**Spills Prevention, Preparedness, and Response Program**

**TYPE A RAIL CONTINGENCY PLAN**

**REVIEW CHECKLIST**

**Plan Name:** Click here to enter text.

**Name & Address:** Name of Signatory

 Company Name

 Address

 City, State, ZIP

**Date Submitted:** Click here to enter text.

**Oil Spill Preparedness Planner:** Click here to enter text.

**Date Review Completed:** Click here to enter text.

The purpose of this Rail Plan Review Checklist is to guide Ecology in the review of a 5-year plan update to an oil spill contingency plan to ensure the plan meets the requirements established under Chapter 173‑186 Washington Administrative Code (WAC).

In order to complete this review, Ecology will consider requirements established in state law, state regulation and the Northwest Area Contingency Plan; information contained in approved Primary Response Contractor (PRC) applications, equipment and resources listed on the Worldwide Response Resource List. Ecology will also consider public comments solicited through a required 30-day public review period.

To be considered for approval, the oil spill contingency plan must demonstrate that, when implemented, the company/organization can to the maximum extent practicable, provide for a rapid, aggressive and well-coordinated response to and cleanup of a variety of spills, including small chronic spills, and worst case spills. Each plan should also demonstrate the ability to promptly and properly protect the environment from damage resulting from an oil spill.

***Note: Several items on this checklist are comprehensive. For these items, the larger checkbox is not***

***checked unless all of the smaller items are checked.***

FORMAT: WAC 173-186-200

**YES** [ ]  **NO** [ ]  **Plan is formatted appropriately including:**

[ ]  Table of contents with numbered and tabbed chapters.

[ ]  Replaceable pagination.

YES [ ]  NO [ ]  Plan format is functionally usable in responding to a spill.

Comment: Enter section comment or type N/A.

ANNUAL PLAN MAINTENANCE: WAC 173-186-130

YES [ ]  NO [ ]  Plan includes a commitment to review the plan at least once annually for accuracy and submit any necessary changes to ecology for review.

Comment: Enter section comment or type N/A.

SIGNIFICANT CHANGES TO APPROVED PLANS: WAC 173-186-140

YES [ ]  NO [ ]  Plan contains procedures for updates including commitments to:

[ ]  Notify ecology in writing within 24 hours of temporary or permanent significant changes in personnel or response equipment; and

[ ]  Provide notification by facsimile or email as written notice.

Comment: Enter section comment or type N/A.

POST-SPILL REVIEW AND DOCUMENTATION PROCEDURES: WAC 173-186-150

YES [ ]  NO [ ]  Plan contains post-spill review procedures including a commitment to conduct debriefs.

[ ]  Plan provides language for post spill assessment and commits to conduct an internal debrief and when appropriate with federal, state, local agencies as well as other spill response participants.

Comment: Enter section comment or type N/A.

PLAN IMPLEMENTATION PROCEDURES: WAC 173-186-160

**YES** [ ]  **NO** [ ]  **The plan includes a commitment to implement the Ecology-approved plan in any response to an oil spill and drill. Language must acknowledge that if a different plan is to be used it shall be approved by the state and federal on scene coordinators.**

Comment: Enter section comment or type N/A.

BINDING AGREEMENT: WAC 173-186-210

**YES** [ ]  **NO** [ ] [ ]  **Plan is submitted by**

[ ]  An authorized owner, or operator, or a designee with authority to bind the owners and operators of the railroad(s) covered by the plan.

[ ]  An authorized representative(s) of more than one railroad providing integrated oil spill contingency plan coverage.

[ ]  An authorized representative(s) of a company contracted to the railroad and approved by Ecology to provide containment and clean-up services.

[ ]  **Plan contains Ecology’s binding agreement form** [**ECY 070-612**](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070612.html)**.**

Or,

[ ]  **An equivalent binding agreement that includes:**

[ ] The name, address, phone number, email address, and website of the submitting party.

[ ]  Acceptance of the plan and commitment to a safe and immediate response to spills and to substantial threats of spills that occur in, or could impact Washington waters or Washington's natural, cultural and economic resources.

