

RESOLUTION NO. 176

Washington State Implementation Plan
To Attain and Maintain National Ambient Air Quality Standards
Control Strategy-Energy Facilities

As related to energy facilities as air contaminant sources, the means by which attainment and maintenance of national ambient air quality standards are to be achieved are basically the same as for other source categories.

The strategy is not different for these sources, but the agency having jurisdiction over their construction and operation, is a separate state entity, distinct from the Department of Ecology (DOE) or any activated air pollution control authority.

State law regarding the siting, construction and operation of energy facilities is set forth in Chapter 80.50 RCW, which is set forth at Appendix A.

Under this statute an Energy Facility Site Evaluation Council (EFSEC) is given authority over energy facilities, as there defined. EFSEC has full authority to establish construction requirements and conditions of operation, but lacks the staff for in-depth technical air quality control analysis and for field work to evaluate operational performance.

The DOE, therefore, has by agreement with EFSEC undertaken to perform these functions, while leaving the statutory authority of EFSEC intact. This agreement, which is set forth in Appendix B, provides for the division of functions of the two agencies so that both the establishment of limitations and their enforcement can be effectively implemented in conformity with the requirements of the Federal Clean Air Act.

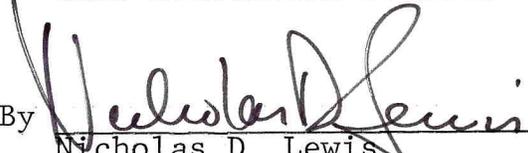
The enabling statute for EFSEC evidences an intent that energy facilities be so controlled that compliance with the Federal Clean Air Act is achieved and gives EFSEC all permit issuing and standard setting authority to that end. Therefore, EFSEC through its rule-making and permit writing functions, intends, in general, to impose substantive standards on energy facilities which are consistent with the limitations imposed on other air contaminant sources, and to require such

sources to meet the relevant level of technical control dictated by federal and state law. DOE will assist in developing these limitations and will perform the data gathering function necessary for their enforcement. The general air pollution regulation dealing with EFSEC sources is Chapter 463-39 WAC, which is set forth in Appendix C. It is in most major respects, the same as DOE's General Regulation for Air Pollution Sources.

- Appendices - A. Chapter 80.50 RCW
- B. Memorandum of Agreement - EFSEC/DOE
- C. Chapter 463-39 WAC

Adopted this 12th day of May 1980.

WASHINGTON STATE ENERGY FACILITY
SITE EVALUATION COUNCIL

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Chairman

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