

**WAC 173-180-730 Class 2 facility—Oil transfer response plan content requirements.**

(1) Each oil transfer response plan submitted to ecology must contain a written statement binding the plan submitter to its use. In the binding agreement, the signatory will:

(a) Include the name, address, phone number, and email address of the submitting party;

(b) Verify acceptance of the plan by the owner or operator of the Class 2 facility by either signature of an authorized owner, operator, or designee with authority to bind the owners and operators of the facility;

(c) Commit to the implementation and use of the plan;

(d) Verify the person(s) signing the agreement is authorized to make expenditures to implement the requirements of the plan; and

(e) Include the name and location for the base of operations for the mobile fleet, and the name and location of the maintenance yard for rolling stock, and the starting date of operations.

(2) Plans which meet federal or other state requirements may be submitted to satisfy plan requirements under this chapter if:

(a) Ecology deems that such requirements equal or exceed those required in this section; or

(b) The facility modifies or appends the plan to meet requirements under this chapter.

(3) The qualified individuals identified in the plan must meet the federal requirements in 33 C.F.R. Part 154.1026.

(4) Response equipment resources required in WAC 173-180-217 and 173-180-220 through 173-180-222, as applicable, must be available through a written agreement with a state approved primary response contractor (PRC); letter of intent, mutual aid agreement, contract, or other approvable means; or facility owned equipment.

If contract information is not included in the plan, it must be available to ecology upon request.

(5) Each plan must include the following:

(a) A street address of the facility's office. Include mailing address if different from street address.

(b) The name, address, and process for contacting the facility's owner or operator 24 hours/day.

(c) The federal and state requirements intended to be met by the plan.

(d) Description of the oil transfer operations covered by the plan that include the following:

(i) The volume and type(s) of oil for the facility's worst case spill.

(ii) Describe the number of tanks and tank capacities on the largest truck or container.

(iii) List all locations where the facility conducts oil transfers as a street address or GPS coordinates.

For transfer locations not listed in the approved plan, the facility must notify ecology 24 hours prior to the transfer and update their plan within 30 calendar days. The notification and plan update must include the new transfer location(s) and describe how response requirements are met in WAC 173-180-217 and 173-180-220 through 173-180-222, as applicable, for each transfer location.

(iv) The transfer rates used by the facility at each location as described in WAC 173-180-220.

(v) For each location, describe how response requirements are met in WAC 173-180-217 and 173-180-220 through 173-180-222, as applicable.

(e) List facility owned response equipment and describe equipment preventative maintenance procedures.

(f) Describe emergency response actions that include the following:

(i) Notification procedures to immediately notify appropriate parties that a spill occurred.

(ii) Identification of a central reporting office, company personnel, or qualified individual(s) responsible for implementing the notification procedures.

(iii) A prioritized list of the name(s) and phone number(s) of required notifications to the Washington emergency management division, the national response center, other government agencies, response contractors, company response personnel, and qualified individuals.

(iv) A form to document all initial and follow-up spill notifications.

(v) The name of a state approved PRC to call if the magnitude of a spill exceeds the initial response equipment identified in WAC 173-180-217 and 173-180-220 through 173-180-222, as applicable.

(vi) Describe the equipment and responsibilities of facility personnel to mitigate a spill for each transfer location, using the required initial containment and recovery equipment described in WAC 173-180-217 and 173-180-220 through 173-180-222, as applicable. This includes:

(A) A description or list of procedures to follow in the event of a spill.

(B) A list of the individuals authorized to activate and engage with spill response contractors, act as a liaison with the state-on-scene coordinator, and establish a unified command as needed.

(g) Describe procedures to ensure recovered oil and oil contaminated debris is disposed of according to federal, state, or local requirements. A reference to the Northwest Area Contingency Plan (NWACP) may be included.

(h) Describe the safety and health plan to implement for any response location(s). A reference to the NWACP may be included.

(i) Describe the facility's drill program, including how requirements in WAC 173-180-810 and 173-180-815 will be met.

(j) Include a statement that the facility will participate in unannounced drills as described in WAC 173-180-810.

(k) Include a statement that drill records will be kept for three years and made available to ecology upon request.

(l) Include references to the regional and area oil and hazardous material contingency plans that are applicable to each transfer location.

(m) Describe and reference the geographic response plan for each transfer location, if applicable.

[Statutory Authority: RCW 88.46.160, 88.46.165, 90.56.005, 90.56.050, 90.56.200, 90.56.220, 90.56.230, and chapter 90.56 RCW. WSR 23-12-077 (Order 21-03), § 173-180-730, filed 6/6/23, effective 7/7/23. Statutory Authority: RCW 88.46.160, 88.46.165, and chapter 90.56 RCW. WSR 06-20-034 (Order 06-02), § 173-180-730, filed 9/25/06, effective 10/26/06.]