[ ]  Commitment to having an incident commander in state within six hours after notification of the spill.

[ ]  Commitment to the implementation and use of the plan during a spill and substantial threat of a spill, and to the training of personnel to implement the plan.

[ ]  Verification of authority and capability to make necessary and appropriate expenditures in order to implement plan provisions.

[ ]  Commitment to working in Unified Command within the incident command system to ensure that all personnel and equipment resources necessary to the response will be called out to clean up the spill safely and to the maximum extent practicable.

**Comment:** Enter section comment or type N/A

CONTINGENCY PLAN GENERAL CONTENT: WAC 173-186-220

**YES** [ ]  **NO** [ ]  **Plan references and is consistent with the Northwest Area Contingency Plan.**

YES [ ]  NO [ ]  Plan provides a name, location, type, and address of all the rail facilities.

**YES** [ ]  **NO** [ ]  **Plan contains a list of federal and state requirements intended to be met by the plan.**

**YES** [ ]  **NO** [ ]  **Plan contains a log sheet to document revisions and updates to the plan.**

**YES** [ ]  **NO** [ ]  **Plan contains a cross reference table specific to each Washington requirement.**

YES [ ]  NO [ ]  Plan contains a table of contents.

YES [ ]  NO [ ]  Plan contains:

[ ]  List and map of expected rail routes in Washington State.

[ ]  Description of the operations covered by the plan including locations where fueling occurs.

[ ]  Inventory of aboveground storage tanks and tank capacities (not required if total capacity is less than 1,320 gallons per facility).

[ ]  List of all oil cargo transported including region of origin, oil types, physical properties, and health and safety hazards.

[ ]  The plan shall identify where the SDS or equivalent is kept for emergency response use.

Comment: Enter section comment or type N/A.

RESPONSE CONTRACTOR INFORMATION: WAC 173-186-220(g)(i)(ii)

**YES** [ ]  **NO** [ ]  **Plan indicates use of a Primary Response Contractor (PRC) to meet applicable planning standards.**

**YES** [ ]  **NO** [ ]  **Plan contains the required PRC information including:**

[ ] 24-hour phone number.

[ ] Name, address, phone numbers or other means of contact.

[ ] A contract or letter summarizing coverage and signed by the PRC.

[ ]  If the contract is not in the plan, a commitment that the contract will be made available to Ecology upon request.

**YES** [ ]  **NO** [ ]  **Plan indicates use of a contracted Spill Management Team (SMT) to meet applicable planning standards.**

**YES** [ ]  **NO** [ ]  **Plan contains the required SMT information including:**

[ ] 24-hour phone number.

[ ] Name, address, phone numbers or other means of contact.

[ ] A contract or letter summarizing coverage and signed by the SMT.

[ ]  If the contract is not in the plan, a commitment that the contract will be made available to Ecology upon request.

**YES** [ ]  **NO** [ ]  **Plan indicates use of a Wildlife Response Service Provider (WRSP) to meet applicable planning standards.**

**YES** [ ]  **NO** [ ]  **Plan contains the required WRSP information including:**

[ ] 24-hour phone number.

[ ] Name, address, phone numbers or other means of contact.

[ ] A contract or letter summarizing coverage and signed the WRSP.

[ ]  If the contract is not in the plan, a commitment that the contract will be made available to Ecology upon request.

YES [ ]  NO [ ]  Plan contains a mutual aid agreement that the plan holder relies on to meet planning standards. If yes, plan includes:

[ ]  A copy of the agreement and description of the terms.

**N/A** [ ]  **Plan does not contain a mutual aid agreement.**

Comment: Enter section comment or type N/A.

SPILL MANAGEMENT TEAM: WAC 173-186-220(h)(i)(ii)(iii)(iv)

**YES** [ ]  **NO** [ ]  **The plan contains information on the personnel (including contract personnel) who will be available to manage an oil spill response. The plan includes:**

[ ]  An organizational diagram depicting the chain of command for the SMT for a worst case spill that is consistent with the NWACP.

