

Workshop Information

- First part of workshop is being recorded (not discussion)
- Slides and recording will be posted to [Oil Spill Contingency Plans rulemaking webpage](#)
- All attendees are muted upon entry. Please keep your microphone muted when not speaking to minimize background noise.
- Please use the chat box for general comments
- Use the "Raise Hand" feature if you wish to speak
- If you have technical issues, please private message the host in the chat.



DEPARTMENT OF
ECOLOGY
State of Washington

NFO Technical Manuals Workshop

What improvements can be made to enhance a response to oils that may weather and sink when spilled to the environment?

Rulemaking Timeline

Anticipated date (subject to change)	Activity
January 21, 2026	Announce rulemaking (file the CR-101 form)
January 21, 2026 – Spring 2027	Develop and prepare the rule language
February 2026 – Fall 2026	Hold public workshops and stakeholder meetings Conduct community engagement and government-to-government consultation as needed
Spring 2027	Propose rule (file the CR-102 form) Start public comment period with rule text and supporting documents
Spring 2027	Hold public hearings
Summer 2027	Review public comments and prepare adoption packet
Summer 2027	Adopt rule (file the CR-103 form)
Fall 2027	Rule effective (usually 31 days after filing)



Agenda



What has been done since last rule?



2025 Non-floating Oil BAP Summary



Current Rules – How to improve



Why an NFO Technical Manual?



What's been done since the last rulemaking?

Northwest Area Plans

- Non floating oils policies and response tools added in 2020.
- Northwest Regional Contingency Plan
 - [Chapter 3000 NWACP 9-2024.pdf](#)
- Regional Area Plan Non-Floating Oils Response Tool
 - [Section 9412.pdf](#)
- NFO Task Force

What's been done since the last rulemaking?

- Oil Spill Contingency Plans have been updated to meet the current requirements and policies in the Northwest Area Plan.
- Primary Response Contractor Applications have been updated to include information, equipment and tactics for responding to nonfloating oils.
- Drills have been held to test these new requirements and to test the policies and response tools in the Northwest Area Plan. Lessons learned.
- Added NFO sections in all applicable GRPs in 2020/2021
- Continued research and involvement in learning about new technologies.

Best Achievable Protection (BAP)

- NFO Workgroup convened in 2025
- Workgroup comprised of 16 people from 11 distinct agencies, organizations, research groups, and industry
- Final report is on the Washington Ecology BAP website:
https://ecology.wa.gov/getattachment/e80649a5-cfc0-45ee-901e-894400266d4a/BAP_FinalReport_Dec2025.pdf

NFO BAP Workgroup Recommendations



Prioritize on-water recovery in non-floating oil response, especially for products that sink over time.



Increase communal understanding of the chemical and physical properties of the non-floating oils transiting our state



Enhance Regional and Area Plans and Primary Response Contractor applications regarding non-floating oil



Test ability to deploy floating and non-floating oil response assets simultaneously

Current Rule Language (WAC 173-182-324)

Planning standards for spills of oils that, depending on their chemical properties, environmental factors (weathering), and method of discharge, may submerge or sink.

(1) Plan holders carrying, handling, storing, or transporting oils that may weather and sink when spilled to the environment must have a contract with a PRC that maintains the resources and/or capabilities necessary to respond to a spill of nonfloating oils. Examples of these types of oils include, but are not limited to, crude oil, diluted bitumen, group V oils, low American Petroleum Institute oil, decant, asphalt, and asphalt products.

Current Rule Language (WAC 173-182-324)

(2) The plan holder or contracted primary response contractor must have the necessary personnel and equipment capable within the time frames outlined in the table below:

Time	Capability
1 hr	Initiate an assessment and consultation regarding the potential for the spilled oil to submerge or sink.
6 – 12 hr	Resources and personnel to detect and delineate the spilled oil such as side scan or multibeam sonar, laser fluorosensors, induced polarization, divers, remotely operated vehicles, or other methods to locate the oil on the bottom or suspended in the water column could have arrived.
	Additionally, containment boom, sorbent boom, silt curtains, or other methods for containing the oil that may remain floating on the surface or to reduce spreading on the bottom could have arrived.
12 – 24 hr	Resources and personnel necessary to assess the impact of the spilled oil on the environment could have arrived. Types of resources that may be used for this purpose include sampling equipment.
	Additionally, dredges, submersible pumps, sorbents, agitators, or other equipment necessary to recover oil from the bottom and shoreline could have arrived.

(3) The contingency plan must detail the 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. In lieu of including nonfloating oils response details in the contingency plan, plan holders may cite the nonfloating oils response tools found in the NWACP.

Current Rule Language (WAC 173-182-349)

Covered vessel plan holders technical manuals.

(1) Each covered vessel plan holder that operates or transits in the Neah Bay, Cathlamet, or San Juan Islands planning standard areas must provide a technical manual that includes all of the equipment appropriate for the operating environment that is necessary to meet the recovery and storage requirements, through the forty-eight hour time frame.

(2) The technical manuals will be used to inform the five year BAP cycle and support ecology's determination that the response systems, training levels, and staffing demonstrate best available protection.

