
- 463-42-180 Content—Site description. [Order 113, § 463-42-180, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-125.
- 463-42-190 Content—Legal descriptions and ownership interests. [Order 113, § 463-42-190, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-135.
- 463-42-200 Content—Land use plans and zoning ordinances. [Order 113, § 463-42-200, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-485.
- 463-42-210 Content—Construction on site. [Order 113, § 463-42-210, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-145.
- 463-42-220 Content—Contour maps. [Order 113, § 463-42-220, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-305.
- 463-42-230 Content—Access. [Order 113, § 463-42-230, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-545.
- 463-42-240 Content—Energy transmission systems. [Order 113, § 463-42-240, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-155.
- 463-42-250 Content—Criteria, standards, and factors utilized to develop transmission route. [Order 113, § 463-42-250, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-625.
- 463-42-260 Content—Multipurpose use of transmission routes. [Order 113, § 463-42-260, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-495.
- 463-42-270 Content—Safety where public access allowed. [Order 113, § 463-42-270, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-515.
- 463-42-280 Content—Radiation levels. [Order 113, § 463-42-280, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-605.
- 463-42-290 Content—Protection from natural hazards. [Order 113, § 463-42-290, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-265.
- 463-42-300 Content—Security concerns. [Order 113, § 463-42-300, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-275.
- 463-42-310 Content—Emergency plans. [Order 113, § 463-42-310, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-525.
- 463-42-320 Content—Earth removal. [Order 113, § 463-42-320, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-315.
- 463-42-330 Content—Surface-water runoff. [Order 113, § 463-42-330, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-215.
- 463-42-340 Content—Landscape restoration. [Order 113, § 463-42-340, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW

- 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-325.
- 463-42-350 Content—Transportation impact. [Order 113, § 463-42-350, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-555.
- 463-42-360 Content—Transportation facility construction. [Order 113, § 463-42-360, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-565.
- 463-42-370 Content—Transportation of fuels and waste products. [Order 113, § 463-42-370, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-575.
- 463-42-380 Content—Environmental safeguards—Geologic and hydrologic survey. [Order 113, § 463-42-380, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-335.
- 463-42-390 Content—Water source and usage. [Order 113, § 463-42-390, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-395.
- 463-42-400 Content—Water supply. [Order 113, § 463-42-400, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-165.
- 463-42-410 Content—Compatibility with water quality standards. [Order 113, § 463-42-410, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-405.
- 463-42-420 Content—Spillage prevention and control. [Order 113, § 463-42-420, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-205.
- 463-42-430 Content—System of heat dissipation. [Order 113, § 463-42-430, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-175.
- 463-42-440 Content—Characteristics of aquatic discharge systems. [Order 113, § 463-42-440, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-185.
- 463-42-450 Content—Hydrographic study of waters. [Order 113, § 463-42-450, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-415.
- 463-42-460 Content—Ground-water activity. [Order 113, § 463-42-460, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-425.
- 463-42-470 Content—Wastewater treatment. [Order 113, § 463-42-470, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-195.
- 463-42-480 Content—NPDES application. [Order 113, § 463-42-480, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-435.
- 463-42-490 Content—Solid wastes disposal. [Order 113, § 463-42-490, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-595.
- 463-42-500 Content—Air pollution control. [Order 113, § 463-42-500, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-345.
- 463-42-510 Content—Air pollution impact. [Order 113, § 463-42-510, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-355.
- 463-42-520 Content—Emission control. [Order 113, § 463-42-520, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-225.
- 463-42-530 Content—Dust control. [Order 113, § 463-42-530, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-365.
- 463-42-540 Content—Odor control. [Order 113, § 463-42-540, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-375.
- 463-42-550 Content—Inventory of potentially affected vegetation, animal life, and aquatic life described. [Order 113, § 463-42-550, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-445.
- 463-42-560 Content—Impact of construction and operation on vegetation, animal life, and aquatic life. [Order 113, § 463-42-560, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-455.
- 463-42-570 Content—Description of measures taken to protect vegetation, animal life, and aquatic life. [Order 113, § 463-42-570, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-465.
- 463-42-580 Content—Aesthetics. [Order 113, § 463-42-580, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-615.
- 463-42-590 Content—Noise and glare. [Order 113, § 463-42-590, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-475.
- 463-42-600 Content—Energy consumption. [Order 113, § 463-42-600, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-585.
- 463-42-610 Content—Historical, archaeological, and recreational site preservation/creation. [Order 113, § 463-42-610, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-635.
- 463-42-620 Content—Socioeconomic impact. [Order 113, § 463-42-620, filed 2/4/77.] Repealed by 81-21-006 (Order 81-5), filed 10/8/81. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. Later promulgation, see WAC 463-42-535.

