

WSR 25-22-105  
PREPROPOSAL STATEMENT OF INQUIRY  
ENERGY FACILITY SITE  
EVALUATION COUNCIL

[Filed November 5, 2025, 10:36 a.m.]

Subject of Possible Rule Making: Providing additional guidance on formal and informal procedures that it uses to implement its statutes, especially in terms of adjudicative proceedings (chapter 463-30 WAC), the preapplication process (chapter 463-60 WAC), and site restoration and preservation (chapter 463-72 WAC).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.50.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recent applications, adjudicative proceedings, and plans for site restoration and preservation have indicated that additional or clarifying detail has the potential to set expectations for those who may be using those processes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The energy facility site evaluation council will coordinate with the office of administrative hearings (OAH) on the rule changes for chapter 463-30 WAC, Adjudicative proceedings.

Process for Developing New Rule: Collaborative efforts with stakeholders, tribes, and affected agencies, like OAH.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ali Smith, Rules Coordinator, P.O. Box 43172, phone 360-664-1345, email rulemaking@efsec.wa.gov, website efsec.wa.gov.

November 5, 2025

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