2 **SHB 2644** - S COMM AMD
3   By Committee on Energy, Technology & Telecommunications

4   ADOPTED 2/29/00

5   Strike everything after the enacting clause and insert the
6 following:

7   "**Sec. 1.** RCW 80.50.300 and 1996 c 4 s 2 are each amended to read
8 as follows:
9   (1) This section applies only to unfinished nuclear power projects
10 ((~~that are not located on federal property~~)). If a certificate holder
11 stops construction of a nuclear energy facility before completion,
12 terminates the project or otherwise resolves not to complete
13 construction, never introduces or stores fuel for the energy facility
14 on the site, and never operates the energy facility as designed to
15 produce energy, the certificate holder may contract, establish
16 interlocal agreements, or use other formal means to effect the transfer
17 of site restoration responsibilities, which may include economic
18 development activities, to any political subdivision or subdivisions of
19 the state composed of elected officials. The contracts, interlocal
20 agreements, or other formal means of cooperation may include, but are
21 not limited to provisions effecting the transfer or conveyance of
22 interests in the site and energy facilities from the certificate holder
23 to other political subdivisions of the state, including costs of
24 maintenance and security, capital improvements, and demolition and
25 salvage of the unused energy facilities and infrastructure.
26   (2) If a certificate holder transfers all or a portion of the site
27 to a political subdivision or subdivisions of the state composed of
28 elected officials and located in the same county as the site, the
29 council shall amend the site certification agreement to release those
30 portions of the site ((~~that are transferred pursuant to this section~~))
31 <u>that it finds are no longer intended for the development of an energy</u>
32 <u>facility</u>.
33   Immediately upon release of all or a portion of the site pursuant
34 to this section, all responsibilities for maintaining the public
35 welfare <u>for portions of the site transferred</u>, including but not limited
36 to health and safety, are transferred to the political subdivision or

1 subdivisions of the state. For sites located on federal land, all
2 responsibilities for maintaining the public welfare for all of the
3 site, including but not limited to health and safety, must be
4 transferred to the political subdivision or subdivisions of the state
5 irrespective of whether all or a portion of the site is released.
6   (3) The legislature finds that for all or a portion of sites that
7 have been transferred to a political subdivision or subdivisions of the
8 state prior to September 1, 1999, ensuring water for site restoration
9 including economic development, completed pursuant to this section can
10 best be accomplished by a transfer of existing surface water rights,
11 and that such a transfer is best accomplished administratively through
12 procedures set forth in existing statutes and rules. However, if a
13 transfer of water rights is not possible, the department of ecology
14 shall, within six months of the transfer of the site or portion thereof
15 pursuant to subsection (1) of this section, create a trust water right
16 under chapter 90.42 RCW containing between ten and twenty cubic feet
17 per second for the benefit of the appropriate political subdivision or
18 subdivisions of the state. The trust water right shall be used in
19 fulfilling site restoration responsibilities, including economic
20 development. The trust water right shall be from existing valid water
21 rights within the basin where the site is located.
22   (4) For purposes of this section, "political subdivision or
23 subdivisions of the state" means a city, town, county, public utility
24 district, port district, or joint operating agency."

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28   On page 1, line 4 of the title, after "sites;" strike the remainder
29 of the title and insert "and amending RCW 80.50.300."

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