WAC 463-42-010 Purpose and scope. This chapter sets forth guidelines for preparation of applications for energy facility site certification pursuant to chapter 80.50 RCW. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-010, filed 10/8/81; Order 113, § 463-42-010, filed 2/4/77. Formerly chapter 463-12 WAC.]

WAC 463-42-012 General--Organization--Index. Except as may be otherwise approved by the council and except as otherwise provided below with respect to applications covering nuclear power plants, the contents of the application shall be organized in the same order as these guidelines. In the case of an application covering a nuclear power plant, the environmental report prepared for the nuclear regulatory commission may be substituted for the comparable sections of the site certification application, provided that the environmental report is supplemented as necessary to comply with this chapter and that an index is included listing these guidelines in order and identifying where each applicable guideline is addressed. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-012, filed 10/8/81. Formerly WAC 463-42-050.]

WAC 463-42-015 General--Description of applicant. The applicant shall provide an appropriate description of the applicant's organization and affiliations for this proposal. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-015, filed 10/8/81. Formerly WAC 463-42-170]

WAC 463-42-020 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-025 General--Designation of agent. The applicant shall designate an agent to receive communications on behalf of the applicant. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-025, filed 10/8/81. Formerly WAC 463-42-090.]

WAC 463-42-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-035 General--Fee. The statutory fee shall accompany an application and shall be a condition precedent to any action by the council. Payment shall be by a cashier's check payable to the state treasurer. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-035, filed 10/8/81. Formerly WAC 463-42-100.]

WAC 463-42-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-045 General--Where filed. Applications for site certification shall be filed with the council at the council office. [Statutory Authority: RCW

80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-045, filed 10/8/81. Formerly WAC 463-42-030.]

WAC 463-42-050 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-055 General--Form and number of copies. Applications shall be on 8-1/2 by 11" sheets, in loose-leaf form with a hard cover binder. Thirty-five copies of the application shall be supplied to the council, and two copies to each county, and one copy to each port district in which the site is located at the time that the original is filed. In addition, one copy shall be supplied to each intervenor on admission to the proceedings. Information later submitted shall be by page-for-page substitutions suitable for insertion in the application binder. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-055, filed 10/8/81. Formerly WAC 463-42-040.]

WAC 463-42-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-065 General--Full disclosure by applicants. It is recognized that these guidelines can only be comprehensive in a relative sense. Therefore, and in addition to the other guidelines contained herein, the council adopts the basic guideline that an applicant for site certification must identify in the application all information known to the applicant which has a bearing on site certification. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-065, filed 10/8/81. Formerly WAC 463-42-020.]

WAC 463-42-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-075 General--Assurances. The application shall set forth insurance, bonding or other arrangements proposed in order to mitigate for damage or loss to the physical or human environment caused by project construction or operation. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-075, filed 10/8/81.]

WAC 463-42-080 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-085 General--Mitigation measures. The application shall describe the means to be utilized to minimize or mitigate possible adverse impacts on the physical or human environments. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-085, filed 10/8/81.]

WAC 463-42-090 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-095 General--Sources of information. The applicant shall disclose sources of all information

and data and shall identify all preapplication studies bearing on the site and other sources of information. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-095, filed 10/8/81. Formerly WAC 463-42-120.]

WAC 463-42-100 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-105 General--Graphic material. It is the intent that material submitted pursuant to these guidelines shall be descriptive and shall include illustrative graphics in addition to narration. This requirement shall particularly apply to subject matter that deals with systems, processes, and spacial relationship. The material so submitted shall be prepared in a professional manner and in such form and scale as to be understood by those who may review it. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-105, filed 10/8/81. Formerly WAC 463-42-110.]

