WAC 173-182-130  Phase in language for vessel and facility plan holders.  (1) This section applies to those plan holders who, on the effective date of this chapter, have approved or conditionally approved plans, and response contractors with approved applications. Each update must contain all necessary content and meet the requirements of this chapter.

(2) For existing approved facility plan holders within six months after the effective date of this chapter, all facility plan holders must update their plans to comply with the following sections as applicable to the facility:
   (a) Binding agreement (WAC 173-182-220).
   (b) Contingency plan general content (WAC 173-182-230 (8)), claims procedures.
   (c) Contingency plan general content (WAC 173-182-230 (4)(c)(i) through (v)), products handled.
   (d) Facility spills to ground notifications (WAC 173-182-264).
   (e) Planning standards for dispersants (WAC 173-182-325).
   (f) Planning standard for Group 5 Oils (WAC 173-182-324).
   (g) To the extent to which plan holders rely on PRC applications to demonstrate compliance for plan holder, PRC applications must also be updated correspondingly.

(3) For existing approved tank vessel plan holders and vessel umbrella plan holders, the following is required, as applicable to the plan holder:
   (a) Within six months after the effective date of this chapter, all tank vessel plan holders and vessel umbrella plan holders must update their plans to comply with the following sections:
      (i) Binding agreement (WAC 173-182-220).
      (ii) Contingency plan general content (WAC 173-182-230 (3)(b)(ii)).
      (iii) Contingency plan general content (WAC 173-182-230 (5)(f) and (g)).
      (iv) Contingency plan general content (WAC 173-182-230 (6)(a)(i) through (vii) and (7)).
      (v) Contingency plan general content (WAC 173-182-230 (8)), claims procedures.
      (vi) Aerial surveillance planning standard (WAC 173-182-321(2)), Additional surveillance assets.
      (ix) Requirements for vessel umbrella plan holders maintaining additional agreements for supplemental resources (WAC 173-182-232).
      (x) To the extent to which plan holders rely on PRC applications to demonstrate compliance for plan holder, PRC applications must also be updated correspondingly.
   (b) Within eighteen months after the effective date of this chapter, all tank vessel plan holders and vessel umbrella plan holders must update their plans to comply with the following sections:
      (i) Vessels of opportunity planning standard (WAC 173-182-317), Region 1 - Cape Flattery/Strait of Juan De Fuca.
      (ii) Aerial surveillance planning standard (WAC 173-182-321(1)), Helicopter/fixed wing.
      (iii) Dedicated on-water storage (WAC 173-182-335), at least twenty-five percent of the total worst case discharge requirement.
      (iv) San Juan County planning standard (WAC 173-182-370), four hour planning standard.
Neah Bay staging area (WAC 173-182-395), four hour planning standard.

Covered vessel planning standard for shoreline cleanup (WAC 173-182-522).

To the extent to which plan holders rely on PRC applications to demonstrate compliance for plan holder, PRC applications must also be updated correspondingly.

Within thirty-six months after the effective date of this chapter, all tank vessel plan holders and vessel umbrella plan holders must update their plans to comply with the following sections:

- Vessels of opportunity planning standard (WAC 173-182-317), Region 2 - San Juan Islands/North Puget Sound.
- Vessels of opportunity planning standard (WAC 173-182-317), Region 4 - Lower Columbia River.
- Provide proposal for ecology review of the aerial surveillance planning standard (WAC 173-182-321(3)), Helicopter/fixed wing with forward looking infrared. Plan holder shall have an additional twelve months to have this asset staged and all plan updates finalized as applicable.
- Covered vessel plan holder's technical manual requirement (WAC 173-182-349).
- Commencement Bay Quartermaster Harbor planning standard (WAC 173-182-380), four hour planning standard.
- Cathlamet staging area (WAC 173-182-415), four hour planning standard.

To the extent to which plan holders rely on PRC applications to demonstrate compliance for plan holder, PRC applications must also be updated correspondingly.

Within forty-eight months after the effective date of this chapter, all tank vessel plan holders and vessel umbrella plan holders must update their plans to comply with the following sections:

- Vessels of opportunity planning standard (WAC 173-182-317), Region 6 - Grays Harbor.
- Vessels of opportunity planning standard (WAC 173-182-317), Region 3 - South Puget Sound and Central Puget Sound.
- Vessels of opportunity planning standard (WAC 173-182-317), Region 5 - Admiralty Inlet, Hood Canal and North Puget Sound.
- Grays Harbor planning standard (WAC 173-182-450), four hour planning standard.

To the extent to which plan holders rely on PRC applications to demonstrate compliance for plan holder, PRC applications must also be updated correspondingly.

Within eighteen months after the effective date of this chapter, all primary response contractors must update their applications to comply with the following section: Primary response contractor application content, submittal and review (WAC 173-182-810).

Each plan update will be given a thirty day public review and comment period. Ecology will approve, disapprove, or conditionally approve the plan update no later than sixty-five days from the update submittal date.

Statutory Authority: Chapter 90.56 RCW. WSR 16-21-046 (Order 15-08), § 173-182-130, filed 10/12/16, effective 11/12/16. Statutory Authority: RCW 88.46.060, 90.46.050. WSR 14-15-076 (Order 13-10), § 173-182-130, filed 7/16/14, effective 8/16/14. Statutory Authority: Chapters 88.46, 90.48, 90.56 RCW, and 2011 c 122. WSR 13-01-054 (Order 11-06), § 173-182-130, filed 12/14/12, effective 1/14/13. Statutory Authority: Chapter 90.56 RCW. WSR 16-21-046 (Order 15-08), § 173-182-130, filed 10/12/16, effective 11/12/16.
Authority: Chapters 88.46, 90.56, and 90.48 RCW. WSR 06-20-035 (Order 00-03), § 173-182-130, filed 9/25/06, effective 10/26/06.]