[ ]  A table detailing the names of personnel to fill the ICS roles (or the name of the SMT contracted to fill the roles) as specified in the table in WAC 173-186-220(h)(ii).

[ ]  Primary and two alternate incident commanders (IC) are identified and can arrive in-state within six hours.

[ ]  A description for each spill management position, or a reference to the Incident Management Handbook with position descriptions (unless plan follows and references the job descriptions in the NWACP).

[ ]  A detailed description of the planning process that will be used to manage the spill or reference to the Incident Management Handbook that will be used (unless plan follows and references the Planning process in the NWACP).

[ ]  Commitment to work in unified command within ICS.

[ ]  Detailed training program including a description of training type and frequency provided for each SMT member. Training must include:

[ ]  ICS Training and Levels of Training identified.

[ ]  NWACP policy training.

[ ]  Use and location of GRPs.

[ ]  Contents of the Contingency Plan.

[ ]  Worker health and safety.

Comment: Enter section comment or type N/A.

NOTIFICATIONS: WAC 173-186-220(i)(i)(ii)(iii)

YES [ ]  NO [ ]  The plan includes procedures for immediately notifying appropriate parties that a spill or a substantial threat of a spill has occurred. The procedures shall establish a clear order of priority for immediate notification and include:

[ ]  A clearly prioritized call down list with names and phones numbers of required immediate notifications to government agencies, response contractors, and spill management teams.

[ ]  Immediate notification of the Washington State Emergency Management Division and National Response Center is clearly identified.

[ ]  A form to document notifications.

[ ]  Identify the central reporting office or individuals responsible for implementing the notification process.

[ ]  Notification Flow Diagram consistent with all procedures and the call down list.

Comment: Enter section comment or type N/A.

SPILL ASSESSMENT AND TRACKING: WAC 173-186-220(j)(k)(i)(ii)

YES [ ]  NO [ ]  Plan contains procedures to track and account for:

[ ]  Entire volume of oil recovered.

[ ]  Oily waste generated and disposed of.

YES [ ]  NO [ ]  Plan contains:

[ ]  Forms to account for recovered oil and waste.

[ ]  A commitment to provide records to Ecology upon request.

[ ]  A disposal plan consistent with the NWACP or link to NWACP Section 9405.

YES [ ]  NO [ ]  Plan contains specific initial response actions and forms that will be used to document response including:

[ ]  A description/steps to assess and confirm spill including protocols for:

[ ]  Estimating volume and spill dimensions including methods used.

[ ]  Determining and confirming the product type.

[ ]  Trajectory assessment and modeling protocols including:

[ ]  Visual inspection including aerial over flights.

[ ]  Determining environmental conditions and effect on the spill.

[ ]  Updating reported quantity and extent of contamination.

[ ]  A description of equipment used to conduct an initial spill assessment during darkness and low visibility conditions.

[ ]  A description of how site safety is assessed for all types of spills:

[ ]  Safety briefing.

[ ]  Communication protocols.

[ ]  Air monitoring protocols and equipment.

[ ]  Personal protective equipment.

[ ]  Checklist that identifies significant steps used to respond to a spill, listed in a logical progression of response activities.

[ ]  Plan commits to use of ICS Form 201(or equivalent) to document initial response actions.

Comment: Enter section comment or type N/A.

SPILLS TO GROUND: WAC 173-186-220(l)

**YES** [ ]  **NO** [ ]  **Plan includes a description of the methods to be used to promptly assess spills with the potential to impact groundwater including:**

[ ]  Description of methods to assess spills to ground that may impact ground water.

[ ]  Contact information for resources to investigate, contain and remediate the spill.

Comment: Enter section comment or type N/A.

CLAIMS: WAC 173-186-220(m)

YES [ ]  NO [ ]  Plan contains procedures to establish and manage oil spill liability claims of damages to persons or property, public or private, including:

[ ]  Identification of group/individuals responsible for managing claims.

Comment: Enter section comment or type N/A.

