Focus On: Reporting Oil Spills to Ground

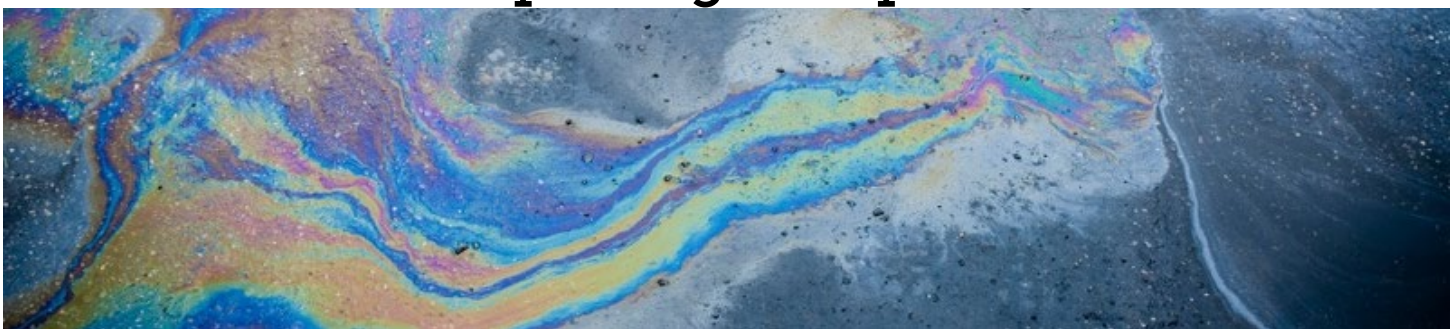

Figure 1. Oil Sheen on wet asphalt.

Notification requirements for regulated facilities

Regulated facilities handling, storing, or transferring oil within Washington State are required to notify the Department of Ecology, through the Washington Emergency Management Division (WEMD), when oil spills to ground have the potential to impact waters of the state (WAC 173-182-264). Waters of the state include marine waters, rivers, lakes, and groundwater. Shallow groundwater exists across much of the state. To protect this important resource, facilities must immediately notify Ecology of spills to ground, with few exceptions.

Plan holders must make required notifications immediately (within one hour of discovery), not after investigations to determine volume, source, or cause. State WEMD notification requirements are separate from, and in addition to, federal National Response Center (NRC) notification requirements. Additional state reporting requirements for spills of hazardous substances are described in WAC 173-340-300.

Guidance to help understand the regulation and write your response plan:

- **Spills over one barrel (42 gallons)** are reportable. Spills to ground, over 42 gallons, are immediately reportable to Ecology. This includes spills to paved surfaces and containment.
- **Spills under one barrel (42 gallons)** are reportable if they impact surface or groundwater, including spills within unpaved NPDES permitted systems.
- **Spills to paved surfaces within the National Pollutant Discharge Elimination System (NPDES) permitted systems** are reportable if those volumes exceed federal reportable thresholds (40 CFR § 110.3 and 40 CFR §112.4).
- **Uncontrolled spills or spills of unknown volumes** are reportable. If facility personnel, using their best professional judgment, are reasonably certain the spill will not exceed 42 gallons, and the spill will not impact water, no notification is needed.

When in doubt, give us a shout

Ecology's goal is zero spills. When spills do happen, our goal is zero missed notifications. There are no penalties for reporting a spill unnecessarily, but there may be significant penalties for not reporting one.

State Legislature mandates Ecology to respond to oil spills 24/7, 365 days a year. Early notifications give responders time to coordinate a successful response. Do not wait for complete information on a spill situation before notifying. We sincerely appreciate your commitment to protecting Washington State's resources.

Notification flowchart

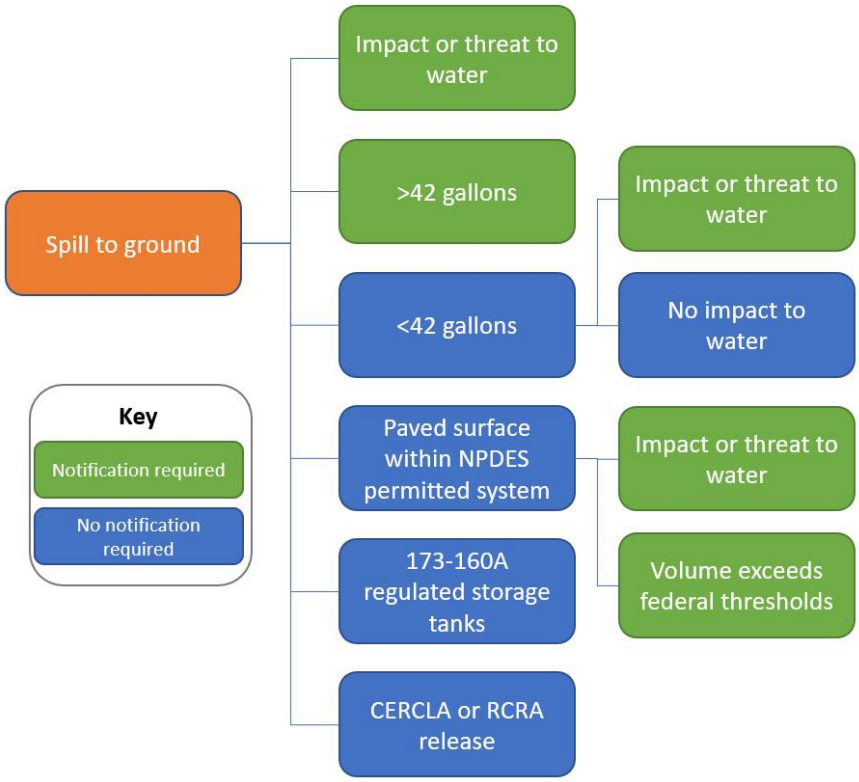

Figure 2: A flowchart depicting the notification requirements for facilities after spills to ground in Washington. Green boxes indicate required notifications per WAC 173-182-264. Other notifications may be required outside of Spills Program requirements.

Report a spill

Spills of oil or hazardous materials to water must be reported immediately to help reduce impacts to the environment. Failure to report a spill could result in penalties.

- Follow the steps in your plan to safely respond to the spill, including following all safety procedures and promptly calling out any response resources needed to immediately contain the spill.
- Report the spill immediately to BOTH
  - Washington Emergency Management Division (WEMD): 1-800-258-5990
  - National Response Center (NRC): 1-800-424-8802

Related information

- Contingency Planning for Oil Industry.
- WAC 173-182.

Darcy Bird
darcy.bird@ecy.wa.gov
(360) 480-2084

To request an ADA accommodation, contact Ecology by phone at 360-464-0324 or email at jasmin.adams@ecy.wa.gov, or visit https://ecology.wa.gov/accessibility. For Relay Service or TTY call 711 or 877-833-6341