
SENATE BILL 6087

State of Washington

57th Legislature

2001 Regular Session

By Senators Morton and Oke

Read first time 02/20/2001. Referred to Committee on Environment,
Energy & Water.

1 AN ACT Relating to energy facilities; and amending RCW 80.50.020.

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

3 **Sec. 1.** RCW 80.50.020 and 1995 c 69 s 1 are each amended to read
4 as follows:

5 (1) "Applicant" means any person who makes application for a site
6 certification pursuant to the provisions of this chapter;

7 (2) "Application" means any request for approval of a particular
8 site or sites filed in accordance with the procedures established
9 pursuant to this chapter, unless the context otherwise requires;

10 (3) "Person" means an individual, partnership, joint venture,
11 private or public corporation, association, firm, public service
12 company, political subdivision, municipal corporation, government
13 agency, public utility district, or any other entity, public or
14 private, however organized;

15 (4) "Site" means any proposed or approved location of an energy
16 facility;

17 (5) "Certification" means a binding agreement between an applicant
18 and the state which shall embody compliance to the siting guidelines,
19 in effect as of the date of certification, which have been adopted

1 pursuant to RCW 80.50.040 as now or hereafter amended as conditions to
2 be met prior to or concurrent with the construction or operation of any
3 energy facility;

4 (6) "Associated facilities" means storage, transmission, handling,
5 or other related and supporting facilities connecting an energy plant
6 with the existing energy supply, processing, or distribution system,
7 including, but not limited to, communications, controls, mobilizing or
8 maintenance equipment, instrumentation, and other types of ancillary
9 transmission equipment, off-line storage or venting required for
10 efficient operation or safety of the transmission system and overhead,
11 and surface or subsurface lines of physical access for the inspection,
12 maintenance, and safe operations of the transmission facility and new
13 transmission lines constructed to operate at nominal voltages in excess
14 of 200,000 volts to connect a thermal power plant to the northwest
15 power grid: PROVIDED, That common carrier railroads or motor vehicles
16 shall not be included;

17 (7) "Transmission facility" means any of the following together
18 with their associated facilities:

19 (a) Crude or refined petroleum or liquid petroleum product
20 transmission pipeline of the following dimensions: A pipeline larger
21 than six inches minimum inside diameter between valves for the
22 transmission of these products with a total length of at least fifteen
23 miles;

24 (b) Natural gas, synthetic fuel gas, or liquified petroleum gas
25 transmission pipeline of the following dimensions: A pipeline larger
26 than fourteen inches minimum inside diameter between valves, for the
27 transmission of these products, with a total length of at least fifteen
28 miles for the purpose of delivering gas to a distribution facility,
29 except an interstate natural gas pipeline regulated by the United
30 States federal power commission;

31 (8) "Independent consultants" means those persons who have no
32 financial interest in the applicant's proposals and who are retained by
33 the council to evaluate the applicant's proposals, supporting studies,
34 or to conduct additional studies;

35 (9) "Thermal power plant" means, for the purpose of certification,
36 any electrical generating facility using any fuel, including nuclear
37 materials, for distribution of electricity by electric utilities;

1 (10) "Energy facility" means an energy plant or transmission
2 facilities: PROVIDED, That the following are excluded from the
3 provisions of this chapter:

4 (a) Facilities for the extraction, conversion, transmission or
5 storage of water, other than water specifically consumed or discharged
6 by energy production or conversion for energy purposes; and

7 (b) Facilities operated by and for the armed services for military
8 purposes or by other federal authority for the national defense;

9 (11) "Council" means the energy facility site evaluation council
10 created by RCW 80.50.030;

11 (12) "Counsel for the environment" means an assistant attorney
12 general or a special assistant attorney general who shall represent the
13 public in accordance with RCW 80.50.080;

14 (13) "Construction" means on-site improvements, excluding
15 exploratory work, which cost in excess of two hundred fifty thousand
16 dollars;

17 (14) "Energy plant" means the following facilities together with
18 their associated facilities:

19 (a) Any stationary thermal power plant with generating capacity of
20 ~~((two))~~ three hundred fifty thousand kilowatts or more, measured using
21 maximum continuous electric generating capacity, less minimum auxiliary
22 load, at average ambient temperature and pressure, and floating thermal
23 power plants of fifty thousand kilowatts or more, including associated
24 facilities;

25 (b) Facilities which will have the capacity to receive liquified
26 natural gas in the equivalent of more than one hundred million standard
27 cubic feet of natural gas per day, which has been transported over
28 marine waters;

29 (c) Facilities which will have the capacity to receive more than an
30 average of fifty thousand barrels per day of crude or refined petroleum
31 or liquified petroleum gas which has been or will be transported over
32 marine waters, except that the provisions of this chapter shall not
33 apply to storage facilities unless occasioned by such new facility
34 construction;

35 (d) Any underground reservoir for receipt and storage of natural
36 gas as defined in RCW 80.40.010 capable of delivering an average of
37 more than one hundred million standard cubic feet of natural gas per
38 day; and

1 (e) Facilities capable of processing more than twenty-five thousand
2 barrels per day of petroleum into refined products;

3 (15) "Land use plan" means a comprehensive plan or land use element
4 thereof adopted by a unit of local government pursuant to chapters
5 35.63, 35A.63, or 36.70 RCW;

6 (16) "Zoning ordinance" means an ordinance of a unit of local
7 government regulating the use of land and adopted pursuant to chapters
8 35.63, 35A.63, or 36.70 RCW or Article XI of the state Constitution.

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