SENSITIVE AREAS AND RESPONSE AND PROTECTION STRATEGIES: WAC 173-186-220(n)(i)(ii)(iii)(o)

YES [ ]  NO [ ]  Plan describes how environmental protection will be achieved, including containment, enhanced collection and diversion tactics. Plan includes:

[ ]  Discussion of how environmental protection will occur including containment, enhanced collection and diversion tactics.

[ ]  Commitment to implement GRP strategies as needed to protect environment

[ ]  Discussion of applicable GRPs.

[ ]  Identification of resources at risk, including those on the surface, shoreline, water column and benthic risks—or reference to the applicable GRP(s) with these considerations.

[ ]  Non-floating oil considerations including identification of waterway depths, water density, sediment load, sea floor or river bottom types, and response options based on those factors—or reference to applicable GRP(s) with these considerations.

[ ]  Web link to GRPs.

**YES** [ ]  **NO** [ ]  **If GRPs have not been developed to meet this requirement the rail plan holder must describe plan-specific response strategies near rail lines to protect significant sensitive sites. The plan holder must work with Ecology to verify these sites.**

**YES** [ ]  **NO** [ ]  **Plan identifies potential initial command post locations.**

Comment: Enter section comment or type N/A.

FIELD DOCUMENT: WAC 173-186-230

**YES** [ ]  **NO** [ ]  **Plan contains a field document that contains time-critical information for field staff use during the initial emergency phase of a spill.**

**To ensure the field document is appropriately interrelated with the plan, the plan must include:**

[ ]  Locations where the field document is located for use by field staff, e.g., in specific offices, vehicles, etc.

**To ensure the plan is appropriately interrelated with the field document, the field document must include:**

[ ]  Procedures and equipment to detect, assess and document the size of a spill and forms for initial response assessment.

[ ]  A checklist that identifies steps to initiate an appropriate response to the spill.

[ ]  A prioritized call down list with names and phones numbers of required notifications that field staff must complete when a spill is discovered, including a form to document when notifications are made.

[ ]  A form to document notifications.

[ ]  Guidance for field staff to assess spills to ground that may impact groundwater.

Comment: Enter section comment or type N/A.

WORST CASE SPILL VOLUME: WAC 173-186-220(3)(b)

**YES** [ ]  **NO** [ ]  **Plan identifies an appropriate worst case spill (WCS) volume.** **If oil handling operations vary on different rail routes, more than one worst case spill volume may be submitted to ecology for consideration.**

**Worst Case Spill** volume (bbls) is: Click here to enter text.

YES [ ]  NO [ ]  Plan contains acceptable methodology, including calculations for the worst case volume.

***Calculation:***

1. Fuel Capacity of Locomotive(s): Click here to enter text.
2. Volume of greatest number of tank cars carried: Click here to enter text.
3. Worst case spill volume ((a) + (b)): = Click here to enter text.

Comment: Enter section comment or type N/A.

PLANNING STANDARDS AND PLANNING POINTS: WAC 173-186-220(p), 300, 310, and 380

YES [ ]  NO [ ]  Each plan shall contain a description of how the rail plan holder meets each applicable planning standard.

[ ]  Appropriate planning points for plan holder operations is described and assessed for compliance.

**YES** [ ]  **NO** [ ]  **Plan references the appropriate planning points(s) defined in WAC 173-186-310 that apply to the plan holders operations:**

**The following planning points apply to your plan:**

[ ]  Bellingham

[ ]  Mukilteo/Everett

[ ]  Seattle

[ ]  Tacoma

[ ]  Centralia/Chehalis

[ ]  Longview/Kelso

[ ]  Aberdeen

[ ]  Vancouver

[ ]  Coulee City

[ ]  Tri-Cities (Kennewick)

[ ]  Colfax

[ ]  Clarkston

[ ]  Spokane

[ ]  Colville

[ ]  Pend Oreille/Colville National Forest

[ ]  Okanogan

[ ]  Wenatchee

[ ]  Yakima/Union Gap

[ ]  Moses Lake

[ ]  Bingen

**YES** [ ]  **NO** [ ]  **Plan demonstrates access to the equipment in the table in WAC 173-186-310(3) within the time frames identified based on the areas the railroad(s) operate.**

Comment: Enter section comment or type N/A.