Current Rule Language (WAC 173-182-349)

- (3) Plan holders must use a systems approach to identify the equipment, including WRRL identification or other unique identification numbers, that will be used to describe the response systems in the technical manual. For each recovery system described include the following:
- (a) An operational picture or diagram of the recovery system, the EDRC for the system, and associated temporary storage;
 - (b) The infrastructure and support resources necessary for deployment;
 - (c) Associated vessels necessary to enhance the skimmer;
 - (d) At least three hundred feet of boom to enhance the skimmer or an alternative based on manufacturers recommendations;
 - (e) The mobilization time and home base for the equipment;
 - (f) The ownership or mechanism for accessing the equipment for example, under contract, subcontract or letter of intent to the plan holder or other approved means;
 - (g) If applicable, the ability of the recovery system to be used to support night operations;
 - (h) The minimum number of personnel necessary to deploy the equipment for a twelve hour shift and the training level of personnel appropriate to operate the equipment and carry out recovery;

Potential Technical Manual Contents



- Narrative description of how plan holder or PRC will conduct initial assessment and prepare for NFO response.
- Detail on detecting, delineating, and recovering NFOs in the specific areas that may be impacted.

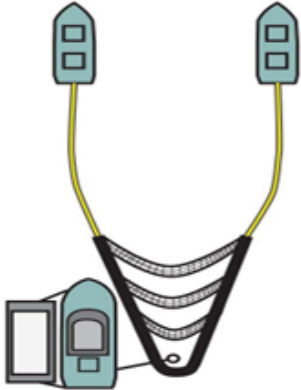


- Narrative description and visual operating picture/diagrams of technologies, equipment, and personnel identified for detecting NFOs.
- Including location of equipment, personnel and estimated times for arrival.



- Narrative description and visual operating picture/diagrams of technologies, equipment, and personnel identified for recovering NFOs.
- Including location of equipment, personnel and estimated times for arrival.

Addresses BAP
Recommendations
#2, #3 and #4

NRC Technical Manual- Recovery/Storage System Detail											System RS-06	
			<p>Tactic purpose and description: The purpose of this tactic is on-water recovery of oil in an open water operating environment. The MI-30 and Skimpak are deployed from the FRV. Oil is collected in the Speed Sweep towed by the VOOs. The skimmers are positioned in the apex to recover oil. In order to support continuous operations, oil recovered with this system is off loaded to on-water storage detailed below.</p>									
			<p>Operating environment: Calm, Protected, Open Water to 3 ft waves.</p>									
			<p>Night Operations (describe how this system is capable to support night ops): This recovery system can be used to support night operations.</p>									
			<p>Oil type skimmer is optimized for: Group 1-4</p>									
			<p>Minimum number of personnel for a 12 hour shift (also list 24 hour shift if the system conducts night operations): 5/10</p>									
Recovery Device Detail:												
Ownership	WRRL ID	Resource	Kind Type	Identification	Specification	Recovery EDCR	Liquid Storage	Boom	People	Home Base	State	Staging
PRC / dedicated	28225	Skimmer Portable	SK3	Container, Disc Skimmer/ Power Pack	Morris/MI-30	686	0	0	0	Anacortes	WA	Net Shed
PRC / dedicated	TBD	Skimmer Portable	SK4	Wier Skimmer	3" Skim-pak	254	0	0	0	Anacortes	WA	Net Shed
Associated Vessel and Boom Detail:												
Ownership	WRRL ID	Resource	Kind Type	Identification	Specification	Recovery EDCR	Liquid Storage	Boom	People	Home Base	State	Staging
PRC / dedicated	30266	Vessel	WB3	Retriever, 6669	32' Workboat	0	0	0	2	Anacortes	WA	Moorage
VOO	n/a	Vessel	WB1	VOO	Boom Boat	0	0	0		Region 2	WA	moorage
VOO	n/a	Vessel	WB1	VOO	Boom Boat	0	0	0		Region 2	WA	moorage
PRC / dedicated	31493	Boom	B2	Desmi Speed Sweep System	Booming Collection	0	200	200	0	Anacortes	WA	Trailer
Associated Storage Device Detail:												
Ownership	WRRL ID	Resource	Kind Type	Identification	Specification	Recovery EDCR	Liquid Storage	Boom	People	Home Base	State	Staging
PRC / dedicated	28277	Storage	PS4	FRV 3, Bladder Tank	Canflex/DLE-4	0	25	0	0	Seattle, Pier 90	WA	FRV 3

Technical Manual Example

Why Technical Manual

- Covered vessels, rail, and facilities handle NFOs
- Additional planning, more prescriptive information and diagrams of the response system - how to respond to these spills.
- Specific information for specific areas of operation, if necessary.
- Better interpretation of existing WAC requirements and Area Plan processes into a plan for each plan holder.
- Not a lot of new technology but rather a need for better planning and to practice responses.

What improvements can be made to a response to oils that may weather and sink?

- 🦋 We weren't able to take suggestions on the rule language during the BAP cycle, but we can now.
- 🦋 The rule and technical manuals will not require additional or specific equipment or personnel, but will clarify the existing resources that are already required in rule.
- 🦋 Will incorporate details for operating environment, but are not geographically based like the vessel manuals are

Submit written comments

- We will hold an informal public comment period to seek written input on this topic.
- Information about the public comment period will be sent to the listserv and published on the rulemaking webpage.
- We expect to open the comment period in about 2 - 4 weeks.





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Thank you for attending!

Website

[Rulemaking for 173-182 and 173-186](#)

Questions?

SpillsRuleMaking@ecy.wa.gov

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