WAC 463-42-110 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-115 General--Specific contents and applicability. It is recognized that not all sections of these guidelines apply equally to all proposed energy facilities. If the applicant deems a particular section to be totally inapplicable the applicant must justify such conclusion in response to said section. The applicant must address all sections of this chapter and must substantially comply with each section, show it does not apply or secure a waiver from the council. Information submitted by the applicant shall be accompanied by a certification by applicant that all EFSEC application requirements have been reviewed, the data have been prepared by qualified professional personnel, and the application is substantially complete. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-115, filed 10/8/81. Formerly WAC 463-42-060.]

WAC 463-42-120 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-125 Proposal--Site description. The application shall contain a description of the proposed site indicating its location, prominent geographic features, typical geological and climatological characteristics, and other information necessary to provide a general understanding of all sites involved, including county or regional land use plans and zoning ordinances. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-125, filed 10/8/81. Formerly WAC 463-42-180.]

WAC 463-42-130 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-135 Proposal--Legal descriptions and ownership interests. (1) Principal facility: The application shall contain a legal description of the site to be certified and shall identify the applicants and all nonprivate ownership interests in such land.

(2) Ancillary facilities: For those facilities described in RCW 80.50.020 (6) and (7) the application shall contain the legal metes and bounds description of the preferred centerline of the corridor necessary to construct and operate the facility contained therein, the width of the corridor, or variations in width between survey stations if appropriate, and shall identify the applicant's and others ownership interests in lands over which the preferred centerline is described and of those lands lying equidistant for 1/4 mile either side of such center line. [Statutory Authority: RCW 80.50.040(1). 83-01-128 (Order 82-6), § 463-42-135, filed 12/22/82. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-135, filed 10/8/81. Formerly WAC 463-42-190.]

WAC 463-42-140 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-145 Proposal--Construction on site. The applicant shall describe the characteristics of the construction to occur at the proposed site including the type, size, and cost of the facility; description of major components and such information as will acquaint the council with the significant features of the proposed project. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-145, filed 10/8/81. Formerly WAC 463-42-210.]

WAC 463-42-150 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-155 Proposal--Energy transmission systems. The applicant shall discuss the criteria utilized as well as describe the routing, the conceptual design, and the construction schedule for all facilities identified in RCW 80.50.020 (6) and (7) which are proposed to be constructed. [Statutory Authority: RCW 80.50.040(1). 83-01-128 (Order 82-6), § 463-42-155, filed 12/22/82. Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-155, filed 10/8/81. Formerly WAC 463-42-240.]

WAC 463-42-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-165 Proposal--Water supply. The applicant shall describe the location and type of water intakes and associated facilities. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-165, filed 10/8/81. Formerly WAC 463-42-400.]

WAC 463-42-170 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-175 Proposal--System of heat dissipation. The applicant shall describe both the proposed and alternative systems for heat dissipation from the proposed facilities. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-175, filed 10/8/81. Formerly WAC 463-42-430.]

WAC 463-42-180 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-185 Proposal--Characteristics of aquatic discharge systems. Where discharges into a watercourse are involved, the applicant shall identify outfall configurations and show proposed locations. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-185, filed 10/8/81. Formerly WAC 463-42-440.]

WAC 463-42-190 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-195 Proposal--Wastewater treatment. The applicant shall describe each wastewater source associated with the facility and for each source, the applicability of all known, available, and reasonable methods of wastewater control and treatment. Where wastewater control involves collection and retention for recycling and/or resource recovery, the applicant shall show in detail the methods selected, including at least the following information: Waste source(s), average and maximum daily amounts and composition of wastes, storage capacity and duration, and any bypass or overflow facilities to the wastewater treatment system(s) or the receiving waters. Where wastewaters are discharged into receiving waters, the applicant shall provide a detailed description of the proposed treatment system(s), including appropriate flow diagrams and tables showing the sources of all tributary waste streams, their average and maximum daily amounts and composition, individual treatment units and their design criteria, major piping (including all bypasses), and average and maximum daily amounts and composition of effluent(s). [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-195, filed 10/8/81. Formerly WAC 463-42-470.]