DOCUMENTING PLANNING STANDARD COMPLIANCE: WAC 173-186-380

**YES** [ ]  **NO** [ ]  **Planning standard spreadsheets are in the plan and demonstrate appropriate response capability by the company and/or response contractor.**

**YES** [ ]  **NO** [ ]  **No gaps exist as identified in the planning standard spreadsheets.**

Comment: Enter section comment or type N/A.

DETERMINING EFFECTIVENESS OF RECOVERY SYSTEMS AND EFFECTIVE DAILY RECOVERY CAPACITY: WAC 173-182-345 and 348.

☐ N/A Plan holder does not own recovery equipment.

YES [ ]  NO [ ]  Plan provides determination of effective recovery systems and daily recovery capacity for plan holder owned equipment.

Comment: Enter section comment or type N/A.

MAINTENANCE RECORDS FOR OIL SPILL RESPONSE EQUIPMENT: WAC 173-186-320

**N/A** [ ]  **Plan holder does not own response equipment.**

**YES** [ ]  **NO** [ ]  **Plan holder owns response equipment and contains schedules, methods, and procedures for equipment maintenance including:**

[ ]  Plan holder-owned equipment list or description of equipment that is maintained on the WRRL.

[ ]  Schedule for inspecting and conducting maintenance on response equipment or a commitment to maintain equipment in accordance with manufacturer’s specifications.

[ ]  Commitment to maintain records for a period of five years and make available to Ecology if requested.

Comment: Enter section comment or type N/A.

PLANNING STANDARDS FOR OILS THAT MAY SUBMERGE OR SINK: WAC 173-186-330

[ ]  **N/A Plan indicates the plan holder does not carry, handle, store, or transport oils that may weather and sink when spilled to the environment, and therefore this planning standard is not applicable.**

YES [ ]  NO [ ]  Plan indicates oils that may weather and sink when spilled to the environment are carried, handled, transported, or stored. Plan must contain a contract with a PRC that maintains resources to respond to a spill of nonfloating oils including:

[ ]  Contract with a PRC that has required equipment and is capable of responding within the time frames outlined in WAC-173-186-330.

[ ]  Detailed process for identifying if the oil handled has the potential to submerge or sink and include a description of the process for detecting, delineating, and recovering nonfloating oils in the areas that may be impacted.

[ ]  If applicable, a contract or letter with the referenced PRC summarizing coverage, dated within the last five years and signed by a current authorized representative of the PRC.

[ ]  In lieu of including nonfloating oils response details in the plan, a citation of the nonfloating oils response tools found in NWACP Section 9412.

Comment: Enter section comment or type N/A.

PLANNING STANDARDS FOR IN SITU BURNING: WAC 173-186-340

YES [ ]  NO [ ]  Plan holder operates in areas where in situ burning may be considered as a response option based on the NWACP in situ burning policy.

[ ]  Plan indicates that in situ burning will not be used unless directed by unified command.

[ ]  Plan identifies equipment for the use of in situ burning that can be on-scene within 12 hours.

**N/A** [ ]  **Plan does not operate in an area where in situ burning may be considered as a response option.**

Comment: Enter section comment or type N/A.

PLANNING STANDARDS FOR SHORELINE CLEANUP: WAC 173-186-350

**YES** [ ]  **NO** [ ]  **Plan identifies and demonstrates access to response resources necessary to perform shoreline cleanup operations capable of being on scene within 24 hours of spill notification.**

Comment: Enter section comment or type N/A.

PLANNING STANDARDS FOR AIR MONITORING: WAC 173-186-360

YES [ ]  NO [ ]  Contingency plan includes a narrative description of applicable federal, state, and local requirements and the plan holder's resources for conducting air monitoring to protect oil spill responders and the public, including:

[ ]  A description of how initial site characterization for responders will occur.

