

Oil Movement by Rail and Pipeline Notification

Ecology is conducting rulemaking for a new law that will enhance oil transport safety Chapter 173-185 WAC, Oil Movement by Rail and Pipeline Notification.

Why is this rule being developed?

In 2015, the Washington Legislature enacted the Oil Transportation Safety Act (ESHB 1449) directing Ecology to develop rules to implement new notice requirements for facilities that receive crude oil by rail and pipelines that transport crude oil through the state.

What is the scope of this rulemaking?

The rulemaking will establish advance notice requirements for facilities, biannual notice requirements for pipelines, and procedures for Ecology to share information with the state emergency management division, county, city, tribal, port, and local governments. Ecology was also directed to share aggregated information with the public.

Who will be regulated by this rule?

Owners and operators of facilities that receive crude oil in bulk and pipelines that transport crude oil in bulk through transmission pipelines in the state.

What is the timeline for development and implementation of this rule?

Ecology began the rulemaking process by formal announcement in November 2015. The agency is currently conducting public workshops and soliciting comments on the preliminary draft rule language.

Ecology plans to issue a formal rule proposal in April 2016 and adopt the rule at the end of August 2016. The rule is slated to go into effect in late September 2016. Facilities would be required to start providing advance notice within 30 days of the effective

WHY IT MATTERS

Washington State is experiencing dramatic changes in the modes and types of crude oil transported by rail and pipelines. There has been an increase in diluted bitumen and Bakken crude oils being transported through the state, which pose greater risks than other crude oils.

The information in the proposed rule will provide emergency responders with critical information needed to effectively respond in a rapid, aggressive, and well-coordinated manner to incidents involving oil-by rail and pipeline.

Contact information

Tiffany Johnson
360-407-7625
Tiffany.Johnson@ecy.wa.gov

Accommodations Requests

To request ADA accommodation including materials in a format for the visually impaired, call the Spills Program main reception at 360-407-7455.

Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.



date of the rule (October 2016 under current rulemaking timeline). Pipelines would be required to submit the first biannual notice by January 31, 2017.

How do I provide comments?

During the informal comment period, the public can provide comments at the workshops (in person or through the webinar), via email, fax, and regular mail (see information below). Please submit comments by **5 p.m., Feb. 5, 2016** to provide Ecology adequate time to consider and incorporate comments before draft-rule language is formally proposed.

Ecology will propose formal draft rule language in April 2016 and allow for public comments between May and June 2016.

More information:

Tiffany Johnson

Spill Prevention, Preparedness & Response Program

PO Box 47600

Olympia, WA 98504

Phone: 360-407-7625

Fax: 360-407-7288

Email: Tiffany.Johnson@ecy.wa.gov

Website: www.ecy.wa.gov/programs/spills/rules/1513ov.html

Spills Program listserv: <http://listserv.wa.gov/cgi-bin/wa?A0=SPILLS-PROGRAM>