WAC 463-42-200 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-205 Proposal--Spillage prevention and control. The applicant shall describe all spillage prevention and control measures to be employed regarding accidental and/or unauthorized discharges or emissions, relating such information to specific facilities, including but not limited to locations, amounts, storage duration, mode of handling, and transport. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-205, filed 10/8/81. Formerly WAC 463-42-420.]

WAC 463-42-210 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-215 Proposal--Surface-water runoff. The applicant shall describe how surface-water runoff and erosion are to be controlled during construction and operation to assure compliance with state water quality standards. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-215, filed 10/8/81. Formerly WAC 463-42-330.]

WAC 463-42-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-225 Proposal--Emission control. The applicant shall demonstrate that the highest and best practicable treatment for control of emissions will be utilized in facility construction and operation. In the case of fossil fuel power plants and petroleum refineries, the applicant should deal with products containing sulphur and particulates. In the case of a nuclear-fueled plant, the applicant should deal with optional plant designs as these may relate to gaseous emissions. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-225, filed 10/8/81. Formerly WAC 463-42-520.]

WAC 463-42-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-235 Proposal--Construction and operation activities. The applicant shall: Provide the proposed construction schedule, identify the major milestones, and describe activity levels versus time in terms of craft and noncraft employment; and describe the proposed operational employment levels. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-235, filed 10/8/81.]

WAC 463-42-240 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-245 Proposal--Construction management. The applicant shall describe the organizational structure including the management of project quality and environmental functions. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-245, filed 10/8/81.]

WAC 463-42-250 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-255 Proposal--Construction methodology. The applicant shall describe in detail the construction procedures, including major equipment, proposed for any construction activity within watercourses, wetlands and other sensitive areas. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-255, filed 10/8/81.]

WAC 463-42-260 Repealed. See Disposition Table at beginning of this chapter.

aquatic life. The applicant shall describe the projected effect of facility construction and/or operation upon vegetation, animal life, and aquatic life. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-455, filed 10/8/81. Formerly WAC 463-42-560.]

WAC 463-42-460 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-465 Physical environment--Description of measures taken to protect vegetation, animal life, and aquatic life. The application shall contain a full description of each measure to be taken by the applicant to protect vegetation, animal life, and aquatic life from the effects of facility operation and construction. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-465, filed 10/8/81. Formerly WAC 463-42-570.]

WAC 463-42-470 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-475 Physical environment--Noise and glare. The applicant shall describe the impact of lights, noise, and glare from construction and operation and shall describe the measures to be taken in order to eliminate or lessen this impact. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-475, filed 10/8/81. Formerly WAC 463-42-590.]

WAC 463-42-480 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-485 Physical environment--Local land use plans and zoning ordinances. As part of the application, the applicant shall furnish copies of adopted land use plans and zoning ordinances, including the latest land use regulation and a survey of present land uses within the following distances of the immediate site area:

- (1) In the case of thermal power plants, 25 miles radius;
- (2) In the case of petroleum refineries 10 miles radius;
- (3) In the case of petroleum or LNG storage areas or underground natural gas storage, 10 miles radius from center of storage area or well heads;
- (4) In the case of pipe lines and electrical transmission routes, 1 mile either side of center line. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-485, filed 10/8/81. Formerly WAC 463-42-200.]

WAC 463-42-490 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-495 Physical environment--Multipurpose use of transmission routes. The applicant shall indicate consideration of multipurpose utilization of rights of way and describe the measures to be employed

to utilize, restore, or rehabilitate disturbed areas. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-495, filed 10/8/81. Formerly WAC 463-42-260.]

WAC 463-42-500 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-505 Physical environment--Safety standards compliance. The applicant shall identify all federal, state, and local health and safety standards which would normally be applicable to the construction and operation of a project of this nature and shall describe methods of compliance therewith. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-505, filed 10/8/81. Formerly WAC 463-42-160.]

