

WAC 173-182-010 Purpose. The purpose of this chapter is to establish covered vessel and facility oil spill contingency plan requirements (Part II), drill and equipment verification requirements (Part III), primary response contractor, spill management team, and wildlife response service provider standards (Part IV), and record-keeping and compliance information (Part V).

(1) The provisions of this chapter, when followed, should be implemented and construed so that they will:

(a) Maximize the effectiveness and timeliness of oil spill response by plan holders, spill management teams, wildlife response service providers, and primary response contractors;

(b) Ensure continual readiness, maintenance of equipment and training of personnel;

(c) Support coordination with state, federal, tribal and other contingency planning efforts;

(d) Provide for the protection of Washington waters, natural, cultural and significant economic resources by minimizing the impact of oil spills; and

(e) Provide the highest level of protection that can be met through the use of best achievable technology and those staffing levels, training procedures, and operational methods that constitute best achievable protection (BAP) as informed by the BAP five year review cycle (WAC 173-182-621) and as determined by ecology.

(2) The planning standards described in this chapter do not constitute clean-up standards that must be met by the holder of a contingency plan. Failure to remove a discharge within the time periods set out in this chapter does not constitute failure to comply with a contingency plan, for purposes of this chapter or for the purpose of imposing administrative, civil, or criminal penalties under any other law so that all reasonable efforts are made to do so. In a spill or drill, deployment of equipment and personnel shall be guided by safety considerations. The responsible party must take all actions necessary and appropriate to immediately collect and remove, contain, treat, burn and disperse oil entering waters of the state and address the entire volume of an actual spill regardless of the planning standards.

[Statutory Authority: RCW 88.46.0601, 88.46.060, 88.46.120, 88.46.068, 90.56.2101, 90.56.210, 90.56.240, 90.56.569, 90.56.050, and 90.56.005. WSR 20-01-165 (Order 18-10), § 173-182-010, filed 12/18/19, effective 1/18/20. Statutory Authority: Chapter 90.56 RCW. WSR 16-21-046 (Order 15-08), § 173-182-010, 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), § 173-182-010, filed 12/14/12, effective 1/14/13. Statutory Authority: Chapters 88.46, 90.56, and 90.48 RCW. WSR 06-20-035 (Order 00-03), § 173-182-010, filed 9/25/06, effective 10/26/06.]