



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Energy Facility Site Evaluation Council (EFSEC)

Title of rule and other identifying information:

Chapter 463-60 WAC – Applications for Site Certification, subsection -540.
Chapter 463-76 WAC – Regulations for Compliance with NPDES Program, subsections -005, -010, and -025.

NOTICE

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: Stephen Posner
Agency: EFSEC
Address: PO Box 43172, Olympia WA 98504-3172

AND RECEIVED BY October 19, 2015

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this rulemaking is to clarify existing language in the two above cited WAC chapters. The proposed rule revisions will not substantively change the existing rules.

Reasons supporting proposal:

The proposed revisions will clarify EFSEC issuance of coverages under Ecology-issued NPDES general permits, authorized by RCW 90.48.160, RCW 90.48.262(2), and RCW 80.50.040. EFSEC issuance of coverages under Ecology-issued NPDES general permits implements the legislative directive to adopt rules which will provide maximum coordination and avoid duplication between the two agencies with respect to permits. RCW 90.48.262(2). In addition, the documents an applicant must file as part of a site certification application for certain permit coverage is clarified.

Statutory authority for adoption: RCW 90.48.262(2)

Statute being implemented: RCW 80.50.040

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No
If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 19, 2015
TIME: 8:21 AM

WSR 15-17-115

DATE
August 19, 2015

NAME (TYPE OR PRINT)
Stephen Posner

SIGNATURE

TITLE
EFSEC Manager

Name of proponent: EFSEC

Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362
Implementation....Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362
Enforcement.....Jim LaSpina	EFSEC, Olympia, WA	(360) 664-1362

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: