

**WAC 173-182-130 Phase in language for vessel and facility plan holders.** (1) This section applies to those plan holders who, on the effective date of this chapter, have approved or conditionally approved plans, primary response contractors (PRCs) with approved applications, and spill management teams (SMTs) and wildlife response service providers (WRSPs) that apply for ecology approval to be cited in contingency plans. Each update must contain all necessary content and meet the requirements of this chapter.

(2) Within six months from rule effective date, SMTs and WRSPs shall begin to submit applications for review and approval in accordance with WAC 173-182-830, 173-182-840, and 173-182-850.

(3) Within twelve months from rule effective date, plan holders shall update their plans to comply with the following as applicable to the plan holder:

(a) Contingency plan general content (WAC 173-182-230 (3)(e)), contractor contact information.

(b) Spill management teams (WAC 173-182-280).

(c) Transfer sites for covered vessels at locations where transfers occur, and for facilities with a vessel terminal (WAC 173-182-355).

(d) Planning standards for shoreline cleanup (WAC 173-182-522).

(e) Binding agreement (WAC 173-182-220).

(f) Field document (WAC 173-182-240(2)).

(g) Type and frequency of drills (WAC 173-182-710(6)), commitment to participating in the multiple plan holder deployment drill.

(h) Planning standards for air monitoring to protect oil spill responders and the public (WAC 173-182-535).

(i) Planning standards for in situ burning (WAC 173-182-330).

(j) Planning standards for dispersants (WAC 173-182-325).

(k) Planning standard for spills of oils that, depending on their chemical properties, environmental factors (weathering), and method of discharge, may submerge or sink (WAC 173-182-323).

(l) Planning standards for wildlife response (WAC 173-182-540 (1), (2)(a), (b), (c), (e) and (f), (3), and (4)).

(4) Within eighteen months from rule effective date, vessels enrolling under either an umbrella contingency plan or a multiple vessel contingency plan must ensure that their enrollment includes contracted access to a state-approved SMT or in-house team which meets the requirements of WAC 173-182-280, 173-182-830, 173-182-840, and 173-182-850.

(5) Within eighteen months from rule effective date, plan holders must include details about benthic and seafloor resources at risk from nonfloating oil spills in accordance with requirements for response and protection strategies under WAC 173-182-510. This requirement may be met by citing the geographic response plans developed as annexes to the northwest area contingency plan. If the relevant GRPs have not been updated by the phase-in date, then plan holders shall have thirty days from the date the GRP is published to ensure the plan is updated to reference the GRP and incorporate relevant details in their contingency plan in accordance with WAC 173-182-510 (2)(b).

(6) Within twenty-four months of the effective date, plan holders shall meet the requirements in WAC 173-182-540 (2)(d).

(7) To the extent to which plan holders rely on primary response contractor (PRC) applications, spill management team (SMT) applications, or wildlife response service provider (WRSP) applications to demonstrate compliance for plan holder planning standards, these applications must also be updated correspondingly.

(8) Each plan update will be given a thirty day public review and comment period. Ecology will approve, disapprove, or conditionally approve the plan update no later than sixty-five days from the update submittal date.

[Statutory Authority: RCW 88.46.0601, 88.46.060, 88.46.120, 88.46.068, 90.56.2101, 90.56.210, 90.56.240, 90.56.569, 90.56.050, and 90.56.005. WSR 20-01-165 (Order 18-10), § 173-182-130, filed 12/18/19, effective 1/18/20. Statutory Authority: Chapter 90.56 RCW. WSR 16-21-046 (Order 15-08), § 173-182-130, filed 10/12/16, effective 11/12/16. Statutory Authority: RCW 88.46.060, 90.46.050. WSR 14-15-076 (Order 13-10), § 173-182-130, filed 7/16/14, effective 8/16/14. Statutory Authority: Chapters 88.46, 90.48, 90.56 RCW, and 2011 c 122. WSR 13-01-054 (Order 11-06), § 173-182-130, filed 12/14/12, effective 1/14/13. Statutory Authority: Chapters 88.46, 90.56, and 90.48 RCW. WSR 06-20-035 (Order 00-03), § 173-182-130, filed 9/25/06, effective 10/26/06.]