



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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**STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE**

Date of Issuance: May 6, 2016

Lead agency: Department of Ecology, Spill Prevention, Preparedness and Response Program

Agency Contact: Sonja Larson, sonja.larson@ecy.wa.gov, (360)407-6682

Permit Number: Not applicable

Description of proposal:

Ecology is proposing to amend the Oil Spill Contingency Planning rule (Chapter 173-182 WAC). This rulemaking will:

- Update definitions to ensure clarity and consistency with existing federal regulations.
- Clarify the Worst Case Discharge calculation for pipelines.
- Create a new pipeline geographic information planning standard which will use available geo-referenced data to support preparedness planning and initial decision making during pipeline oil spills.
- Enhance our existing air monitoring requirements for pipelines to ensure safety of oil spill responders and the general public.
- Enhance our spills to ground requirements to ensure rapid aggressive and well-coordinated responses to spills to ground which could impact ground water.
- Update our pipeline planning standard requirements to ensure the equipment required is appropriate for the environments pipelines may impact.
- Expand the Best Achievable Protection (BAP) Review Cycle to facilities and pipelines.
- Other changes to clarify language and make any corrections needed.

Location of proposal: The proposal is not site specific. The proposed rule applies statewide.

Applicant/Proponent:

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Ecology has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). We have reviewed the attached Environmental Checklist. This is available at: <http://www.ecy.wa.gov/programs/spills/rules/1106ov.html>.

This determination is based on the following findings and conclusions:

The rule update is designed to ensure adequate plans for responses to oil discharges to water and land from pipeline oil spills. The proposed rule would not increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. The proposed rule would not be likely to affect plants, animals, marine life, environmentally sensitive areas, land use, or shoreline use. The proposed rule would not be likely to deplete energy or natural resources, and would not be likely to increase demands on transportation or public services.

This DNS is issued under WAC 197-11-340(2) and the comment period will end on July 22, 2016 to correspond with the comment period on the rule proposal for Chapter 173-182 WAC, Oil Spill Contingency Plan.

Responsible official:

Dale Jensen
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Signature



Date

5-9-16