



Washington State

Energy Facility Site Evaluation Council

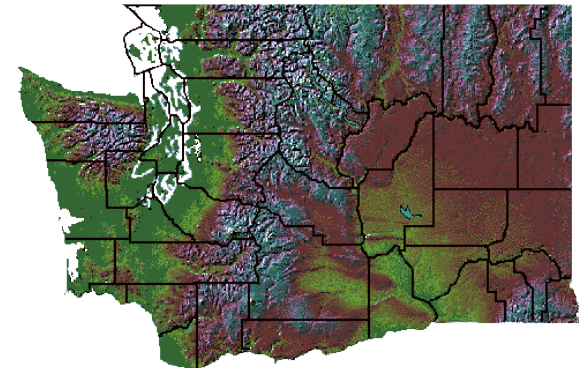
Jim Luce, EFSEC Chair

Port Of Vancouver Presentation

Vancouver, WA

June 27, 2013

EFSEC

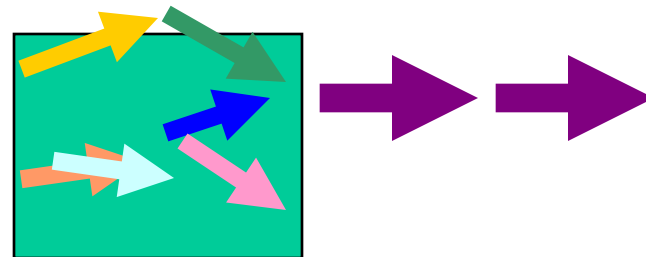


These Slides Are Intended for Illustrative Purposes Only and Do Not Represent the Official Position of EFSEC on Any Individual Project

EFSEC

SCOPE

- **EFSEC formed in 1970: Nuclear power.**
- **“One stop shopping”**
- **State agency and local government members.**
- **EFSEC recommendation to Governor for final decision**
- **Final decision preempts all other state and local governments**



EFSEC

STATE LAW
Chapter 80.50 RCW
WAC 463-14



EFSEC reviews specific sites; not a big policy forum:

- **Recognize the pressing need for increased energy facilities**
- **Provide abundant energy at a reasonable cost**
- **Balance the increasing demands for energy facilities with the broad interests of the public**
- **Produce minimal adverse effects on the environment**

Chair – Governor Appointee

- **Dept. of Ecology**
- **Dept. of Fish & Wildlife**
- **Dept. of Commerce**
- **Dept. of Natural Resources**
- **Utilities & Transportation Commission***
- **Local Government (City and County)**
- **Port District - nonvoting (both for application review)**

Optional members:

- **Dept. of Agriculture**
- **Dept. of Health**
- **Dept. of Transportation**
- **Military Department**

* Provides staff and administrative support to EFSEC

Counsel for the Environment

RCW 80.50.080



- The counsel for the environment shall represent the public and its interest in protecting the quality of the environment.
- The counsel for the environment is an assistant attorney general who is appointed by the attorney general and does not represent the individual but rather represents statewide interests.



EFSEC

FACILITIES



- **Power Plants:**

- **Alternative Energy Resources “any size may opt-in”** (wind, solar, geothermal, wave/tidal, landfill gas, biomass, etc.)

- **Non Hydro Thermal Power Plants 350+ MW**

- **Transmission Lines 115+ kV may “opt-in”**

- **Pipelines**

- **Refineries and Storage Facilities**



Oil Storage Facilities

RCW 80.50.020



- “Energy plant” means the facility together with its associated facilities and includes...
- “Facilities which will have the capacity to receive more than an average of fifty thousand barrels per day of crude or refined petroleum... which has been or will be transported over marine waters, except that the provisions of this chapter shall not apply to storage facilities unless occasioned by such new facility construction.”

Northwest oil destinations

TERMINALS

Already receiving and shipping

- Global Partners, Clatskanie (Port Westward)

Planning to receive and ship

- Tesoro, Port of Vancouver
- U.S. Development, Grays Harbor
- Westway, Grays Harbor
- Imperium, Grays Harbor (Expansion for many products, not just crude)
- Targa, Tacoma

REFINERIES

Already receiving

- Tesoro, Anacortes
- U.S. Oil and Refining, Tacoma

Plan to receive:

- Phillips 66, Ferndale
- BP, Cherry Point
- Shell, Anacortes



DAN AGUAYO/THE OREGONIAN

- Application Review (Independent Consultants) 🗣️
- Environmental Review (SEPA) 🗣️
- Land Use Consistency Determination 🗣️
- Adjudicative Proceeding 🗣️
- Air & Water Discharge Permits 🗣️

🗣️ Public participation





EFSEC

AIR AND WATER DISCHARGE PERMITS
WAC 463-76 AND WAC 463-78

- **WAC 463-76** – Regulations for Compliance With NPDES Permit Program
- The purpose of these regulations is to establish a state individual permit program, applicable to the discharge of pollutants and other wastes and materials to the surface waters of the state...



