

Underground Storage Tank Regulations

The Department of Ecology (Ecology) proposes to repeal existing Chapter 173-360 WAC and adopt new Chapter 173-360A WAC, Underground Storage Tank (UST) Regulations. The new chapter would replace the repealed chapter and change the existing regulations. The rule proposal will be published in the Washington State Register on February 7, 2018.

Purpose of Rule Proposal

The purpose of this rule proposal is to:

- Incorporate federal rule changes needed to maintain state program approval, as specified in 40 CFR Parts 280 and 281 and adopted in June 2015.
- Incorporate changes to the state's UST program specified in the authorizing state statute, Chapter 90.76 RCW.
- Make other selective changes to the requirements governing the state's UST program (such as updating UST service provider requirements).
- Streamline rule requirements, improve rule clarity, and improve consistency within the rule and with other state and federal laws and rule.

Persons Impacted by Rule Proposal

This rule proposal may impact persons who:

- Own or operate UST systems.
- Provide services to owners and operators.
- Deliver product to, or collect waste oil from, UST systems.
- Provide pollution liability insurance for UST systems.
- Conduct training for operators of UST systems.

Documents Available for Review and Comment

The following documents are available for your review and comment:

- Proposed rule language for new Chapter 173-360A WAC and repeal of existing Chapter 173-360 WAC.
- Preliminary Regulatory Analyses.
- Determination of Nonsignificance (DNS) under the State Environmental Policy Act.

WHY IT MATTERS

Washington's underground storage tank (UST) compliance program has significantly reduced the number and severity of releases of petroleum and other hazardous substances. These substances can pollute drinking water and pose serious threats to human health and the environment.

Ecology regulates more than 9,000 USTs at more than 3,300 facilities. Each year, about 50 new releases are confirmed at those facilities. The proposed changes are necessary to reduce the number and severity of releases.

More information:

For more information about the UST program, visit: <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Underground-storage-tanks>.

Contact information:

Kristopher Grinnell
UST Coordinator
360-407-7382
USTrule@ecy.wa.gov

Accommodation Requests:

To request ADA accommodation, including materials in a format for the visually impaired, call Ecology at 360-407-7668 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Additional documents identify the differences between the new and existing rules.

To download these documents, visit: <https://www.ecology.wa.gov/Regulations-Permits/Laws-rules/Rulemaking/WAC-173-360-Mar16>.

Public hearing schedule

Ecology will hold two public hearings on this rule proposal. The hearings will begin with a short presentation and question and answer session, followed by the opportunity to provide testimony.

1. Wednesday, February 28, 2018, at 1:00 pm

You can attend this hearing in person or by webinar.

Location: Hampton Inn and Suites
4301 Martin Way E
Olympia, WA 98516

Webinar: This is an online meeting forum that you can attend from any computer using internet access. To join the webinar, click on the following link for more information and instructions: <https://watech.webex.com/watech/j.php?MTID=m340722cfb126efcee19fdb77e001afc4>. For audio only, call US toll number +1-240-454-0887 and enter access code 803 394 380. Or to receive a free call back, provide your phone number when you join the event.

2. Friday, March 2, 2018, at 1:00 pm

This hearing will be a video conference. You can attend the video conference in person at one of the following three locations:

Department of Ecology
Eastern Regional Office
4601 N Monroe Street
Spokane, WA 99205

Department of Ecology
Northwest Regional Office
3190 160th Ave. SE
Bellevue, WA 98008

Department of Ecology
Central Regional Office
1250 West Alder Street
Union Gap, WA 98903

Submit your comments

The comment period on the rule proposal ends March 16, 2018.

You can give us your comments:

1. At a public hearing (as described above)
2. Online at: <http://cs.ecology.commentinput.com/?id=usNx2>
3. By mail to: Kristopher Grinnell
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Please note that any information (e.g., personal or contact) you provide in a comment or in an attachment may be publicly disclosed and posted on the internet.

Ecology's response to your comments

All of the comments Ecology receives will become part of the official record. We will publish responses to comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act, Chapter 34.05 RCW, and is available after the rule is adopted. You will find your name listed in the document with a reference to where, in the document, Ecology responded your comments.

Expected adoption date

Ecology expects to adopt this rule on or after June 30, 2018.

Stay informed

You can stay informed about this rulemaking and other public involvement opportunities by signing up to receive email notices at: <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECOLOGY-UST-RULE>.

Additional Languages

Español (Spanish): Para más información o para solicitar un intérprete, favor de comunicarse con Kris Grinnell al 360-407-7382.

中文 (Chinese): 若需更多相關訊息或需翻譯員,請聯絡 Kris Grinnell,電話:360-407-7382.

Tiếng Việt (Vietnamese): Để biết thêm thông tin hoặc cần thông dịch viên, xin vui lòng liên hệ Kris Grinnell tại số 360-407-7382.

한국어 (Korean): 보다 자세한 정보를 원하거나 통역이 필요하다면 Kris Grinnell 씨에게 연락하십시오 360-407-7382.

