

Chapter 173-182 WAC- Oil Spill Contingency Plan Rule

Pipeline Rule Update- Summary of Changes

Updated definitions in our rule to ensure clarity and consistency with existing federal regulations.

In the preliminary draft language we added definitions for response zone and break out tank. The definitions match those found in the federal regulations. The definitions were added to increase consistency with the federal regulations and to further clarify the worst case discharge definition to ensure consistency of the calculations across regulated plan holders.

We also clarified the definition of facility. It was expanded to include railroads per the recent legislative change. The new contingency planning regulations for railroads will be described in a new Chapter 173-186 WAC.

Other definitions were added to clarify updated planning standard language.

Clarified the Worst Case Discharge (WCD) calculation.

The approved pipeline plans generally do not go into detail about how the WCD volume is derived. The updated rule language provides greater clarity around the requirement to do the calculation all 3 ways and pick the largest for each response zone.

Additionally, the enhanced regulations require pipeline plan holders to include the volume calculations, assumptions, and methodology to support the WCD calculation in the plan.

Created a new pipeline geographic information planning standard which will use available geo-referenced data to support preparedness planning and initial decision making during pipeline oil spills.

Generally the pipeline maps included in the plans are not detailed. The new standard supports preparedness because it requires plan holders to develop a geographic information tool to support decision making. The data that will be included in the tool is largely available publically for example through the Ecology Spills Story Maps webpage https://fortress.wa.gov/ecy/coastalatlascy/storymaps/spills/spills_sm.html however the detailed pipeline data layer would not be publically available (due to safety and security issues). New section added at WAC 173-182-515.

Enhanced our existing air monitoring standards for pipelines to ensure safety of oil spill responders and the public.

Plans generally do not contain details for how they will manage the safety of the public which could be impacted by a spill. This would include how area-wide air monitoring will occur, instruments used, action levels for various oil constituents (benzene, H₂S, etc.), communication

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methods to at-risk populations, evacuation zones, shelter-in-place criteria, etc. New section added at WAC 173-182-535.

Updated our pipeline planning standard storage requirements to ensure the equipment required is appropriate for the environments pipelines may impact.

Update to WAC 173-182-355 which allows pipeline plan holders to use 100% shoreside storage. Pipelines in Washington State operate in both marine and inland waterways. We needed to make this change to ensure that temporary interim storage devices for recovery oily water were appropriate for the operating environment. Prior to this change the rule would require large on-water storage barges in areas where that type of equipment could not feasibly be used and several alternatives had to be granted.

We also updated WAC 173-182-365. Three changes were made to the standard.