WAC 463-42-510 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-515 Physical environment--Safety where public access allowed. The applicant shall describe the means proposed to insure safe utilization of those areas under applicant's control to which public access will be granted. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-515, filed 10/8/81. Formerly WAC 463-42-270.]

WAC 463-42-520 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-525 Physical environment--Emergency plans. The applicant shall describe emergency plans which will be required to assure the public safety and environmental protection on and off the site in the event of a natural disaster or other major incident relating to or affecting the project and further, will identify the specific responsibilities which will be assumed by the applicant. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-525, filed 10/8/81. Formerly WAC 463-42-310.]

WAC 463-42-530 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-535 Human environment--Socioeconomic impact. The applicant shall submit a detailed socioeconomic impact study which identifies primary and secondary and positive as well as negative impacts on the socioeconomic environment with particular attention and analysis of impact on population, work forces, property values, housing, traffic, health and safety facilities and services, education facilities and services, and local economy. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-535, filed 10/8/81. Formerly WAC 463-42-620.]

WAC 463-42-540 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-545 Human environment--Access. The applicant shall describe existing roads, railroads, and other transportation facilities and indicate what additional access, if any, will be needed during planned construction and operation. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-545, filed 10/8/81. Formerly WAC 463-42-230.]

WAC 463-42-550 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-555 Human environment--Transportation impact. The applicant shall identify all permanent transportation facilities impacted by the construction and operation of the energy facilities, the nature of the impacts and the methods to mitigate impacts. Such impact identification, description and mitigation shall, at least, take into account:

- (1) Expected traffic volumes during construction, based on where the work force is expected to reside;
- (2) Access routes for moving heavy loads, construction materials or equipment;
- (3) Expected traffic volumes during normal operation of the facility;
- (4) For transmission facilities, anticipated maintenance access; and
- (5) Consistency with local comprehensive transportation plans. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-555, filed 10/8/81. Formerly WAC 463-42-350.]

WAC 463-42-560 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-565 Human environment--Transportation facility construction. The applicant shall indicate the applicable standards to be utilized in improving existing transportation facilities and in constructing new permanent or temporary access facilities, and shall indicate the final disposition of new access facilities and identify who will maintain them. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-565, filed 10/8/81. Formerly WAC 463-42-360.]

WAC 463-42-570 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-575 Human environment--Transportation of fuels and waste products. Except where security restrictions are imposed by the federal government, the applicant shall indicate the manner in which fuels and waste products are to be transported to and from the facility, including a designation of the specific routes to be utilized. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-575, filed 10/8/81. Formerly WAC 463-42-370.]

WAC 463-42-580 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-585 Human environment--Energy consumption. The applicant shall generally describe the energy consumption during both construction and operation of the proposed facilities as to sources of supply, locations of use, types, amounts, and new delivery facilities. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-585, filed 10/8/81. Formerly WAC 463-42-600.]

WAC 463-42-590 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-595 Human environment--Solid wastes disposal. The applicant shall describe the disposition of all solid or semisolid construction and operation wastes including spent fuel, ash, sludge, and bottoms, and show compliance with applicable state and local comprehensive solid waste disposal plans. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-595, filed 10/8/81. Formerly WAC 463-42-490.]

WAC 463-42-600 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-605 Human environment--Radiation levels. For facilities which propose to release any radioactive materials, the applicant shall set forth information relating to radioactivity. Such information shall include background radiation levels of appropriate receptor media pertinent to the site. The applicant shall also describe the proposed radioactive waste treatment process, the anticipated release of radionuclides, their expected distribution and retention in the environment, the pathways which may become sources of radiation exposure, and projected resulting radiation doses to human populations. Other sources of radiation which may be associated with the project shall be described in all applications. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-605, filed 10/8/81. Formerly WAC 463-42-280.]

WAC 463-42-610 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-615 Human environment--Aesthetics. The applicant shall describe the aesthetic impact of the proposed energy facility and associated facilities and any alteration of surrounding terrain. The presentation will show the location and design of the facilities relative to the physical features of the site in a way that will show how the installation will appear relative to its surroundings. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-615, filed 10/8/81. Formerly WAC 463-42-580.]

