



STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL
905 Plum Street SE, PO Box 43172 • Olympia, Washington 98504-3172

Notice of Proposed Rule Making

September 18, 2008

Dear Interested Person:

You are receiving this letter because you are on our list of people interested in the Energy Facility Site Evaluation Council's (EFSEC) rule making activity. EFSEC has filed a notice of Expedited Rule Making (also called a CR-105) with the state's Code Reviser's Office for proposed rulemaking to Chapter 463-78 of the Washington Administrative Code (WAC) – General and Operating Permit Regulations for Air Pollution Sources.

EFSEC intends to readopt by reference the latest version of the Department of Ecology's Chapter 173-400 - General Regulations for Air Pollution Sources. The only change to the EFSEC rule WAC 463-78-005(1) will be to change the date of adoption from March 1, 2005 to November 1, 2008. The effect of this date change will be that EFSEC will have adopted and may use the most recent version of Ecology's rule.

Adopting of the Department of Ecology's most recent rules relating to the Prevention of Significant Deterioration (PSD) program will enable EFSEC to received full delegation from the U. S. Environmental Protection Agency (EPA) for new major stationary sources and major modifications to major stationary sources located in attainment or unclassified areas in Washington. With full delegation of the PSD program, there will be no differences between EFSEC's and Ecology's PSD programs and there will be reduced costs to new energy facilities with elimination of the need for the EPA to co-sign the PSD permit.

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Allen Fiksdal, EFSEC Manager

Agency: Energy Facility Site Evaluation Council

Address: PO Box 43172, Olympia, WA 98504-3172

AND RECEIVED BY November 18, 2008

Interested persons can access information for this rule making on the EFSEC website at <http://efsec.wa.gov/rulerev.shtml> or by contacting Mr. Fiksdal at the address listed above or by phone at (360) 956-2152, fax: 360-956-2158, or email: allenf@cted.wa.gov.