

WSR 25-12-094
PREPROPOSAL STATEMENT OF INQUIRY
POLLUTION LIABILITY
INSURANCE AGENCY

[Filed June 3, 2025, 1:52 p.m.]

Subject of Possible Rule Making: The pollution liability insurance agency (PLIA) proposes to amend chapter 374-70 WAC, Heating oil pollution liability insurance program, to reflect statutory updates and how PLIA administers the program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70A.330.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under RCW 70A.330.040, Washington's legislature authorized PLIA to establish the heating oil pollution liability insurance program to assist owners and operators of heating oil tanks. In 2020, the legislature directed PLIA to transition the heating oil insurance program to the agency's revolving loan and grant program described in chapter 70A.345 RCW. To complete this transition, PLIA has since made updates in how the heating oil insurance program is administered and requires these updates to be reflected in rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: PLIA provides advice and technical assistance to heating oil tank owners with a confirmed release and pays for cleanup costs for program registrants. PLIA's services ensure that cleanup efforts meet the substantive requirements of the Model Toxics Control Act, chapter 70A.305 RCW and chapter 173-340 WAC. The department of ecology regulates and enforces cleanup of hazardous sites such as those with heating oil contamination. PLIA will communicate with and inform the department of ecology of potential impacts.

Process for Developing New Rule: PLIA will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Keith Bradley-Hewitt, P.O. Box 40930, Olympia, WA 98504, phone 800-822-3905, email rules@plia.wa.gov, website www.plia.wa.gov.

June 3, 2025
Keith Bradley-Hewitt
Community Outreach Specialist