



WASHINGTON STATE  
DEPARTMENT OF  
**E C O L O G Y**

As required by  
the Washington State Administrative Procedures Act  
Chapter 34.05 RCW

**CONCISE EXPLANATORY STATEMENT  
FOR THE ADOPTION OF**

Facility Handling Standards (WAC 173-180-025); Vessel Oil Transfer Advance Notice and Containment Requirements (WAC 173-184-025); Oil Spill Contingency Planning (WAC 173-182-030); Pre-Assessment Screening and Oil Spill Compensation Schedule Regulations (WAC 173-183-100 & 320); Definitions (WAC 317-05-020)

November 7, 2007

Publication: 07-08-016



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Contingency Planning (WAC 173-182-030); Pre-Assessment Screening and Oil  
Spill Compensation Schedule Regulations (WAC 173-183-100 & 320); Definitions  
(WAC 317-05-020)

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Spill Prevention, Preparedness and Response Program

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# CONCISE EXPLANATORY STATEMENT

## ***I. Introduction***

- ◆ Identify the reasons for adopting this rule (RCW 34.05.325(6)(a)(i)):

Chapter 347, 2007 laws. (Senate Bill 5552) made changes to the Natural Resource Damage Assessment (NRDA) assessment penalty from \$50 to \$100 per gallon of oil spilled.

- WAC Chapter 173-183- 320 will be amended to reflect the change.

The same law also provided a change in definition of oil to include “oils of any kind.” This includes biological fuels, such as biodiesel. This change will affect all current rules that reference to the definition.

- Change to the definition of “oil” to match the statute will be made to WAC 173-180-025; 173-184-025; 173-182-030; 173-183-100; and 317-05-020.

- ◆ Identify the adoption date of rule and effective date of rule.

The rule will be adopted on November 7, 2007 and effective December 8, 2007.

## ***II. Describe Differences Between Proposed and Final Rule***

- ◆ Describe the differences between the text of the proposed rule as published in the Washington State Register and the text of the rule as adopted, other than editing changes. State the reasons for the differences (RCW 34.05.325(6)(a)(ii)):

No changes were made between the proposed rule and the final rule that is being adopted.

## ***III. Summarize Comments***

- ◆ Summarize all comments received regarding the proposed rule and respond to comments by category or subject matter. You must indicate how the final rule reflects agency consideration of the comments or why it fails to do so

(RCW 34.05.325(6)(a)(iii)):

- Ecology received one comment objecting to rule process; however after discussion with commenter, comment was withdrawn.

## ***IV. Summary of public involvement opportunities***

Please provide a summary of public involvement opportunities for this rule adoption:

Expedited rule making does not require public hearings and or workshops. Notices were sent to interested parties to make them aware of the rule making process.

**V. Appendices**

Copies of rule notice sent to Listserv members.