- **WAC 463-78** - The Energy Facility Site Evaluation Council ...is charged with responsibilities for the conduct of a statewide program of air pollution prevention and control for energy facilities.

EFSEC

Adjudicative Proceeding **WAC 463-30**

- **Administrative Law Judge**
- **Court Reporter**
- **Record Compiled**
- **Stipulations and Settlements**
- **Deliberations**
- **Findings and Conclusions**
- **Governor Accept, Reject, Remand**



EFSEC

EVALUATING PROJECTS



- **Policy in RCW and WAC**
- **Standards**
- **Adjudicative Proceeding**





CONSTRUCTION and OPERATION STANDARDS

EFSEC

CHAPTER 463-62 WAC



- **SEISMICITY** – STATE BUILDING CODE
- **NOISE** – STATE STANDARDS
- **FISH & WILDLIFE** – “NO NET LOSS”
- **WETLANDS** – “NO NET LOSS”
- **WATER QUALITY** – STATE LAW
- **AIR QUALITY** – STATE AND FEDERAL REGULATIONS



- **Public Participation**
 - **Public meetings**
 - **Written public comments**
 - **Response to public comments**



More Opportunities for Public Participation

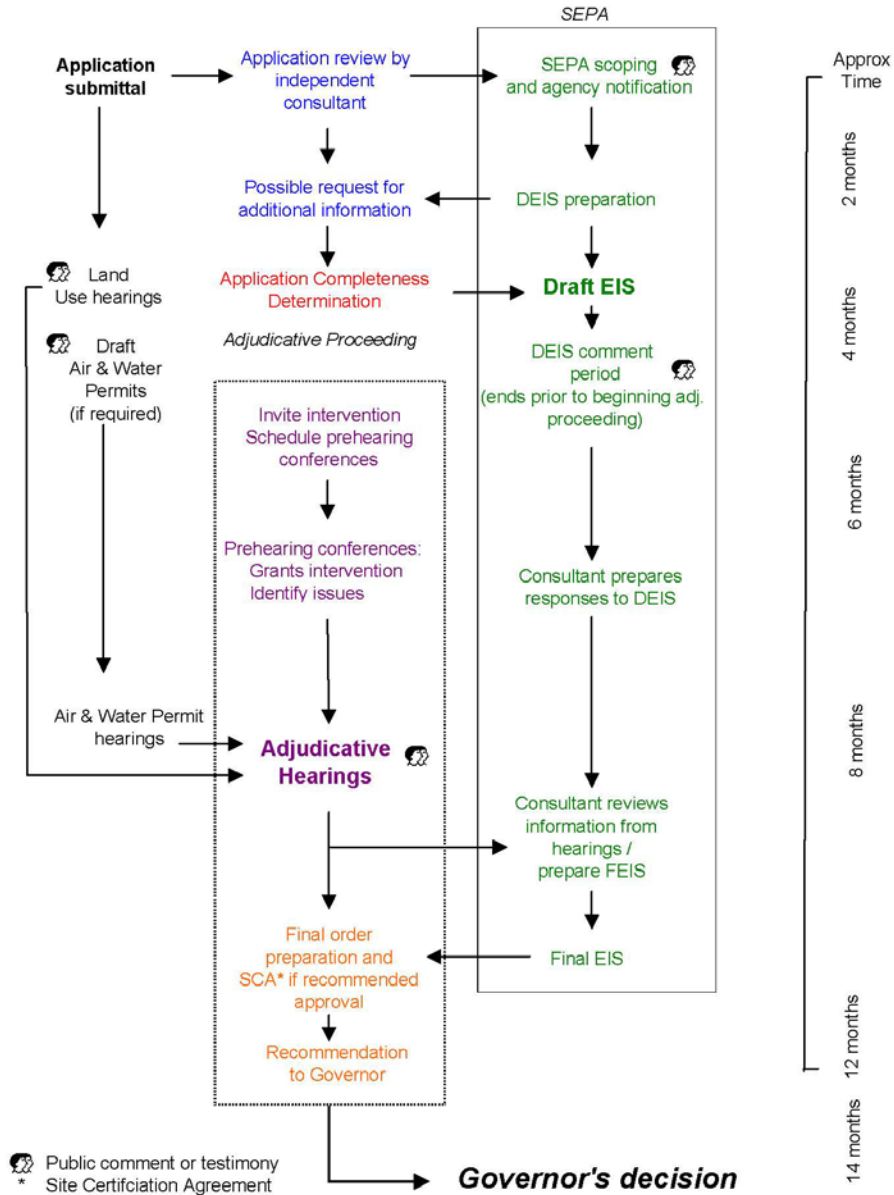
RCW 80.50.090

- **Informational Meeting – no later than 60 days after receipt of application**
- **Public Hearings - Land Use**
- **Public Hearings – Adjudicative Proceeding**
- **SEPA – Scoping Comments**
- **DEIS – Opportunities to Comment**



