# **Implementation Guidance: Type B Railroad Contingency Plan Holders**

# Updates to WAC 173-186

# [18 month phase-in](https://ecology.wa.gov/Regulations-Permits/Plans-policies/Contingency-planning-for-oil-industry/Rule-implementation) (Due by July 18, 2021)

Type B Railroad Oil Spill Contingency Plan holders will update their plans to demonstrate the tools, procedures, people, equipment, and training to meet the updated planning requirements. Type B rail does not need to show access to the resources through a contract, but rather just list where you would call to gain access should a spill occur. Rule changes requiring contingency plan updates include:

## Updated Binding Agreement ([WAC 173-186-602](https://app.leg.wa.gov/WAC/default.aspx?cite=173-186&full=true#173-186-602)).

Plan must contain a binding agreement signed by a person(s) with the authority to bind the owners and operators to the plan. This may include an authorized owner, operator, or designee of the rail company or an authorized representative of a company contracted to provide containment and clean up services.

Ecology has created a boilerplate binding agreement form that plan holders may use: [ECY 070-612](https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070612.html).

## Contingency plan general content [(WAC 173-186-603)](https://app.leg.wa.gov/WAC/default.aspx?cite=173-186&full=true#173-186-603), contractor contact information.

Include the following information for each contracted primary response contractor (PRC), spill management team (SMT), or wildlife response service provider (WSRP) used to meet planning standards:

* 24-hour phone number.
* Name, address, or other means of contact.

## Full description of SMTs, both internal and external [(WAC 173-186-603(3)(h)(ii)](https://app.leg.wa.gov/WAC/default.aspx?cite=173-186&full=true#173-186-603)

Plan contains Spill Management Team information consistent with the Incident Command System (ICS) and Northwest Area Contingency Plan (NWACP) including:

* A table (see example below ) detailing the names of personnel if internal, or the name of a contracted SMT, to fill the ICS roles as specified in the table in [WAC 173-186-603(h)(ii)](https://app.leg.wa.gov/WAC/default.aspx?cite=173-186&full=true#173-186-603). Personnel may be listed a maximum of two times.
* A description of the planning process that will be used to manage the spill and job descriptions for SMT positions, or reference to an Incident Management Handbook that includes this information. The NWACP may be referenced rather than repeat the information.
* Commitment to work in unified command within ICS.
* Detailed procedures for the orderly transition of initial response team staff to incoming local, regional, or away teams, including transitions between shift changes.
* Detailed training program description for each SMT position including the type and frequency of training provided to each SMT member.

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| --- | --- | --- | --- |
| **ICS Position** | **Name** | **Name** | **Name** |
| Responsible Party Incident Commander |  |  |  |
| Public Information Officer |  |  |  |
| Liaison Officer |  |  |  |
| Safety Officer |  |  |  |
| Operations Section Chief |  |  |  |
| Planning Section Chief |  |  |  |
| Finance Section Chief |  |  |  |
| Logistics Section Chief |  |  |  |
| Air Operations Branch Director |  |  |
| Situation Unit Leader |  |
| Resources Unit Leader |  |
| Documentation Unit Leader  |  |
| Environmental Unit Leader |  |

## New notification documentation form - field document [(WAC 173-186-604).](https://app.leg.wa.gov/WAC/default.aspx?cite=173-186&full=true#173-186-604)

The plan is now required to include a form to document notifications made according to the plan’s procedures – this should be placed in the field document.

### Format for a notification documentation form

Ecology has created an example notification form that may be amended to fit your needs. Another example is in the [rail boilerplate plan](https://ecology.wa.gov/Asset-Collections/Doc-Assets/Spills/Preparing-for-spills/Contingency-plan-template):

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| --- |
| Notification Flow Chart & Documentation Template |
|  |  |  |  |
|  |  |  |  |
| Internal Notifications |
| Person to Contact | Phone Number(s) | Person Notified | Time & Date |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
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| Response Contractors |
| Contact | Phone Number(s) | Person Notified | Time & Date |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
|  |  |  |
| Government/External Notifications |
| Contact | Phone Number(s) | Person Notified | Time, Date, & Case ID/Incident Record # |
| USCG National Response Center |  1-800-424-8802 |   |   |
| WA Emergency Management Division |  800-258-5990 |   |   |

## Type B Drill Requirements ([WAC 173-186-800](https://apps.leg.wa.gov/WAC/default.aspx?cite=173-186-800&pdf=true))

Type B Railroad contingency plan holders are required to conduct one basic tabletop drill every three years. This drill must demonstrate the plan holder’s ability to move from the initial, discovery phase of an oil spill; through the mobilization and notification processes described your plan; to assessment and the initial response actions, which include, the development of a basic ICS 201 form. The drill will be [scheduled on the region’s drill calendar](https://apps.ecology.wa.gov/naces/) at least 60 days prior to the day of the drill. Ecology must have the opportunity to assist in drill design and will conduct the drill evaluation.