AMENDATORY SECTION (Amending WSR 19-16-025, filed 7/26/19, effective 8/26/19)

WAC 463-78-005 Adoption by reference. (1) The energy facility site evaluation council adopts by reference the provisions (of chapter 173-400 WAC) in the chapters listed below in this section and the federal rules in WAC 463-78-115 as it existed on November 25, 2018, with the exceptions that:

1. WAC 173-400-110 shall not be adopted on the date in subsection (1) of this section with the following exceptions:
   (a) These provisions are not adopted by reference:
      (i) WAC 173-400-111 (5)(a) (last six words), (6), (9) (7) (and);
      (ii) WAC 173-400-730 (4) (and); and
      (iii) WAC 173-400-750 (2) second sentence (are not adopted by reference); and
   (iv) The adoption date shall be November 11, 2019.

2. The terms "ecology," "authority," "director," and "permitting authority" in WAC 173-400-030 shall mean "the energy facility site evaluation council" unless a different meaning is plainly required by the context.

WAC 173-400-025: Adoption of federal rules.
WAC 173-400-030: Definitions.
WAC 173-400-036: Relocation of portable sources.
WAC 173-400-040: General standards for maximum emissions.
WAC 173-400-050: Emission standards for combustion and incineration units.
WAC 173-400-060: Emission standards for general process units.
WAC 173-400-075: Emission standards for sources emitting hazardous air pollutants.
WAC 173-400-081: Emission limits during startup and shutdown.
WAC 173-400-091: Voluntary limits on emissions.
WAC 173-400-105: Records, monitoring, and reporting.
WAC 173-400-107: Excess emissions.
WAC 173-400-110: New source review (NSR) for sources and portable sources.
WAC 173-400-111: Processing notice of construction applications for sources, stationary sources and portable sources.
WAC 173-400-112: Requirements for new sources in nonattainment areas.
WAC 173-400-113: Requirements for new sources in attainment or unclassifiable areas.
WAC 173-400-114: Requirements for replacement or substantial alteration of emission control technology at an existing stationary source.
WAC 173-400-116: Increment protection.
WAC 173-400-117: Special protection requirements for federal Class I areas.
WAC 173-400-120: Bubble rules.
WAC 173-400-131: Issuance of emission reduction credits.
WAC 173-400-136: Use of emission reduction credits (ERC).
WAC 173-400-161: Compliance schedules.
WAC 173-400-171: Public notice and opportunity for public comment.
WAC 173-400-175: Public information.
WAC 173-400-180: Variance.
WAC 173-400-190: Requirements for nonattainment areas.
WAC 173-400-200: Creditable stack height and dispersion techniques.
WAC 173-400-205: Adjustment for atmospheric conditions.
WAC 173-400-700: Review of major stationary sources of air pollution.
WAC 173-400-710: Definitions.
WAC 173-400-730: Prevention of significant deterioration application processing procedures.
WAC 173-400-740: PSD permitting public involvement requirements.
WAC 173-400-750: Revisions to PSD permits.
WAC 173-400-800: Major stationary source and major modification in a nonattainment area.
WAC 173-400-810: Major stationary source and major modification definitions.
WAC 173-400-820: Determining if a new stationary source or modification to a stationary source is subject to these requirements.
WAC 173-400-830: Permitting requirements.
WAC 173-400-840: Emission offset requirements.
WAC 173-400-850: Actual emissions plantwide applicability limitation (PAL).
WAC 173-400-860: Public involvement procedures.

((2)) The energy facility site evaluation council adopts by reference the following provisions of chapter 173-401 WAC, (((as it existed on September 16, 2018))) in effect on the date referenced in subsection (1) of this section, with the (((exception that))) following exceptions:
(a) WAC 173-401-620 (2)(i) is not adopted by reference
(b) The terms "ecology," "authority," "director," and "permitting authority" shall mean "the energy facility site evaluation council" unless a different meaning is plainly required by the context.