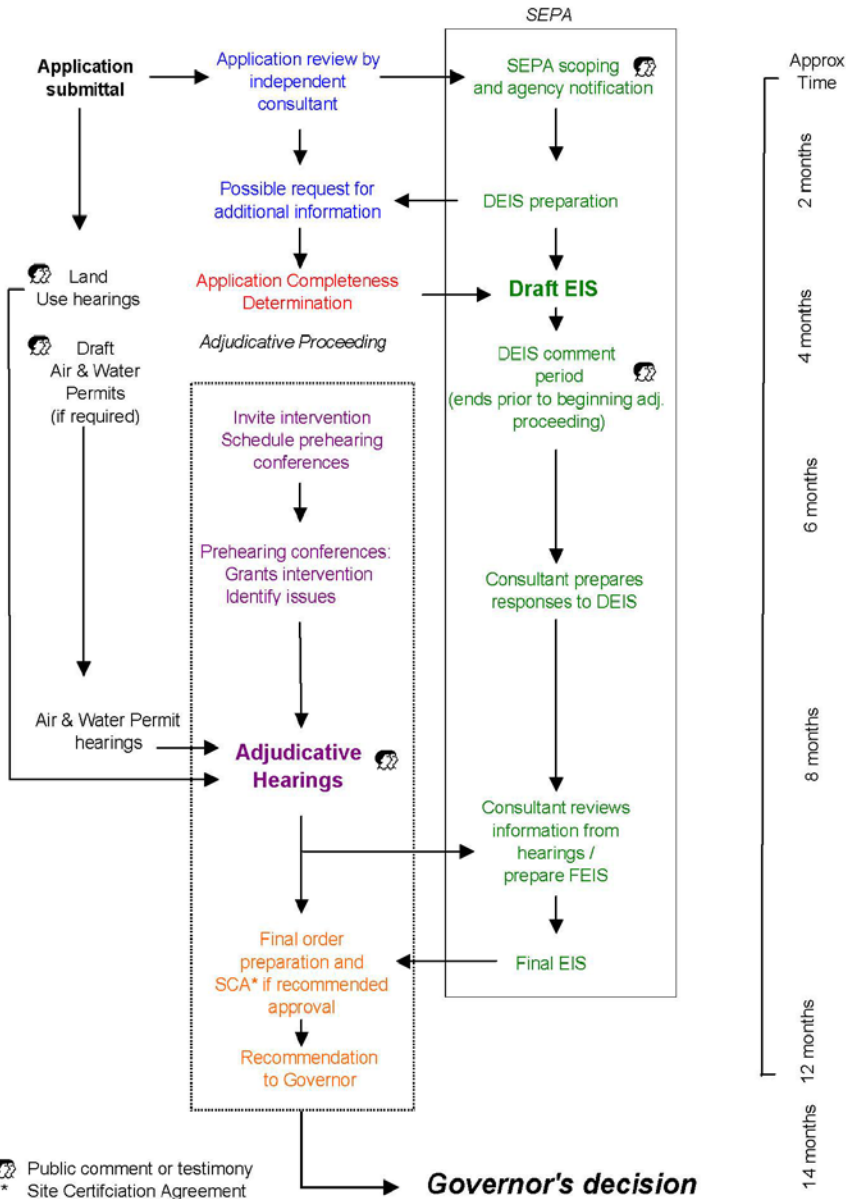


GENERALIZED SITING PROCESS





GENERALIZED SITING PROCESS

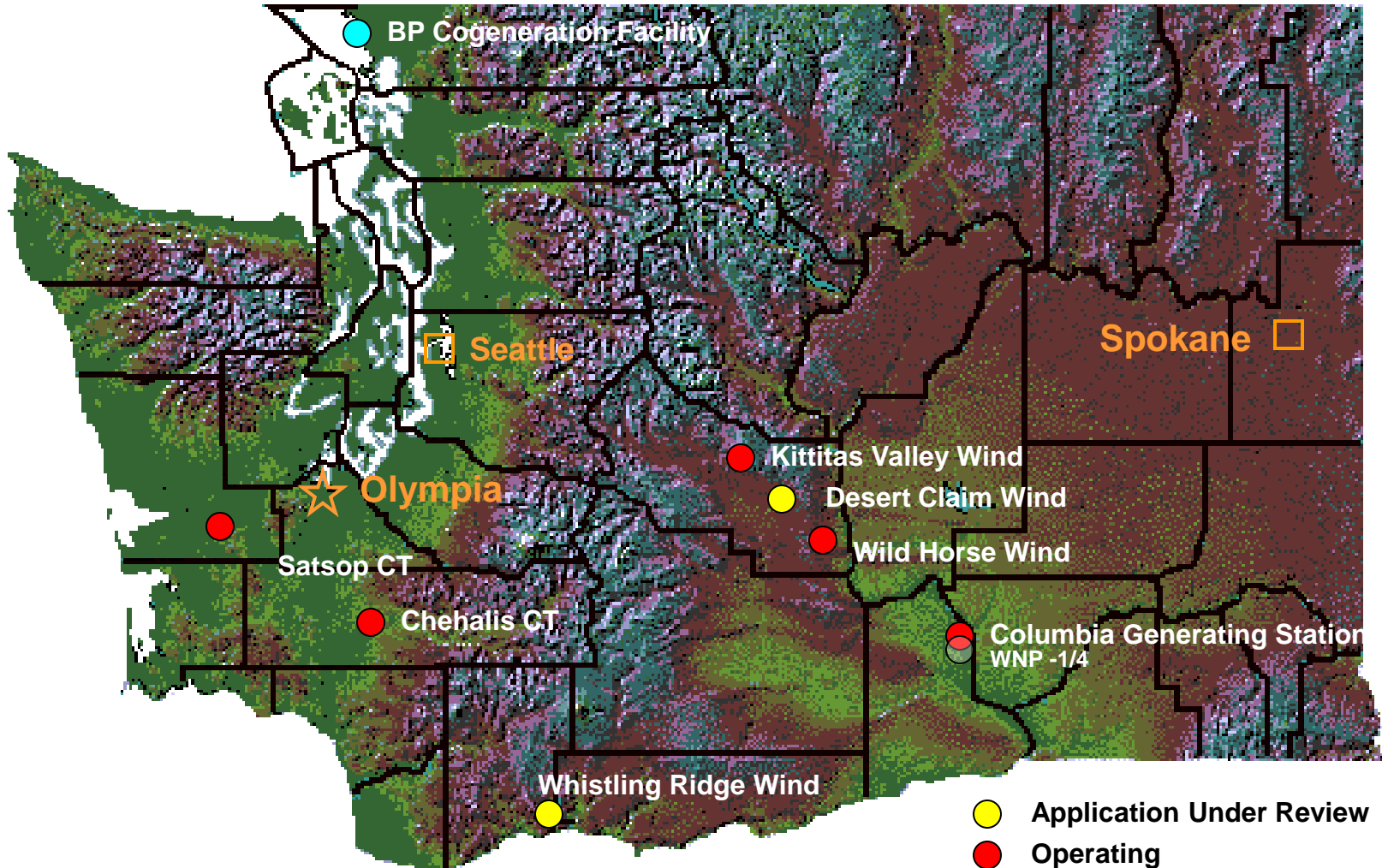


EXPEDITED PROCESS

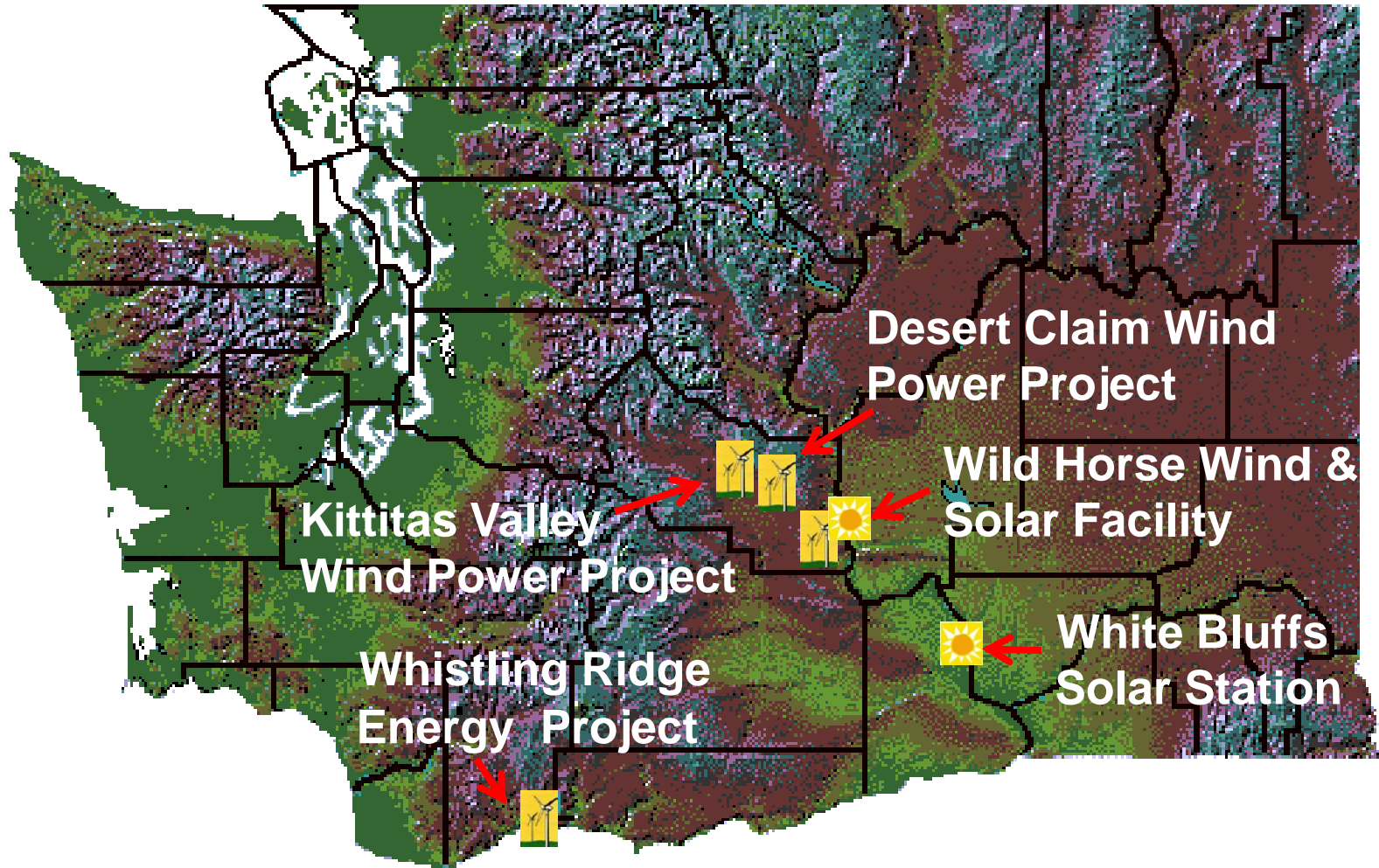
RCW 80.50.075

- Any person filing an application ... may apply to the council for an expedited processing.....
- No Adjudicative Proceeding
- Consistent with Local Land Use
- Requires non-significant or mitigated SEPA

EFSEC Project Location Map



- Application Under Review
- Operating
- Under Construction
- Approved - Construction Not Started



EFSEC monitors approved projects for compliance with the Site Certification Agreement through contracts with:

- **State agencies**
- **Local agencies**



