



Rule Adoption Notice

Facility Handling Standards (WAC 173-180-025); Vessel Oil Transfer Advance Notice and Containment Requirements (WAC 173-184-025); Oil Spill Contingency Planning (WAC 173-182-030); Pre-Assessment Screening and Oil Spill Compensation Schedule Regulations (WAC 173-183-100 & 320); Definitions (WAC 317-05-020)

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Visit:
www.ecy.wa.gov/progr/ams/spills/rules/main.htm

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Requirements of the rule

The Facility Oil Handling Standards (WAC 173-180) and Vessel Oil Transfer Notice and Containment Requirements (WAC 173-184) relate to oil handling requirements for vessels and facilities. The Oil Spill Contingency Planning (WAC 173-182) relate to preparedness planning for facilities and vessel companies transferring oil over waters of the state. The Pre-Assessment Screening Oil Spill Compensation Schedule (173-183) relates to natural resource damages assessment for spills over 25 gallons.

Summary of the rule changes adopted on November 7, 2007

- Chapter 347, 2007 laws. (Senate Bill 5552) made changes to the Natural Resource Damage Assessment (NRDA) assessment penalty from \$50 to \$100 per gallon of oil spilled.

WAC Chapter 173-183- 320 will be amended to reflect the change.

- The same law also provided a change in definition of oil to include "oils of any kind." This includes biological fuels, such as biodiesel. This change will affect all current rules that reference to the definition.

Change to the definition of "oil" to match the statute will be made to WAC 173-180-025; 173-184-025; 173-182-030; 173-183-100; and 317-05-020.

Effective December 8, 2007

This amendment to Facility Handling Standards (WAC 173-180-025); Vessel Oil Transfer Advance Notice and Containment Requirements (WAC 173-184-025); Oil Spill Contingency Planning (WAC 173-182-030); Pre-Assessment Screening and Oil Spill Compensation Schedule Regulations (WAC 173-183-100 & 320); Definitions (WAC 317-05-020) becomes effective on December 8, 2007.

Appeal procedures

This adoption can be appeal under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

Note: As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.