
SUBSTITUTE SENATE BILL 5113

State of Washington

64th Legislature

2015 Regular Session

By Senate Energy, Environment & Telecommunications (originally sponsored by Senator Brown)

READ FIRST TIME 02/19/15.

1 AN ACT Relating to requiring the department of commerce to
2 coordinate and advance the siting and manufacturing of small modular
3 reactors in the state to meet future energy supply, environmental,
4 and energy security needs; and amending RCW 43.21F.025 and
5 43.21F.045.

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

7 **Sec. 1.** RCW 43.21F.025 and 2010 c 271 s 402 are each amended to
8 read as follows:

9 (1) "Assistant director" means the assistant director of the
10 department of commerce responsible for energy policy activities;

11 (2) "Department" means the department of commerce;

12 (3) "Director" means the director of the department of commerce;

13 (4) "Distributor" means any person, private corporation,
14 partnership, individual proprietorship, utility, including investor-
15 owned utilities, municipal utility, public utility district, joint
16 operating agency, or cooperative, which engages in or is authorized
17 to engage in the activity of generating, transmitting, or
18 distributing energy in this state;

19 (5) "Energy" means petroleum or other liquid fuels; natural or
20 synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear
21 material; electricity; solar radiation; geothermal resources;

1 hydropower; organic waste products; wind; tidal activity; any other
2 substance or process used to produce heat, light, or motion; or the
3 savings from nongeneration technologies, including conservation or
4 improved efficiency in the usage of any of the sources described in
5 this subsection;

6 (6) "Person" means an individual, partnership, joint venture,
7 private or public corporation, association, firm, public service
8 company, political subdivision, municipal corporation, government
9 agency, public utility district, joint operating agency, or any other
10 entity, public or private, however organized; (~~and~~)

11 (7) "Small modular reactor" means a scalable nuclear power plant
12 using reactors that each have a gross power output no greater than
13 three hundred megawatts electric, and where each reactor is designed
14 for factory manufacturing and ease of transport, such as by truck,
15 rail, or barge; and

16 (8) "State energy strategy" means the document developed and
17 updated by the department as allowed in RCW 43.21F.090.

18 **Sec. 2.** RCW 43.21F.045 and 1996 c 186 s 103 are each amended to
19 read as follows:

20 (1) The department shall supervise and administer energy-related
21 activities as specified in RCW 43.330.904 and shall advise the
22 governor and the legislature with respect to energy matters affecting
23 the state.

24 (2) In addition to other powers and duties granted to the
25 department, the department shall have the following powers and
26 duties:

27 (a) Prepare and update contingency plans for implementation in
28 the event of energy shortages or emergencies. The plans shall conform
29 to chapter 43.21G RCW and shall include procedures for determining
30 when these shortages or emergencies exist, the state officers and
31 agencies to participate in the determination, and actions to be taken
32 by various agencies and officers of state government in order to
33 reduce hardship and maintain the general welfare during these
34 emergencies. The department shall coordinate the activities
35 undertaken pursuant to this subsection with other persons. The
36 components of plans that require legislation for their implementation
37 shall be presented to the legislature in the form of proposed
38 legislation at the earliest practicable date. The department shall
39 report to the governor and the legislature on probable, imminent, and

1 existing energy shortages, and shall administer energy allocation and
2 curtailment programs in accordance with chapter 43.21G RCW.

3 (b) Establish and maintain a central repository in state
4 government for collection of existing data on energy resources,
5 including:

6 (i) Supply, demand, costs, utilization technology, projections,
7 and forecasts;

8 (ii) Comparative costs of alternative energy sources, uses, and
9 applications; and

10 (iii) Inventory data on energy research projects in the state
11 conducted under public and/or private auspices, and the results
12 thereof.

13 (c) Coordinate federal energy programs appropriate for state-
14 level implementation, carry out such energy programs as are assigned
15 to it by the governor or the legislature, and monitor federally
16 funded local energy programs as required by federal or state
17 regulations.

18 (d) Develop energy policy recommendations for consideration by
19 the governor and the legislature.

20 (e) Provide assistance, space, and other support as may be
21 necessary for the activities of the state's two representatives to
22 the Pacific northwest electric power and conservation planning
23 council. To the extent consistent with federal law, the director
24 shall request that Washington's councilmembers request the
25 administrator of the Bonneville power administration to reimburse the
26 state for the expenses associated with the support as provided in the
27 Pacific Northwest Electric Power Planning and Conservation Act (P.L.
28 96-501).

29 (f) Cooperate with state agencies, other governmental units, and
30 private interests in the prioritization and implementation of the
31 state energy strategy elements and on other energy matters.

32 (g) Serve as the official state agency responsible for
33 coordinating implementation of the state energy strategy.

34 (h) No later than December 1, 1982, and by December 1st of each
35 even-numbered year thereafter, prepare and transmit to the governor
36 and the appropriate committees of the legislature a report on the
37 implementation of the state energy strategy and other important
38 energy issues, as appropriate.

1 (i) Provide support for increasing cost-effective energy
2 conservation, including assisting in the removal of impediments to
3 timely implementation.

4 (j) Provide support for the development of cost-effective energy
5 resources including assisting in the removal of impediments to timely
6 construction.

7 (k) Coordinate and advance the siting and manufacturing of small
8 modular reactors in the state to meet future energy supply,
9 environmental, and energy security needs.

10 (l) Adopt rules, under chapter 34.05 RCW, necessary to carry out
11 the powers and duties enumerated in this chapter.

12 ((+l)) (m) Provide administrative assistance, space, and other
13 support as may be necessary for the activities of the energy facility
14 site evaluation council, as provided for in RCW 80.50.030.

15 ((+m)) (n) Appoint staff as may be needed to administer energy
16 policy functions and manage energy facility site evaluation council
17 activities. These employees are exempt from the provisions of chapter
18 41.06 RCW.

19 (3) To the extent the powers and duties set out under this
20 section relate to energy education, applied research, and technology
21 transfer programs they are transferred to Washington State
22 University.

23 (4) To the extent the powers and duties set out under this
24 section relate to energy efficiency in public buildings they are
25 transferred to the department of ((general—administration))
26 enterprise services.

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