

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2644

Chapter 243, Laws of 2000

56th Legislature
2000 Regular Session

UNFINISHED NUCLEAR POWER PROJECT SITES

EFFECTIVE DATE: 6/8/00

Passed by the House March 6, 2000
Yeas 97 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate February 29, 2000
Yeas 43 Nays 1

BRAD OWEN
President of the Senate

Approved March 31, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2644** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 31, 2000 - 3:21 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2644

Passed Legislature - 2000 Regular Session

AS AMENDED BY THE SENATE

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Delvin, Grant, Hankins, Linville and G. Chandler)

Read first time 02/03/2000. Referred to Committee on .

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. The contracts, interlocal
19 agreements, or other formal means of cooperation may include, but are

1 not limited to provisions effecting the transfer or conveyance of
2 interests in the site and energy facilities from the certificate holder
3 to other political subdivisions of the state, including costs of
4 maintenance and security, capital improvements, and demolition and
5 salvage of the unused energy facilities and infrastructure.

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

13 Immediately upon release of all or a portion of the site pursuant
14 to this section, all responsibilities for maintaining the public
15 welfare for portions of the site transferred, including but not limited
16 to health and safety, are transferred to the political subdivision or
17 subdivisions of the state. For sites located on federal land, all
18 responsibilities for maintaining the public welfare for all of the
19 site, including but not limited to health and safety, must be
20 transferred to the political subdivision or subdivisions of the state
21 irrespective of whether all or a portion of the site is released.

22 (3) The legislature finds that for all or a portion of sites that
23 have been transferred to a political subdivision or subdivisions of the
24 state prior to September 1, 1999, ensuring water for site restoration
25 including economic development, completed pursuant to this section can
26 best be accomplished by a transfer of existing surface water rights,
27 and that such a transfer is best accomplished administratively through
28 procedures set forth in existing statutes and rules. However, if a
29 transfer of water rights is not possible, the department of ecology
30 shall, within six months of the transfer of the site or portion thereof
31 pursuant to subsection (1) of this section, create a trust water right
32 under chapter 90.42 RCW containing between ten and twenty cubic feet
33 per second for the benefit of the appropriate political subdivision or
34 subdivisions of the state. The trust water right shall be used in
35 fulfilling site restoration responsibilities, including economic
36 development. The trust water right shall be from existing valid water
37 rights within the basin where the site is located.

1 (4) For purposes of this section, "political subdivision or
2 subdivisions of the state" means a city, town, county, public utility
3 district, port district, or joint operating agency.

Passed the House March 6, 2000.

Passed the Senate February 29, 2000.

Approved by the Governor March 31, 2000.

Filed in Office of Secretary of State March 31, 2000.