

**WAC 173-700-601 Remedial actions.** (1) If a bank does not attain the required performance standards or meet other requirements specified in the instrument or this chapter, the sponsor shall implement adaptive management activities. If such activities do not achieve compliance within a reasonable time, the department may require remedial actions, which may include additional adaptive management activities or other activities necessary to achieve compliance.

(2) If the sponsor determines that the bank will not attain performance standards, the sponsor shall notify the department and the signatories.

(3) Any agency, entity, or person may also notify the department if it has supporting documentation that a bank site is not successfully meeting the required performance standards. The notification must include:

(a) A clear statement of the issue;

(b) Supporting documentation of the problem, such as photographic evidence, documentation from field reviews, the submitted monitoring report, or the credit release petition; and

(c) Recommendations for remedial actions or other alternatives to address the problem.

(4) If the department determines that remedial actions are necessary:

(a) The department shall consult with the signatories to determine appropriate remedial actions;

(b) During consultation, the signatories may recommend remedial actions to the department and may comment on remedial actions proposed by the department; and

(c) The department shall consider the recommendations and comments of the signatories, if any, and shall make the final decision regarding appropriate remedial actions.

(5) The department shall issue, in writing, its determination for required remedial actions to the sponsor and the signatories.

[Statutory Authority: Chapter 90.84 RCW. WSR 09-19-013 (Order 04-13), § 173-700-601, filed 9/3/09, effective 10/4/09.]