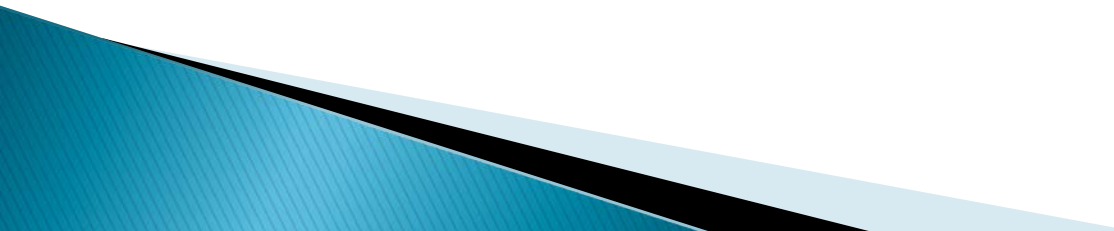


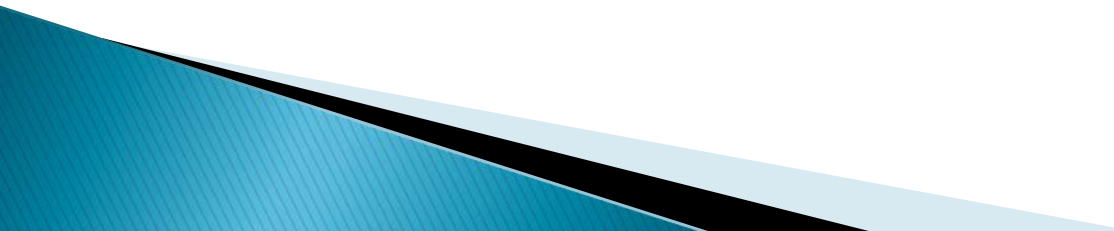
Ecology Rule Making to Amend the Oil Spill Contingency Planning Rule (WAC 173-182)

Chip Boothe
Prevention Section Manager
Spills Program

This rule making will:

- ▶ Update state oil spill preparedness planning standards to incorporate best achievable protection and best available technology.
 - ▶ Enhance the state's current vessels of opportunity system.
 - ▶ Establish a volunteer coordination system.
 - ▶ Require joint large-scale equipment deployment drills from tank vessels.
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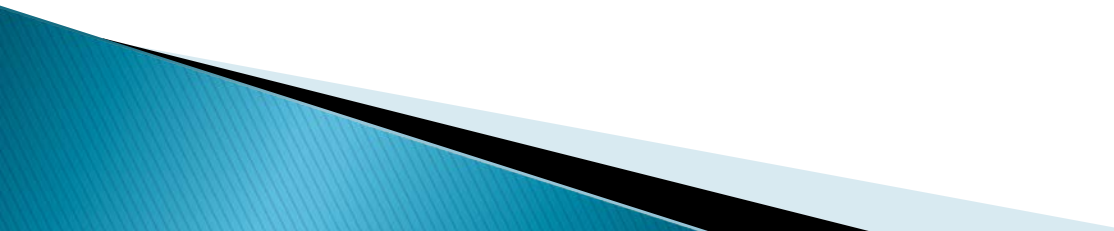
This rule making will (cont.):

- ▶ Improve the state-required notification process for vessels to include potential spill threats as well as actual spills.
 - ▶ Change contingency plan requirements for nonprofit “umbrella” organizations.
 - ▶ Make other changes related to oil spill contingency plans and Ecology’s contingency plan review and approval process.
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Rule Advisory Committee Membership

- ▶ Oil Facilities
- ▶ Oil shipping
- ▶ Cargo & other shipping
- ▶ Tug/Towing
- ▶ Umbrella Plan Providers
- ▶ Primary Response Contractors
- ▶ Commercial Shellfish
- ▶ Gill Netters/Puget Sound Fishing vessels
- ▶ Tribal Interests
- ▶ City & County Interests
- ▶ Environmental Interests
- ▶ Recreational Interests
- ▶ Puget Sound Interests

