

**WAC 173-180-435 Class 1 and 2 facilities—Operations manual updates.** (1) At any point during the five-year approval period, if there is a significant change as defined in subsection (4) of this section, the owner or operator must:

(a) Submit an electronic notification to ecology prior to any significant change;

(b) Within 30 calendar days of the significant change, amend the manual to incorporate the significant change and submit the amended page(s) to ecology; and

(c) If a significant change will reduce the facility's ability to implement the manual, provide a schedule for the return of the manual to full implementation capability.

(2) Failure to notify ecology of significant changes in the manual is considered noncompliance and could result in the loss of manual approval.

(3) If ecology finds, as a result of the significant change, the manual no longer meets approval criteria, then ecology will notify the facility owner or operator of the change in approval status. Ecology may place conditions on approval or disapprove the manual.

(4) A significant change includes:

(a) A change in the type(s) of oil handled at the facility;

(b) A five percent or greater change in the Class 1 facility's oil handling capacity;

(c) A change in oil spill prevention technology installed at the Class 1 facility or equipment in use by the Class 2 facility, or other changes to facility technology, operations, or personnel procedures.

(5) A significant change does not include minor variations (less than five percent for Class 1 facilities) in oil handling capacity, maintenance schedules, and operating procedures, provided that none of these changes will increase the risk of a spill.

(6) Ecology may review and require changes to the manual following any spill, inspection, or drill.

[Statutory Authority: RCW 88.46.160, 88.46.165, 90.56.005, 90.56.050, 90.56.200, 90.56.220, 90.56.230, and chapter 90.56 RCW. WSR 23-12-077 (Order 21-03), § 173-180-435, filed 6/6/23, effective 7/7/23. Statutory Authority: RCW 88.46.160, 88.46.165, and chapter 90.56 RCW. WSR 06-20-034 (Order 06-02), § 173-180-435, filed 9/25/06, effective 10/26/06.]