

Oil Spill Contingency Plan

Chapter 173-182 WAC Rule-making

Agenda

- Why rule-making?
- What are the changes to the rule?
- Rule-making process and timeline
- Questions & Discussion

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Why rule-making?

- Inconsistencies between governing RCWs and Chapter 173-182 WAC.
 - RCW 88.46.060, RCW 90.56.210, and WAC 173-182-110 provide owner/operators, nonprofit corporations, PRCs, and agents the opportunity to submit a contingency plan covering one or more vessels or facilities.
 - The definition of “plan holder” only includes owner/operators and nonprofit corporations.

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Why rule-making?

- A vessel could operate without a valid contingency plan.
 - A vessel operating without the important services and regulatory safeguards that a plan provides creates a threat to public health, safety and general welfare.

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What are the changes?

The proposed rule changes include:

- Updating the definition of plan holder to include all persons listed in RCW 88.46.060 & RCW 90.56.210.
- Updating the definition of “umbrella plan” and ensuring the term is used only when referring to non-profit corporations.

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What are the changes?

The proposed rule changes include:

- Ensuring that owner/operators, if operating under a plan that covers multiple parties, are not required to comply with provisions of the rule that apply specifically to “plan holders.”
- Binding agreement must be signed by both the plan holder and the owner/operator of the vessel or facility.

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Rule-making Process

Action	Date
Rule-Making announcement	December 13, 2013
Comments on Rule Language Due	February 14, 2014
Rule Proposal – beginning of notice & comment period	April 2, 2014
Close of the comment period	May 13, 2014
Rule Adoption	August 6, 2014
Rule Effective Date	September 6, 2014