

**WAC 173-307-130 Public disclosure.** (1) The department shall make available for public inspection any executive summary or annual progress report submitted to the department. Any hazardous substance user or hazardous waste generator required to prepare an executive summary or annual progress report, who believes that disclosure of any information contained in the executive summary or annual progress report may adversely affect the competitive position of the user or generator, may request the department under RCW 43.21A.160 to delete from the public record those portions of the executive summary or annual progress report that may affect the user's or generator's competitive position. The department may not disclose any information contained in an executive summary or annual progress report pending a determination of whether the department will delete any information contained in the report from the public record. This determination will be made within sixty days following a request for public inspection.

(2) Any ten persons residing within ten miles of a hazardous substance user or hazardous waste generator required to prepare a plan may file with the department a petition requesting the department to examine a plan to determine its adequacy. The department shall report its determination of adequacy to the petitioners and to the user or generator within a reasonable time. The department may deny a petition if the department has, within the previous year, determined the plan of the user or generator named in the petition to be adequate.

[Statutory Authority: Chapter 70.95C RCW. WSR 00-15-020 (Order 00-08), § 173-307-130, filed 7/11/00, effective 8/11/00; WSR 91-08-041 (Order 90-57), § 173-307-130, filed 4/1/91, effective 5/2/91.]