

Rulemaking: Chapter 173-182 WAC, Oil Spill Contingency Plan



Regulated oil handling facility and vessel operating on the Hylebos Waterway, Tacoma, Washington.

Contact

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Rulemaking website:
[https://ecology.wa.gov/
Regulations-Permits/Laws-
rules-rulemaking/
Rulemaking/WAC-173-182](https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-182)

Accommodations

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact Ecology's ADA Coordinator at 360-407-6831 or ecyadacoordinator@ecy.wa.gov. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Ecology is formally proposing an update to Chapter 173-182 WAC, the Oil Spill Contingency Plan rule. The rule requires large commercial vessels, oil handling facilities, and pipelines to have detailed contingency plans and contracts for appropriate equipment and trained personnel to respond to spills that may occur.

Why is Ecology doing this rulemaking?

Legislative direction from E2SSB 6269 (passed in 2018) directed Ecology to update our contingency plan rule. In order to meet the legislative deadline of December 31, 2019, we are conducting a focused rulemaking and proposing rule changes which align closely with the legislative direction.

This rulemaking will:

- Establish requirements for review and approval of Spill Management Teams including entities providing wildlife rehabilitation and recovery services.
- Enhance requirements for readiness for spills of oils that may submerge or sink, depending on their chemical properties, environmental factors (weathering), and method of discharge.
- Update drill requirements to reflect legislative direction.
- Update planning standards to align vessel and facility requirements and ensure best achievable protection is maintained in contingency plans.
- Enhance planning standards for oiled wildlife response.
- Make other edits to address inconsistent or unclear direction in the rule, or other administrative edits.

Where is Ecology at in this rulemaking process?

Ecology is opening a formal public comment period. During this time, the public is able to submit comments to us about the rulemaking. We consider comments we receive and develop a summary of our responses. Then we finalize our recommendation to Ecology's Director for rule adoption.

Comment on the rulemaking

Submit comments by October 6, 2019.

Submit comments online:

<http://cs.ecology.commentinput.com/?id=V6ATc>

Submit comments in writing:

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

Submit comments in person
 at a public hearing:

Sep. 17, 2019 — 1 p.m.

In person:

Courtyard Seattle-Everett Downtown
 3003 Colby Avenue
 Everett, WA 98201

Sep. 19, 2019 — 1 p.m.

In person:

Ramada Spokane Airport Hotel
 8909 W. Airport Drive
 Spokane, WA 99224

Sep. 24, 2019 — 1 p.m.

In person:

Hilton Vancouver Washington
 301 W. 6th Street
 Vancouver, WA 98660

Online:

Join webinar

<https://global.gotomeeting.com/join/424089589>

Join by phone

[1-646-749-3122](tel:1-646-749-3122), access code 424 089 589

Sep. 26, 2019 — 6 p.m.

Online:

Join webinar

<https://global.gotomeeting.com/join/696815493>

Join by phone

[1-571-317-3122](tel:1-571-317-3122), access code 696 815 493

What's next in the process?

Date	Activity
August 7, 2019	Rule proposal (file CR-102) Public comment period begins
Sept. 17–24, 2019	Public hearings
Oct. 6, 2019	Public comment period ends
Dec. 18, 2019	Rule adoption (file CR-103)
Jan. 18, 2020	Rule effective

How can I provide comments?

Formal comments on this rulemaking will be accepted in the following ways:

- At the public hearings or during the webinar:
 - Verbally, by those who attend in person, or during the webinar. Comments will **not** be accepted through the webinar chat box.
 - In writing, by those who attend in person.
- Any time during the comment period:
 - By mail to Sonja Larson, Department of Ecology Spills Program, P.O. Box 47600, Olympia, WA 98504-7600
 - Submitted through Ecology's online comment tool (see sidebar).

Comments must be submitted by October 6, 2019 at 11:59 PM. Please note, 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.

More information

For more information about the rulemaking, documents available for review, and public hearings, visit our website at <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-182>.

Documents available for review include:

- Proposed rule language
- Preliminary Regulatory Analyses
- State Environmental Policy Act (SEPA) documents

To review hard copies of any rulemaking documents, contact Tammy Kendall at 360-407-7129 or tammy.kendall@ecy.wa.gov.