

**WAC 173-184-130 Safe and effective threshold determination report.** This section applies to delivering vessels conducting Rate A transfers at locations other than class 1 facilities.

(1) **Report requirements.** The report must include, at a minimum, the following in the order presented:

(a) Cover sheet with name of company submitting the report and point of contact information;

(b) Table of contents including supporting documents and appendices;

(c) Summary of safe and effective threshold values; and

(d) The body of the report must include the following:

(i) Information used to support these values must be based upon on-site environmental monitoring data recorded at specific times, dates, and locations; and

(ii) These values and the supporting data must address, at a minimum, the following site-specific information:

(A) Personnel safety;

(B) Sea state values in feet including typical wave periods;

(C) Water current velocity such as peak currents, sustained currents in hourly increments, and direction of flow, during typical oil transfer operations;

(D) Wind speed in knots, and prevailing directions; and

(E) Other conditions such as vessel traffic, fishing activities, and other factors that influence the oil transfer operation.

(iii) The owner or operators must provide a detailed analysis of the proposed threshold values for the transfer location including:

(A) Methodology of the analysis;

(B) Equipment used to measure data collected; and

(C) Supporting data, references, graphs, tables, pictures, and other relevant information.

(2) **Submittal requirements.** Owners or operators of delivering vessels that conduct Rate A transfers must submit a report to ecology for review and approval for each location at which a Rate A transfer occurs.

One paper and one electronic copy of the threshold determination report and appendices must be delivered to:

The Department of Ecology  
Spill Prevention, Preparedness, and Response Program  
Threshold Determination Report  
P.O. Box 47600  
Olympia, WA 98504-7600

(3) **Review and approval process.**

(a) When reviewing threshold determination reports, ecology must consider the following:

(i) Personnel safety;

(ii) Operating environment of the transfer location(s) such as site-specific meteorological, water current velocity, and other monitoring data to support the threshold determination;

(iii) Accepted industry standards regarding the performance of boom and associated response equipment in various operating environments;

(iv) Types of oil transfer operations including bunkering, cargo operations, transfer rates, and other factors that influence oil transfers.

(b) Ecology will make the report available for a thirty-calendar-day public review and comment period.

(c) Ecology will respond to the owner or operator within ninety calendar days of receipt of the threshold determination report with a letter approving, conditionally approving, or disapproving the report.

(d) The approval of this report will be valid for no more than five years from the date on the approval letter.

(e) Ecology may require a new review and approval process for this report after a spill by the vessel.

**(4) Compliance and submittal schedule.**

(a) Safe and effective threshold determination report must be submitted within one hundred eighty calendar days after the effective date of this chapter.

(b) Rate A deliverers that begin operating in Washington waters after the effective date of this chapter must submit the report at least one hundred twenty calendar days prior to the first oil transfer operation.

[Statutory Authority: RCW 88.46.160, 88.46.165, and chapter 90.56 RCW. WSR 06-20-034 (Order 06-02), § 173-184-130, filed 9/25/06, effective 10/26/06.]