

WAC 173-180-210 Requirements for Class 4 facilities only. (1)

Response and recovery equipment: The owner or operator of each Class 4 facility must ensure that cleanup of at least a twenty-five gallon spill can occur by having all of the following:

Response and recovery equipment maintained in a standby condition and available to the receiving vessel:

(a) Sufficient and appropriate boom of no less than two hundred feet available in the standby position;

(b) Oil spill sorbent materials appropriate for use in water and on land;

(c) Nonsparking hand scoops, shovels, and buckets;

(d) Containers suitable for holding the recovered oil and oily water; and

(e) Protective clothing and other appropriate personal protective gear necessary to safely respond to oil spills.

(2) **Trained personnel:** The owner or operator of each Class 4 facility must:

(a) Provide annual training for employees involved in an oil transfer operation, that at a minimum includes:

(i) Dangers and safe practices regarding the petroleum products transferred at that location;

(ii) Safe and effective use and handling of response and recovery equipment; and

(iii) Spill notification procedures;

(b) Train all employees with oil transfer duties within ninety calendar days of the date of hire. No employee may be in charge of an oil transfer operation at the Class 4 facility without proper training;

(c) Keep a record of oil transfer training at the facility and make the record available to ecology upon request.

(3) **Spill notification information:** The owner or operator of each Class 4 facility must provide spill notification information on a wallet-sized card for each employee and posted at the dock for fueling customers. The notification information must include:

(a) Required notifications in RCW 90.56.280;

(b) A phone number for a spill response contractor; and

(c) If the Class 4 facility is not always staffed, a twenty-four-hour phone number where someone designated by the owner or operator of the facility can be reached to start the spill response. The contact phone number must be posted on the dock or transfer location in a location that is easy to see.

(4) The owner or operator of each Class 4 facility must ensure all oil transfer equipment is properly inspected and maintained in accordance with WAC 173-180-205.

(5) Class 4 facilities, also known as marine fueling outlets, that are transferring less than three thousand gallons of oil in a single transaction, are exempt from advance notice requirements for oil transfer operations as described in RCW 88.46.165.

(6) **Semiannual reporting:** Class 4 facilities must report all bulk oil transfers conducted at the facility.

(a) The report must include types of oil transferred and total volume of transfers by oil type.

(b) The facility must submit the report to ecology by January 15 and July 15 of each year.

(c) The facility must submit the report either by email or by U.S. mail to the following address:

Email: oiltransfnotifications@ecy.wa.gov
U.S. mail:
Department of Ecology
Spill Prevention, Preparedness, and Response Program
P.O. Box 47600
Olympia, WA 98504-7600

(7) **Compliance schedule:** Class 4 facilities must implement the requirements in subsections (1) and (2) of this section within one hundred twenty calendar days from the effective date of this chapter. Class 4 facilities must implement the remaining requirements on the effective date of this chapter.

[Statutory Authority: RCW 88.46.160, 88.46.165, and chapter 90.56 RCW. WSR 06-20-034 (Order 06-02), § 173-180-210, filed 9/25/06, effective 10/26/06.]