

RCW 90.56.060 Statewide master oil and hazardous substance spill prevention and contingency plan—Evaluation and revision or elimination of advisory committees.

(1) (a) The department shall prepare and annually update a statewide master oil and hazardous substance spill prevention and contingency plan. In preparing the plan, the department shall consult with an advisory committee representing diverse interests concerned with oil and hazardous substance spills, including the United States coast guard, the federal environmental protection agency, other appropriate federal agencies, appropriate agencies from other states, interested federally recognized tribes, state agencies, local governments, port districts, private facilities, environmental organizations, oil companies, shipping companies, spill management, cleanup, and containment contractors, tow companies, and hazardous substance manufacturers.

(b) For the purposes of this subsection, "spill management" means managing:

(i) Some or all aspects of a response, containment, and cleanup of a spill and utilizing an incident command or unified command structure; or

(ii) Wildlife rehabilitation and recovery services for a spill response.

(2) The state master plan prepared under this section shall at a minimum:

(a) Take into consideration the elements of oil spill prevention and contingency plans approved or submitted for approval pursuant to this chapter and chapter 88.46 RCW and oil and hazardous substance spill contingency plans prepared pursuant to other state or federal law or prepared by federal agencies and regional entities;

(b) State the respective responsibilities as established by relevant statutes and rules of each of the following in the prevention of and the assessment, containment, and cleanup of a worst case spill of oil or hazardous substances into the environment of the state: (i) State agencies; (ii) local governments; (iii) appropriate federal agencies; (iv) facility operators; (v) property owners whose land or other property may be affected by the oil or hazardous substance spill; (vi) federally recognized tribes; and (vii) other parties identified by the department as having an interest in or the resources to assist in the containment and cleanup of an oil or hazardous substance spill;

(c) State the respective responsibilities of the parties identified in (b) of this subsection in an emergency response;

(d) Identify actions necessary to reduce the likelihood of spills of oil and hazardous substances;

(e) Identify and obtain mapping of environmentally sensitive areas at particular risk to oil and hazardous substance spills;

(f) Establish an incident command system for responding to oil and hazardous substances spills; and

(g) Establish a process for immediately notifying affected tribes of any oil spill.

(3) In preparing and updating the state master plan, the department shall:

(a) Consult with federal, provincial, municipal, and community officials, other state agencies, the state of Oregon, the state of Idaho, and with representatives of affected regional organizations;

(b) Invite consultation and engagement from federally recognized tribes;

- (c) Submit the draft plan to the public for review and comment;
 - (d) Submit to the appropriate standing committees of the legislature for review, not later than November 1st of each year, the plan and any annual revision of the plan; and
 - (e) Require or schedule unannounced oil spill drills as required by RCW 90.56.260 to test the sufficiency of oil spill contingency plans approved under RCW 90.56.210 and as required under RCW 88.46.068, 88.46.139, and 88.46.220 for plans approved under RCW 88.46.060.
- (4) The department shall evaluate the functions of advisory committees created by the department regarding oil spill prevention, preparedness, and response programs, and shall revise or eliminate those functions which are no longer necessary. [2022 c 54 § 1; 2010 1st sp.s. c 7 § 73; 2005 c 304 § 4; 2004 c 226 § 4; 2000 c 69 § 16; 1991 c 200 § 107; 1990 c 116 § 10. Formerly RCW 90.48.378.]

Effective date—2010 1st sp.s. c 26; 2010 1st sp.s. c 7: See note following RCW 43.03.027.

Findings—Severability—1990 c 116: See notes following RCW 90.56.210.