

SHB 1924 - S COMM AMD

By Committee on Environment, Energy & Technology

ADOPTED 02/27/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21F
4 RCW to read as follows:

5 (1) In addition to the principles guiding the development and
6 implementation of the state energy strategy described in RCW
7 43.21F.088, the state must ensure that the pursuit of cleaner energy
8 sources actively includes and supports innovative, emerging, and
9 promising clean energy technologies, such as fusion energy.

10 (2) For the purposes of this section, "fusion energy" means
11 energy production derived directly or indirectly from the merger of
12 atomic nuclei.

13 (3) The legislature finds that fusion energy is a rapidly
14 advancing clean energy technology and that Washington is poised to
15 become a world leader in fusion energy development.

16 NEW SECTION. **Sec. 2.** The energy facility site evaluation
17 council and the department of health shall establish a fusion energy
18 work group of state agencies including, but not limited to, the
19 department of commerce, the department of ecology, the office of the
20 governor, and the military department to identify and evaluate new
21 and existing permitting, siting, licensing, and registration pathways
22 for producing fusion energy. The fusion energy work group shall
23 involve the regulated community throughout the process. The fusion
24 energy work group shall provide an initial report to the governor and
25 legislature by December 1, 2024.

26 **Sec. 3.** RCW 43.158.020 and 2023 c 230 s 202 are each amended to
27 read as follows:

28 (1) The department of commerce shall develop an application for
29 the designation of clean energy projects, including facilities that

1 produce electricity with fusion energy, as clean energy projects of
2 statewide significance.

3 (2) An application to the department of commerce by an applicant
4 under this section must include:

5 (a) Information regarding the location of the project;

6 (b) Information sufficient to demonstrate that the project
7 qualifies as a clean energy project;

8 (c) An explanation of how the project is expected to contribute
9 to the state's achievement of the greenhouse gas emission limits in
10 chapter 70A.45 RCW and is consistent with the state energy strategy
11 adopted by the department of commerce, as well as any contribution
12 that the project is expected to make to other state regulatory
13 requirements for clean energy and greenhouse gas emissions, including
14 the requirements of chapter 19.405, 70A.30, 70A.60, 70A.65, 70A.535,
15 or 70A.540 RCW;

16 (d) An explanation of how the project is expected to contribute
17 to the state's economic development goals, including information
18 regarding the applicant's average employment in the state for the
19 prior year, estimated new employment related to the project,
20 estimated wages of employees related to the project, and estimated
21 time schedules for completion and operation;

22 (e) A plan for engagement and information sharing with
23 potentially affected federally recognized Indian tribes;

24 (f) A description of potential community benefits and impacts
25 from the project, a plan for community engagement in the project
26 development, and an explanation of how the applicant might use a
27 community benefit agreement or other legal document that stipulates
28 the benefits that the developer agrees to fund or furnish, in
29 exchange for community support of a project; and

30 (g) Other information required by the department of commerce.

31 (3) For the purposes of this section, "fusion energy" has the
32 same meaning as defined in section 1 of this act."

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1 On page 1, line 2 of the title, after "policies;" strike the
2 remainder of the title and insert "amending RCW 43.158.020; adding a
3 new section to chapter 43.21F RCW; and creating a new section."

EFFECT: (1) Removes language requiring the interagency clean energy siting coordinating council to deliver recommendations on whether and when fusion energy could be an appropriate category for nonproject EIS.

(2) Removes language adding facilities manufacturing or assembling component parts for fusion energy facilities to the list of projects eligible for designation as projects of statewide significance.

(3) Requires the energy facility site evaluation council and the department of health to establish a work group to report on the new and existing permitting, siting, licensing, and registration pathways for producing fusion energy.

(4) Establishes that "facilities that produce electricity with fusion energy" are projects eligible to apply for designation as a clean energy project of statewide significance.

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