Access Washington™
Official State Government Web Site

ENERGY FACILITY SITE EVALUATION COUNCIL

About EFSEC

The State of Washington Energy Facility Site Evaluation Council (EFSEC or Council) provides a "one-stop" siting process for major energy facilities in the State of Washington. EFSEC coordinates all [evaluation and licensing steps](#) for siting [certain energy facilities](#) in Washington. EFSEC specifies the conditions of construction and operation. If approved, a Site Certification Agreement is issued in lieu of any other individual state or local agency permits. EFSEC also manages an environmental and safety oversight program of facility and site operations.

**State of Washington
Energy Facility Site Evaluation Council**

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Olympia, WA 98504-3172

Phone: 360-956-2121
Fax: 360-956-2158

[Map](#)

[More Contact Information](#)

Under Review:

- ▶ [Desert Claim](#) Wind
- ▶ [Whistling Ridge](#) Wind

Permitted:

- ▶ [Kittitas Valley](#) Wind
- ▶ [Wild Horse](#) Wind
- ▶ [BP Cherry Point](#) Natural Gas
- ▶ [Chehalis Generation](#) Natural Gas
- ▶ [Satsop - Grays Harbor](#) Natural Gas
- ▶ [Columbia Generating Station](#) Nuclear
- ▶ [WNP-1 /4](#) Nuclear

Calendar:

A [listing of upcoming important dates](#) - EFSEC meetings, public comment submittal due dates, filing dates for project adjudicative proceedings, or other dates of significance.