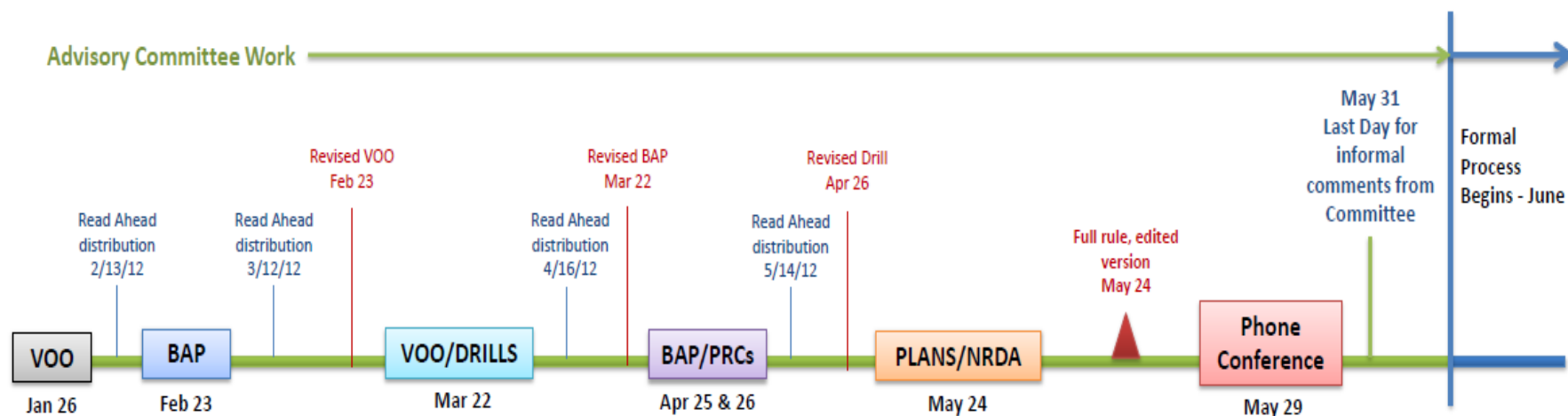
Major Rule Topics

- ▶ Vessels of Opportunity (VOO)
 - ▶ Best Achievable Protection (BAP)
 - ▶ Addition of a 4 hour Planning Standard
 - ▶ Updated Aerial Surveillance Planning Standard
 - ▶ Drills
 - ▶ Primary Response Contractors (PRCs)
 - ▶ Contingency Plans
 - ▶ Notifications
 - ▶ Natural Resource Damage Assessment
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Timeline for the informal process

- ▶ Series of Advisory Committee Meetings
- ▶ January through May
- ▶ All Rule Committee meeting minutes and agendas are posted.
- ▶ Rule Committee meetings are open to the public.
- ▶ We welcome and encourage comments from people who are not on our Rule Committee.
- ▶ Rule Website:
<http://www.ecy.wa.gov/programs/spills/rules/1106.html>

Work Flow and Feedback Loop for the Rule Advisory Committee



Comments are collected at meetings. Comments are collected in writing from January to May 31 using the email address spillsrulemaking@ecy.wa.gov.

Rule Committee Topics	Meeting Dates	Content for Discussion	Date of read ahead information	Revised versions of the rule after discussions
Vessel of Opportunity (VOOs)	Jan 26	Committee Introductions & Process; Draft VOO language (pg 15-16, 42-46)		Revised VOO – February 23
Best Achievable Protection (BAP)	Feb 23	Definition of BAP (pg 3, 5-6); 5 year BAP cycle (pg 82-84); Four hour planning standard (pg 61-64, 67-69, 72); Aerial surveillance (pg 46-50); Technical manual (pg 55-58)	Feb 13	Revised BAP – March 22
VOO Continued and Drills	Mar 22	VOO revised version; Tabletop Drills including Umbrella Plan Spill Management Team drills; Deployment Drills, including large scale drill involving multiple plan holders, ERTV and wildlife (pg 86-96)	Mar 12 - This includes revised VOO language based on your comments and Supporting Documents for the discussion on Drills	Revised Drills – April 26
BAP Continued and Primary Response Contractors (PRCs). (VOO if needed)	Apr 25 & 26	BAP revised version; Shoreline Cleanup (pg 78); On-water Storage (pg 52) Contractor application & Training (98-103). VOO cont'd if needed	April 16 – This includes revised BAP language based on comments and Supporting Documents for the discussion on contractors	
Contingency Plans ½ day Natural Resource Damage Assessment ½ day	May 24	Plan content & approval (pg 23, 26-27, 84-86); Definition (pg 14); Umbrella plan supplemental resources (pg 28, 31, 40-41); Vessel Notifications (pg 16, 35-37); Facility Spills to Ground Notifications (37-38). ERTV (pg 8, 33) Liability & Claims (pg. 31); Natural Resource Damage Assessment (Draft WAC 173-183)	May 14 – Supporting documents for Plans and NRDA	May 24 – Complete version of the rule to date will be mailed out
Conference Call	May 29	Conference call to take comments on final draft version, give committee summary from plan discussion		

Formal Rulemaking Timeline

- ▶ CR-102 Filed:
 - Proposed Rule and Public Hearings as well as the Preliminary cost benefit analysis (CBA, SBEIS) posted 7/2012 and 8/2012 published
- ▶ Public Hearings 8/2012 (TBD)
- ▶ CR-103 Filed:
 - Rule-Making Order TBD
- ▶ Effective date of rule (after filing CR 103) +31 days

Formal Rulemaking Timeline

Milestones	Target date
CR-101 Filed: Pre-proposal Statement of Inquiry	July 2011
Ecology Issues Draft Contingency Plan Rule to Rule Advisory Committee	January 2012
Informal comment period and issue identification / Rule Advisory Committee Meetings	January 2012- June 2012
CR-102 Filed: Proposed Rule and Public Hearings * preliminary cost benefit analysis (CBA, SBEIS)	7/2012 posted 8/2012 published
Public Hearings	8/2012 (TBD)
CR-103 Filed: Rule-Making Order	TBD
Effective date of rule (after filing CR 103)	+31 days