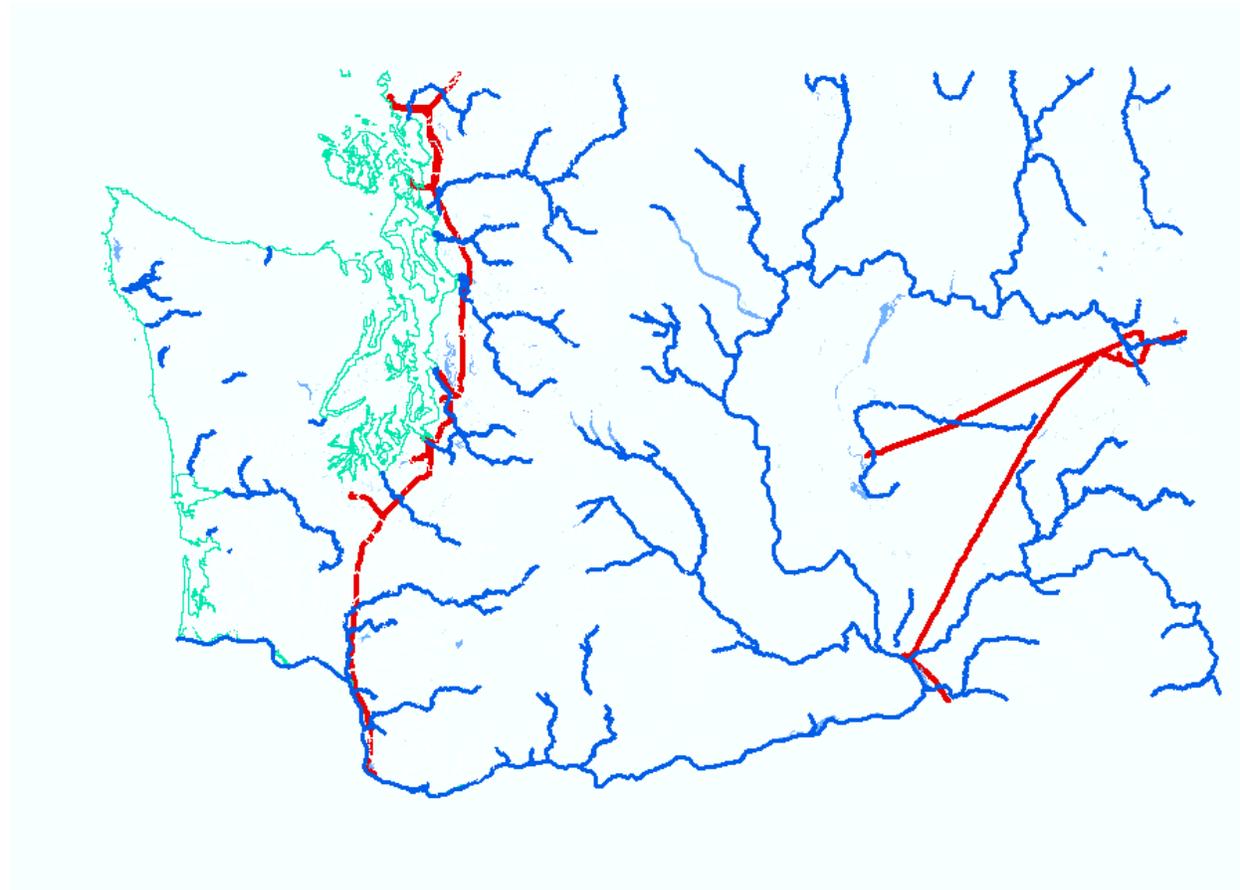
- After several years of implementing this standard we realized that plan holders always applied the 2,000 feet of boom to their two hour standard so the WRIA calculations were removed from the rule.
- We wanted to expand the equipment types available to be used at the two hour standard to ensure equipment was appropriate for the operating environment. We added a two hour alternative to the boom which allows for a site specific strategy to keep oil from entering surface waters or further penetrating the ground.
- Finally, we wanted to ensure that the planning standards were used to validate equipment availability at the prescribed times in a consistent way. We added the requirement for measuring the equipment where pipelines cross shorelines of statewide significance. These shorelines are defined as special use sensitive areas for the state. For more info see

http://www.ecy.wa.gov/programs/sea/sma/st_guide/jurisdiction/SSWS.html

Below is a map of the pipelines (red lines) and the designated “shorelines of statewide significance” blue waterways. At each pipeline crossings at shorelines of state wide significance an evaluation of equipment using the planning standard equipment required in the table at WAC 173-182-365 would be utilized to validate plan holder contingency plans.

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We also created a new section WAC 173-182-366 this standard may apply to pipeline breakout tanks or pipeline tank farms which cannot impact shorelines of statewide significance.

Expand the Best Achievable Protection Review Cycle to facilities and pipelines.

Based on 2015 legislative direction we also updated the rule language to reflect new direction to apply the Concept of Best Achievable Protection (BAP) to facilities and pipelines.

The rule describes how BAP is determined in WAC 173-182-621 Oil spill contingency plan best achievable protection five-year review cycle. This cycle is now applicable to all facilities (including pipelines).