DETERMINATION OF NONSIGNIFICANCE

Description of proposal: Rule amendment: Chapter 463-78 WAC – General and Operating Permit Regulations for Air Pollution Sources rules for Electric Transmission Facilities. The current rule adopts Chapter 173-400 WAC – General Regulations for Air Pollution Sources that was in effect on March, 1, 2005. The proposed amended rule would adopt Chapter 173-400 WAC as of November 1, 2008, updating EFSEC’s rule to include the most current regulations. No other changes to Chapter 463-78 WAC are proposed.

Proponent: Washington State Energy Facility Site Evaluation Council (EFSEC)

Location of proposal, including street address, if any: The proposed rule applies statewide.

Lead agency: Washington State Energy Facility Site Evaluation Council

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

☐ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Responsible official: Allen J. Fiksdal

Position/title: EFSEC Manager

Phone: 360-956-2152

Address: 905 Plum Street SE or PO Box 43172, Olympia, WA 98504-3172

Date: November 20, 2008

Signature: /s/