[ ]  A description of air monitoring instruments and detection limits that will be used when monitoring for public safety.

[ ]  A description of action levels for various oil constituents of concern based on products handled by the railroad (benzene, H2S, etc.).

[ ]  A description of reporting time frames for air monitoring and how data will be provided to the unified command.

[ ]  A description of how communication methods to at-risk populations will be managed under unified command.

[ ]  A description of how evacuation zones and shelter-in–place criteria are established under unified command.

Comment: Enter section comment or type N/A.

PLANNING STANDARDS FOR WILDLIFE RESCUE AND REHABILITATION: WAC 173-186-370

YES [ ]  NO [ ]  The plan meets applicable federal, state and NWACP requirements for wildlife rescue and rehabilitation including:

[ ] Plan describes how to conduct and manage the various field aspects of a wildlife response including impact assessment, reconnaissance, deterrence, capture, stabilization, and rehabilitation.

[ ]  Contact information for a WRSP capable of arriving on-scene at required intervals that maintain the required equipment, personnel, permits, materials, and supplies, for conducting wildlife response operations in accordance with the capabilities detailed in WAC 173-186-370.

[ ]  Access to wildlife rehabilitation facilities, space, and equipment suitable to conduct wildlife rehabilitation activities, meeting the standards described in WAC 173-186-370.

[ ]  A description of the equipment, personnel, and resources for wildlife response.

[ ]  Access to approved equipment and personnel to conduct and manage the various field aspects of wildlife response.

Comment: Enter section comment or type N/A.

ALTERNATIVE METHODS OF EVALUATING PLANNING STANDARDS: WAC 173-186-400

N/A [ ]  Plan does not include alternative planning standards.

YES [ ]  NO [ ]  Plan includes an alternative planning standard that achieves equivalent or higher protection in terms of spill preparedness and response compared to the applicable planning standard. The plan addresses the following:

[ ]  Identifies the planning standard(s) for which alternative will be substituted.

[ ]  Provides a detailed description of the alternative.

[ ]  Provides an analysis for how the proposal will provide equal or greater protection compared to the applicable planning standard.

**Comment:** Enter section comment or type N/A

DRILLS: WAC 173-186-500, 510

YES [ ]  NO [ ]  Plan commits to Washington’s drill program. Plan includes a description of the following:

[ ]  Schedule of drills and exercises satisfy requirements of WAC 173-186-500 and WAC 173‑186‑510.

[ ]  Commitment to provide Ecology with an opportunity to help design and evaluate all tabletop and deployment drills for which credit is requested.

[ ]  Plan describes a commitment to the timing and frequency of drills as described in WAC 173‑186‑510.

[ ]  Types of drills.

[ ]  Commitment to update the plan if deficiencies are identified regarding performance and findings of a drill evaluation.

[ ]  Plan includes a statement committing to scheduling deployment drills at least 30 days in advance, tabletop drills at least 60 days in advance, and worst case discharge, wildlife deployment, and multiple plan holder large scale equipment deployment drills at least 90 days in advance on the NWACP drill calendar.

YES [ ]  N/A [ ]  This plan requests an alternative to the drill program.

[ ]  Identifies the requirement for which alternative will be substituted.

[ ]  Provides a detailed description of the alternative.

[ ]  Provides an analysis for how the proposal will provide equal or greater protection compared to the applicable planning standard.

Comment: Enter section comment or type N/A.

**ADDITIONAL NOTES:**

As stated under WAC 173‑186‑180, approval does not constitute an express assurance regarding the adequacy of this plan nor does it constitute a defense to liability imposed under state law. Further, in accordance with WAC 173-186-140**,** the Department of Ecology must be notified as soon as possible and within 24 hours of any significant change that could affect implementation of the plan. A schedule for the prompt return of the plan to full operational status must be provided. A facsimile or email will be considered written notice for the purposes of this subsection.

Click here to enter text.

Oil Spill Preparedness Planner: Click here to enter text. Date: Click here to enter text.