

Rulemaking: Oil spill contingency plan – railroad



Oil unit train passing through downtown Seattle, Washington.

Contact

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Rulemaking website:
<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-186>

Accommodations

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Ecology plans to amend Chapter 173-186 WAC, the rule on oil spill contingency plans for railroads in Washington. This rule requires railroads carrying oil as cargo to plan for oil spills and to have cleanup equipment and trained personnel to respond to spills that may occur.

Why are we doing this rulemaking?

This rulemaking follows legislative direction from the passage of ESHB 1136 in 2017 and E2SSB 6269 in 2018.

This rulemaking will:

- Establish three types of railroads for planning standards.
- Streamline requirements to be adjusted based on type of oil carried and volume moved.
- Establish requirements for citing Spill Management Teams and entities providing wildlife rehabilitation and recovery services.
- Enhance requirements for readiness for spills of oils that may weather and sink.
- Update drill requirements to reflect legislative direction.
- Make other edits to address inconsistent or unclear direction in the rule.

What's next in the process?

Date	Activity
June 5, 2019	Rule proposal (file CR-102) Public comment period begins
July 9–11, 2019	Public hearings
July 22, 2019	Public comment period ends
Nov. 6, 2019	Rule adoption (file CR-103)
Jan. 18, 2020	Rule effective

Comment on the rulemaking

Submit comments by July 22, 2019.

Submit comments online:

<http://cs.ecology.commentinput.com/?id=NYeZQ>

Submit comments in writing:

Nhi Irwin, Rulemaking Lead
Spills Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Submit comments in person at a public hearing:

July 9, 2019 — 1 p.m.
Ramada by Wyndham Spokane Airport Hotel
8909 W. Airport Drive
Spokane, WA 99224

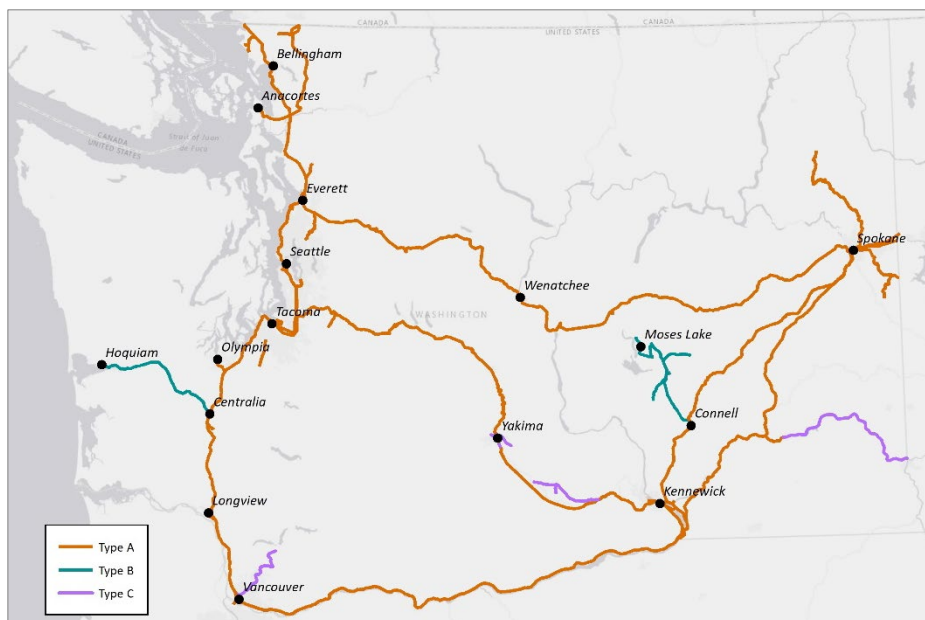
July 10, 2019 — 6 p.m.
Join online webinar:
<https://global.gotomeeting.com/join/123020765>
Join by phone: 646-749-3122,
access code 123-020-765

July 11, 2019 — 1 p.m.
Hilton Seattle Airport Hotel
17620 International Blvd.
Seattle, WA 98188

Proposed railroad types and requirements

Railroad type	Contingency plan requirements	Washington railroads
Type A: Crude oil railroads	A comprehensive oil spill plan and three drills per year	<ul style="list-style-type: none"> • BNSF • Union Pacific • Tacoma Rail
Type B: Railroads moving 49 or more tank cars per year of oil that is not crude oil	A comprehensive oil spill plan and one drill every three years	<ul style="list-style-type: none"> • Puget Sound & Pacific • Columbia Basin
Type C: Railroads moving less than 49 tank cars per year of oil that is not crude oil	A basic oil spill plan and no required drills	<ul style="list-style-type: none"> • Central Washington • Great Northwest • Portland Vancouver Junction

Routes of regulated railroads



Type A routes run along the Columbia River from Spokane to Vancouver and north-south along Interstate 5. They also run east-west between Everett and Spokane, and Tacoma and Kennewick. Type B routes are found between Centralia and Hoquiam, and Moses Lake and Connell. Type C routes are found near Vancouver and Yakima, and in the southeast along the Snake River.