



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan Chapter 173-360A WAC, Underground Storage Tank Rule

October 2023

Publication 23-09-051

Publication and Contact Information

This document is available on the Department of Ecology's website at:
<https://apps.ecology.wa.gov/publications/summarypages/2309051.html>

For more information contact:

Toxics Cleanup Program
P.O. Box 47600
Olympia, WA 98504-7600
Phone: 360-407-7170

Washington State Department of Ecology — www.ecology.wa.gov

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Union Gap 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-7170 or email at kristopher.grinnell@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit <https://ecology.wa.gov/accessibility> for more information.

Implementation Plan
Chapter 173-360A WAC
Underground Storage Tank Rule

Toxics Cleanup Program
Washington State Department of Ecology
Olympia, Washington

Table of Contents

	<u>Page</u>
Purpose	1
Introduction	1
Implementation and Enforcement	1
Informing and Educating Persons Affected by the Rule.....	2
Compliance	2
Evaluating the Rule.....	2
Training and Informing Ecology Staff.....	2
List of Supporting Documents that May Need to be Written or Revised	2
More Information.....	2
Contact Information.....	3

Purpose

The Washington State Department of Ecology (Ecology) provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

Introduction

On October 24, 2023, Ecology adopted amendments to Chapter 173-360A WAC Underground Storage Tank Rule (AO # 22-16). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-360A WAC about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

Implementation and Enforcement

Ecology will implement the rule by training staff to identify proof of the new Financial Responsibility mechanism. This includes:

- Ecology inspectors during compliance inspections
- Department of Licensing staff who require proof of financial responsibility during business licensing process for USTs.

Informing and Educating Persons Affected by the Rule

Ecology will use the [Underground Storage Tank rulemaking website](#)¹ and program listserv to notify affected persons of the rule adoption. Promoting and Assisting Voluntary

Compliance

As the adoption of this rule does not require anything new of the regulated community, assisting voluntary compliance does not apply to this rule.

Evaluating the Rule

This rule adds one additional option to numerous existing options for meeting the financial responsibility requirements of the Underground Storage Tanks rule (Chapter 173-360A WAC). Ecology has observed a high rate of compliance with financial responsibility requirements prior to the adoption of this rule and anticipates that to continue.

Training and Informing Ecology Staff

Ecology staff will be trained to identify proof of the new Financial Responsibility mechanism.

List of Supporting Documents that May Need to be Written or Revised

Ecology will need to update the current financial responsibility focus sheet, [Frequently Asked Questions about Financial Responsibility for Underground Storage Tanks](#).²

More Information

Ecology's underground storage tank webpage:

[Underground storage tanks - Washington State Department of Ecology](#)³

¹ <https://ecology.wa.gov/spills-cleanup/contamination-cleanup/underground-storage-tanks>

² <https://apps.ecology.wa.gov/publications/SummaryPages/ftcp94131.html>

³ <https://ecology.wa.gov/spills-cleanup/contamination-cleanup/underground-storage-tanks>

Contact Information

Kristopher Grinnell
Ecology Headquarters
(360) 870-8459
Kristopher.grinnell@ecy.wa.gov