

**Chapter 463-22 WAC  
POTENTIAL SITE STUDIES**

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**WAC**

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**WAC 463-22-010 Purpose.** This chapter sets forth procedures and guidelines for processing potential site studies pursuant to RCW 80.50.175.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-010, filed 10/11/04, effective 11/11/04; Order 106, § 463-22-010, filed 11/4/76.]

**WAC 463-22-020 Potential site study request—Where submitted.** Requests shall be submitted to the energy facility site evaluation council at the council office in writing.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-020, filed 10/11/04, effective 11/11/04; Order 106, § 463-22-020, filed 11/4/76.]

**WAC 463-22-030 Potential site study—Fee.** An initial fee of \$10,000 shall accompany the study request and shall be a condition precedent to any action by the council. Payment shall be made by a cashier's check payable to the state treasurer.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-030, filed 10/11/04, effective 11/11/04; Order 106, § 463-22-030, filed 11/4/76.]

**WAC 463-22-040 Potential site study—Contents.** A request for potential site study is to include a legal description of the proposed site, a general description of the area in which the proposed energy facility is to be located, and a description of the type, size, and significant features of the proposed facility itself. The council may require further information which it deems necessary to complete the request.

[Order 106, § 463-22-040, filed 11/4/76.]

**WAC 463-22-050 Retention of consultant.** Upon receipt of a request for a potential site study, the council shall commission an independent consultant of its choice to study and report in writing to the council on the potential site. The report of study shall set forth

a general analysis of the potential environmental impact of the proposed energy facility and shall identify significant areas of environmental concern. The study may also encompass whatever other matters the council and potential applicant deem essential for an adequate appraisal of the potential site and potentially impacted areas surrounding or adjacent to the site.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-050, filed 10/11/04, effective 11/11/04; Order 106, § 463-22-050, filed 11/4/76.]

**WAC 463-22-060 Notification of local authorities.** Upon receipt of a request for study of a potential site, the council will give notice to the legislative authority in each county, city and port district within whose boundaries the site of the proposed energy facility is located.

[Statutory Authority: RCW 80.50.040(1). WSR 78-09-080 (Order 78-7), § 463-22-060, filed 8/28/78; Order 106, § 463-22-060, filed 11/4/76.]

**WAC 463-22-070 Independent consultant study—No preliminary approval.** Nothing stated or recommended by the consultant, either during the study stage or in its report, shall be interpreted as preliminary approval or disapproval of the potential site by the council.

[Order 106, § 463-22-070, filed 11/4/76.]

**WAC 463-22-080 Procedure where application precedes conclusion of study.** In the event an application for certification is made prior to completion of the study, the council may terminate the study prior to completion.

[Order 106, § 463-22-080, filed 11/4/76.]

**WAC 463-22-090 Additional costs procedure.** The council shall provide the potential applicant an estimate of the full cost needed to complete the study including costs for consultants, council staff, council members, and other such expenses that are deemed reasonable by the council. In no event shall the study be allowed to continue if the potential applicant has not agreed to pay the cost thereof.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-090, filed 10/11/04, effective 11/11/04; Order 106, § 463-22-090, filed 11/4/76.]

**WAC 463-22-100 Public information meeting.** During the potential site study, the council may hold a public information meeting in the county or counties within whose boundaries the site of the proposed energy facility is located, or as close to the proposed site as practicable. The council shall publish notice of the meeting in local dai-

ly or weekly news publications. This public information meeting shall not be in lieu of the requirements of RCW 80.50.090.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-22-100, filed 10/11/04, effective 11/11/04.]