

WAC 332-18-05009 Adjudicative proceedings—Standing. A person has standing to obtain review of a department action concerning surface mining under chapter 78.44 RCW only if that person is aggrieved by the department's action. A person is aggrieved only when all three of the following conditions are present:

(1) The department's action has prejudiced or is likely to prejudice that person;

(2) That person's asserted interests are among those that the department was required to consider when it took the action being challenged; and

(3) A decision in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the department's action.

[Statutory Authority: RCW 78.44.040, 34.05.220, 43.21C.135 and 78.44.250. WSR 94-14-051, § 332-18-05009, filed 6/30/94, effective 8/2/94.]