

WAC 173-182-142 Significant changes to approved plans require notification. (1) At any point during the five year approval period, if there is a temporary or permanent significant change in the personnel or response equipment described in the plan, the plan holder shall:

(a) Notify ecology in writing within twenty-four hours of the change; and

(b) Provide both a schedule for the prompt return of the plan to full operational status and a proposal for any backfill to compensate for the temporary significant change. This proposal shall be reviewed by ecology.

(2) Changes which are considered significant include:

(a) Loss of equipment that results in being out of compliance with any planning standard;

(b) If greater than ten percent of available boom, storage, recovery, dispersants, in situ burn or shoreline clean-up equipment is moved out of the homebase as depicted on the WRRL;

(c) Transfers of equipment to support spill response for out-of-region spills;

(d) Permanent loss of initial response personnel listed in command and general staff ICS positions provided in the plan;

(e) Permanent loss of personnel designated as the binding agreement signer;

(f) Changes in normal operating procedures as described below:

(i) For facilities, changes in the oil types handled; permanent changes in storage capacity; changes in handling or transporting of any product; permanent changes in oil processing; and

(ii) For vessels, changes in the oil types handled.

(g) Changes in equipment ownership if used to satisfy a plan holder planning standard; or

(h) Modification or discontinuing of any mutual aid, letter of intent or contract agreement.

(3) Notification by facsimile or email will be considered written notice.

(4) Failure to report changes in the plan could result in the loss of plan approval.

(5) If the proposed change to the plan is to be made permanent, the plan holder then shall have thirty calendar days from notification to ecology to distribute the amended page(s) of the contingency plan to ecology for review and approval.

(6) If ecology finds that, as a result of a change, the plan no longer meets approval criteria; ecology may place conditions on approval or disapprove the plan.

[Statutory Authority: Chapter 90.56 RCW. WSR 16-21-046 (Order 15-08), § 173-182-142, filed 10/12/16, effective 11/12/16. Statutory Authority: Chapters 88.46, 90.48, 90.56 RCW, and 2011 c 122. WSR 13-01-054 (Order 11-06), § 173-182-142, filed 12/14/12, effective 1/14/13.]