



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Energy Facility Site Evaluation Council

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

EFSEC's purpose for this rulemaking is to: 1) assure consistency with Department of Ecology rules, (RCW 70.94.422), 2) to assure consistency and compliance with federal rules and 3) to provide clarifying language in the existing rule. Many of these revisions also support EFSEC's future update of its state implementation plan (SIP) to be submitted to the US Environmental Protection Agency in 2016.

Citation of existing rules affected by this order:

Repealed:

Amended: Chapter 463-78 WAC – General and Operating Regulations for Air Pollution Sources

Suspended:

Statutory authority for adoption: RCW 80.50.040

Other authority : RCW 70.94.422

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR **15-10-106** on May 6, 2015.

Describe any changes other than editing from proposed to adopted version: No changes.

Cost-benefit analysis was not prepared under RCW 34.05.328, because this is not a significant legislative rule.

Date adopted: July 23, 2015

NAME (TYPE OR PRINT)

Stephen Posner

SIGNATURE

TITLE

EFSEC Manager

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 27, 2015

TIME: 12:27 PM

WSR 15-16-033

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	<u>1</u>	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>6</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>4</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____