

WAC 463-78-005 Adoption by reference. (1) The energy facility site evaluation council adopts by reference the ~~((following))~~ 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:)) 11, 2019.

(2) The energy facility site evaluation council adopts by reference the following provisions of chapter 173-400 WAC in effect 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));

(ii) WAC 173-400-730 (4) ((7 and));

(iii) WAC 173-400-750 (2) second sentence ((are not adopted by reference)); and

(iv) The adoption date shall be November 11, 2019.

(b) 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 173-400-720:	Prevention of significant deterioration (PSD).
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))~~ (3) 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 ~~((7))~~ 1 and
- (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.

WAC 173-401-300:	Applicability.
WAC 173-401-500:	Permit applications.
WAC 173-401-510:	Permit application form.
WAC 173-401-520:	Certification.
WAC 173-401-530:	Insignificant emission units.
WAC 173-401-531:	Thresholds for hazardous air pollutants.
WAC 173-401-532:	Categorically exempt insignificant emission units.
WAC 173-401-533:	Units and activities defined as insignificant on the basis of size or production rate.
WAC 173-401-600:	Permit content.
WAC 173-401-605:	Emission standards and limitations.
WAC 173-401-610:	Permit duration.
WAC 173-401-615:	Monitoring and related recordkeeping and reporting requirements.
WAC 173-401-620:	Standard terms and conditions.
WAC 173-401-625:	Federally enforceable requirements.
WAC 173-401-630:	Compliance requirements.
WAC 173-401-635:	Temporary sources.
WAC 173-401-640:	Permit shield.
WAC 173-401-645:	Emergency provision.
WAC 173-401-650:	Operational flexibility.
WAC 173-401-700:	Action on application.
WAC 173-401-705:	Requirement for a permit.
WAC 173-401-710:	Permit renewal, revocation and expiration.
WAC 173-401-720:	Administrative permit amendments.
WAC 173-401-722:	Changes not requiring permit revisions.
WAC 173-401-725:	Permit modifications.
WAC 173-401-730:	Reopening for cause.
WAC 173-401-750:	General permits.
WAC 173-401-800:	Public involvement.
WAC 173-401-810:	EPA Review.
WAC 173-401-820:	Review by affected states.

~~((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.

Part I - GENERAL PROVISIONS

WAC 173-406-100:	Acid rain program general provisions.
WAC 173-406-101:	Definitions.
WAC 173-406-102:	Measurements, abbreviations, and acronyms.
WAC 173-406-103:	Applicability.

Part I - GENERAL PROVISIONS

- WAC 173-406-104: New units exemption.
- 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.
- WAC 173-406-202: Objections.

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 173-406-401: General.
- WAC 173-406-402: Repowering extensions.

Part V - PERMIT CONTENTS

- WAC 173-406-500: Acid rain permit.
- WAC 173-406-501: Contents.
- WAC 173-406-502: Permit shield.

Part VI - PERMIT ISSUANCE

- WAC 173-406-600: Acid rain permit issuance procedures.
- WAC 173-406-601: General.
- WAC 173-406-602: Completeness.
- WAC 173-406-603: Statement of basis.
- WAC 173-406-604: Issuance of acid rain permits.

Part VII - PERMIT REVISIONS

- WAC 173-406-700: Permit revisions.
- WAC 173-406-701: General.
- WAC 173-406-702: Permit modifications.
- WAC 173-406-703: Fast-track 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 173-406-801: Annual compliance certification report.
- WAC 173-406-802: Units with repowering extension plans.

Part IX - NITROGEN OXIDES

WAC 173-406-900: Nitrogen oxides emission reduction program.

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 173-441-120: Calculation methods incorporated by reference from 40 C.F.R. Part 98 for facilities.
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.