WAC 463-42-620 Repealed. See Disposition Table at beginning of this chapter.

WAC 463-42-625 Human environment--Criteria, standards, and factors utilized to develop transmission

route. The applicant shall indicate the federal, state, and industry criteria used in the energy transmission route selection and construction factors considered in developing the proposed design and shall indicate how such criteria are satisfied. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-625, filed 10/8/81. Formerly WAC 463-42-250.]

WAC 463-42-635 Human environment--Historical, archaeological, and recreational site preservation/creation. The applicant shall list all historical, archaeological, and recreational sites within the area affected by construction and operation of the facility and shall then describe how each will be impacted by construction and operation. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-635, filed 10/8/81. Formerly WAC 463-42-610.]

WAC 463-42-645 Analysis of alternatives. The applicant shall provide an analysis of alternatives for site, route, and other major elements of the proposal. [Statutory Authority: RCW 80.50.040(1) and chapter 80.50 RCW. 81-21-006 (Order 81-5), § 463-42-645, filed 10/8/81. Formerly WAC 463-42-150.]

Chapter 463-46 WAC

GUIDELINES INTERPRETING AND IMPLEMENTING THE STATE ENVIRONMENTAL POLICY ACT

WAC

463-46-055 Timing of the EIS process.

WAC 463-46-055 Timing of the EIS process. (1) The primary purpose of the EIS process is to provide environmental information to governmental decision-makers to be considered prior to making their decision. The process should thus be completed before the decisions of the council commit it to a particular course of action. The actual decision to proceed with many actions may involve a series of individual approvals or decisions. The threshold determination and the EIS, if required, should ideally be completed at the beginning of this process. In many cases, however, preliminary decisions must be made upon a proposal before the proposal is sufficiently definite to permit meaningful environmental analysis. The council shall identify the times at which the EIS process must be completed. The lead agency should require completion of the threshold determination and EIS, if required, at the earliest point in the planning and decision-making process when the principal features of a proposal and its impacts upon the environment can be reliably identified.

(2) The threshold determination and any required EIS shall be completed prior to undertaking any proposed major action. For the purpose of this chapter, the council has determined that the proposed major action is the

recommendation to the governor required in RCW 80.50.100. The council may initiate a contested case hearing required by RCW 80.50.100 prior to completion of the draft EIS. The council shall initiate and conclude a contested case hearing required by RCW 80.50.100 prior to issuance of the final EIS.

(3) When a proposed major action is a proposal for either a governmental action of a project nature or a governmental action of a non-project nature, and the proponent of the major action is also the lead agency, then the maximum time limits contained in these guidelines for the threshold determination and EIS process need not apply to the proposal. [Statutory Authority: RCW 80.50.040(1). 81-07-019 (Order 81-1), § 463-46-055, filed 3/11/81; Order 112, § 463-46-055, filed 12/15/76.]

Chapter 463-54 WAC

CERTIFICATION COMPLIANCE DETERMINATION AND ENFORCEMENT

WAC

463-54-070 Emergency action by chairman.

WAC 463-54-070 Emergency action by chairman.

(1) The chairman of the council or his designee is authorized and shall take action to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the release of pollutants from facilities sited under chapter 80.50 RCW including as appropriate:

(a) The issuance of an order to immediately terminate an endangerment or an endangering release and the suspension of the NPDES or other permit issued by the council.

(b) The notification of the departments of emergency services and social and health services and other appropriate agencies, as necessary, that protective measures are required immediately to safeguard the health or welfare of persons so endangered.

(c) The reference of matters to the attorney general for appropriate enforcement action for violations of site certification agreements and NPDES or other permits issued by the council.

(2) The chairman's action will be confirmed or modified by the council within seventy-two hours of execution at a special or regular meeting of the council, whichever will occur the earliest. [Statutory Authority: RCW 80.50.040(1). 81-11-011 (Order 81-3), § 463-54-070, filed 5/13/81; 78-07-036 (Order 78-3), § 463-54-070, filed 6/23/78.]

Title 468 WAC

DEPARTMENT OF TRANSPORTATION

(Formerly: Highway Commission, etc.)

Chapters

468-06 Public access to information and records.