



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

Notice of Proposed Rule Making

August 16, 2017

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) rulemaking activity. EFSEC has filed a Preproposal Statement of Inquiry (also called a CR-101) with the state's Code Reviser's Office for possible rulemaking to amend certain parts of chapter 463-76 of the Washington Administrative Code (WAC) – Regulations for Compliance with National Pollutant Discharge Elimination System (NPDES) program. The proposed amendments are briefly described below.

| Rule citation | Purpose of Amendment |
|---|--|
| WAC 463-76-054 – Schedules of Compliance | To assure consistency of EFSEC rules with Department of Ecology (Ecology) and U. S. Environmental Protection Agency rules concerning interim compliance dates within a schedule of compliance. EFSEC proposes to amend its existing rules to allow interim compliance dates of up to one year apart. |
| WAC 463-76-062 – Modification of NPDES Permit | To assure consistency of EFSEC rules with Ecology rules to make minor revisions to an NPDES permit. EFSEC proposes to adopt Ecology rules that allow an abbreviated process to be used that do <u>not</u> result in a less stringent effluent limitations. |

Chapter 90.48 of the Revised Code of Washington (RCW) requires EFSEC and Ecology to work together to maximize coordination and minimize duplication in implementing their respective NPDES programs. EFSEC's proposed rule amendments will streamline and simplify minor permit revisions for both EFSEC and the affected permit holder. EFSEC will coordinate with Ecology to properly implement the amended rules.

EFSEC will review preliminary drafts of the amended rules and will discuss these at their monthly meetings. You will have an opportunity to comment on any changes to these rules when EFSEC completes its drafting and issues the proposed rules for public comment (CR-102). At least one public hearing will be held and the proposed rule changes will be posted on the agency website and provided to interested parties upon request.

A schedule has not yet been developed for the drafting of these rules or when the public meetings will be held.

Interested persons can access information for this rulemaking on the EFSEC website at <http://www.efsec.wa.gov/default.shtm> or by contacting:

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