WAC 173-401-100: Program overview.
WAC 173-401-200: Definitions.
Part I - GENERAL PROVISIONS

((3)) (4) The energy facility site evaluation council adopts by reference the following provisions of chapter 173-406 WAC, ((as it existed on March 1, 2005)) in effect on the date referenced to in subsection (1) of this section.

WAC 173-406-100: Acid rain program general provisions.
WAC 173-406-102: Measurements, abbreviations, and acronyms.
WAC 173-406-103: Applicability.
Part I - GENERAL PROVISIONS
WAC 173-406-105: Retired units exemption.
WAC 173-406-106: Standard requirements.

Part II - DESIGNATED REPRESENTATIVE
WAC 173-406-200: Designated representative.
WAC 173-406-201: Submissions.

Part III - APPLICATIONS
WAC 173-406-300: Acid rain permit applications.
WAC 173-406-301: Requirement to apply.
WAC 173-406-302: Information requirements for acid rain permit applications.
WAC 173-406-303: Permit application shield and binding effect of permit application.

Part IV - COMPLIANCE PLAN
WAC 173-406-400: Acid rain compliance plan and compliance options.
WAC 173-406-402: Repowering extensions.

Part V - PERMIT CONTENTS
WAC 173-406-500: Acid rain permit.

Part VI - PERMIT ISSUANCE
WAC 173-406-600: Acid rain permit issuance procedures.
WAC 173-406-603: Statement of basis.

Part VII - PERMIT REVISIONS
WAC 173-406-700: Permit revisions.
WAC 173-406-701: General.
WAC 173-406-702: Permit modifications.
WAC 173-406-704: Administrative permit amendment.
WAC 173-406-705: Automatic permit amendment.
WAC 173-406-706: Permit reopenings.

Part VIII - COMPLIANCE CERTIFICATION
WAC 173-406-800: Compliance certification.
WAC 173-406-802: Units with repowering extension plans.
Part IX - NITROGEN OXIDES

Part X - SULFUR DIOXIDE OPT-IN
WAC 173-406-950: Sulfur dioxide opt-ins.

((4)) (5) The energy facility site evaluation council adopts by reference the following provisions of chapter 173-460 WAC, ((as it existed on June 20, 2009)) in effect on the date referenced in subsection (1) of this section.

WAC 173-460-010: Purpose.
WAC 173-460-020: Definitions.
WAC 173-460-030: Applicability.
WAC 173-460-040: New source review.
WAC 173-460-050: Requirement to quantify emissions.
WAC 173-460-060: Control technology requirements.
WAC 173-460-070: Ambient impact requirement.
WAC 173-460-080: First tier review.
WAC 173-460-090: Second tier review.
WAC 173-460-100: Third tier review.
WAC 173-460-140: Remedies.
WAC 173-460-150: Table of ASIL, SQER, and de minimis emission values.

((5)) (6) The energy facility site evaluation council adopts by reference the following provisions of chapter 173-441 WAC, ((as it existed on January 1, 2011)) in effect on the date referenced in subsection (1) of this section.

WAC 173-441-010: Scope.
WAC 173-441-020: Definitions.
WAC 173-441-030: Applicability.
WAC 173-441-040: Greenhouse gases.
WAC 173-441-050: General monitoring, reporting, recordkeeping and verification requirements.
WAC 173-441-060: Authorization and responsibilities of the designated representative.
WAC 173-441-070: Report submittal.
WAC 173-441-080: Standardized methods and conversion factors incorporated by reference.
WAC 173-441-085: Third-party verification.
WAC 173-441-086: Assigned emissions level.
WAC 173-441-090: Compliance and enforcement.
WAC 173-441-100: Addresses.
WAC 173-441-110: Fees.
WAC 173-441-130: Calculation methods for suppliers.
WAC 173-441-140: Petitioning ecology to use an alternative calculation method to calculate greenhouse gas emissions.

WAC 173-441-150: Confidentiality.

WAC 173-441-160: Ecology to share information with local air authorities and with the energy facility site evaluation council.

WAC 173-441-170: Severability.