

**WAC 173-180-750 Class 2 facility—Response plan review and approval.** (1) Upon receipt of the complete response plan ecology must review the response plan and then ecology will notify the Class 2 facility if ecology:

(a) Approved the response plan.

(b) Found deficiencies in the response plan.

(2) If ecology approves a response plan, ecology will send a letter indicating approval and will include an expiration date for the response plan.

(3) If ecology finds deficiencies in the response plan, ecology may grant conditional approval of a response plan by requiring the facility to operate with specific precautionary measures until the facility submits acceptable provisions of the response plan and ecology approves the response plan.

(4) If ecology grants conditional approval, ecology will:

(a) Send notice to the facility describing the deficiencies;

(b) Provide the facility with a due date by which the facility must address the deficiencies; and

(c) Provide precautionary measures the facility must implement until ecology grants full approval of the response plan.

(5) If a facility receives conditional approval, the Class 2 facility must submit and implement required changes to ecology within the due date, with the option for an extension at ecology's discretion. Plan holders who fail to meet conditional requirements or provide required changes in the time allowed must lose conditional approval status.

(6) Upon receiving the information required by conditional approval, ecology will complete the review.

[Statutory Authority: RCW 88.46.160, 88.46.165, and chapter 90.56 RCW. WSR 06-20-034 (Order 06-02), § 173-180-750, filed 9/25/06, effective 10/26/06.]