
SUBSTITUTE SENATE BILL 6505

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Energy, Technology & Telecommunications
(originally sponsored by Senators Hale, Loveland, Honeyford and Snyder)

Read first time 02/04/2000.

1 AN ACT Relating to the restoration and redevelopment of unfinished
2 nuclear power project sites for purposes of economic development,
3 providing for sufficient water supply for restoration and redevelopment
4 of such sites; and amending RCW 80.50.300.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 80.50.300 and 1996 c 4 s 2 are each amended to read as
7 follows:

8 (1) This section applies only to unfinished nuclear power projects
9 (~~that are not located on federal property~~). If a certificate holder
10 stops construction of a nuclear energy facility before completion,
11 terminates the project or otherwise resolves not to complete
12 construction, never introduces or stores fuel for the energy facility
13 on the site, and never operates the energy facility as designed to
14 produce energy, the certificate holder may contract, establish
15 interlocal agreements, or use other formal means to effect the transfer
16 of site restoration responsibilities, which may include economic
17 development activities, to any political subdivision or subdivisions of
18 the state composed of elected officials. For the purposes of this
19 section, "political subdivisions" includes cities, counties, port

1 districts, and public utility districts. The contracts, interlocal
2 agreements, or other formal means of cooperation may include, but are
3 not limited to provisions effecting the transfer or conveyance of
4 interests in the site and energy facilities from the certificate holder
5 to other political subdivisions of the state, including costs of
6 maintenance and security, capital improvements, and demolition and
7 salvage of the unused energy facilities and infrastructure.

8 (2) If a certificate holder transfers all or a portion of the site
9 to a political subdivision or subdivisions of the state composed of
10 elected officials and located in the same county as the site, the
11 council shall amend the site certification agreement to release those
12 portions of the site that ~~((are transferred pursuant to this section))~~
13 it finds are no longer intended for the development of an energy
14 facility.

15 Immediately upon release of all or a portion of the site pursuant
16 to this section, all responsibilities for maintaining the public
17 welfare, including but not limited to health and safety, are
18 transferred to the political subdivision or subdivisions of the state.

19 (3) The legislature finds that ensuring water for site restoration
20 including economic development, completed pursuant to this section can
21 best be accomplished by a transfer of existing surface water rights,
22 and that such a transfer is best accomplished administratively through
23 procedures set forth in existing statutes and rules. However, if a
24 transfer of water rights is not possible, the department of ecology
25 shall, within six months of the transfer of the site or portion thereof
26 pursuant to subsection (1) of this section, create a trust water right
27 under chapter 90.42 RCW containing between ten and twenty cubic feet
28 per second for the benefit of the appropriate political subdivision or
29 subdivisions of the state. The trust water right shall be used in
30 fulfilling site restoration responsibilities, including economic
31 development. The trust water right shall be from existing valid water
32 rights within the basin where the site is located.

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