

**Preliminary Draft Changes to the Oil Spill Contingency Plan Rules: Chapter 173-182
WAC and Chapter 173-186 WAC**

Date: May 18, 2026

For Informal Public Comment and Review

Summary of table

Note that the list of amendments under consideration may change as Ecology gathers more information during the informal comment period.

- **WAC section:** This column identifies the specific section(s) of the Washington Administrative Code affected by the proposed change.
- **Topic:** This column briefly states the subject area or focus of the proposed change.
- **Summary of change:** This column provides a concise explanation of the proposed change as it relates to the rulemaking scope.
- **Status of rule language:** This column indicates the current stage of draft rule language related to the change.
- **Date added or revised:** This column shows when each proposed change was first introduced or most recently updated.

Chapter 173-182 WAC, Oil Spill Contingency Plan

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
Throughout	Minor administrative updates	Administrative updates include updated references, corrected formatting, minor grammatical edits, and minor wording clarifications	First preliminary draft	May 2026
Throughout	Align with modern agency practices	Remove outdated requirements such as facsimile and paper-based submittals.	First preliminary draft	May 2026
173-182-030	Definitions	Update several definitions to align with existing rules.	First preliminary draft	May 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
		Clarify language to eliminate ambiguity and improve consistent application of the rule.		
173-182-120	Submitting a contingency plan	Update requirements for submitting a contingency plan to align with existing practice and modernize. Clarify language to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-130	Phase in language for vessel and facility plan holders	Update the phase-in language, as needed, in this rulemaking. Remove prior rulemaking phase-in language in its entirety.	First preliminary draft	May 2026
173-182-140	Annual plan maintenance	Modernization and minor re-wording for clarity.	First preliminary draft	May 2026
173-182-142	Significant changes to approved plans require notification	Clarify requirements to specify required notification timelines, communication methods, and related procedural details.	First preliminary draft	May 2026
173-182-210	Contingency plan format requirements	Modernization.	First preliminary draft	May 2026
173-182-230	Contingency plan general content	Amend existing requirements to ensure responders can quickly evaluate the potential behavior and environmental impacts of NFO while maintaining safety.	First preliminary draft	May 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
		Clarify existing requirements to align with Ecology expectations and current practices.		
173-182-250	Initial response actions	Update requirements to align with Ecology expectations.	First preliminary draft	May 2026
173-182-260	Notification and call-out procedures	Update requirements to align with Ecology expectations and current practices.	First preliminary draft	May 2026
173-182-262	Vessel notification requirements for a discharge or substantial threat of a discharge	Update requirements to align with Ecology expectations and current practices.	First preliminary draft	May 2026
173-182-264	Notification requirements for facility spills to ground or containment that threaten waters of the state	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-317	Covered vessel planning standards for vessels of opportunity (VOO)	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-320	Facility planning standards for aerial surveillance	Removing to create one aerial surveillance standard for all plan holders.	First preliminary draft	May 2026
173-182-321	Planning standards for aerial surveillance	<p>Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.</p> <p>Incorporate Uncrewed Aerial Systems (UAS) as an optional response tool</p>	First preliminary draft	May 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
		in low visibility environments.		
173-182-349	Plan holder technical manual requirements	<p>Amend existing requirements for technical manuals to include equipment and tactics for non-floating oil (NFO) response and to ensure responders can quickly evaluate the potential behavior and environmental impacts of NFO while maintaining safety.</p> <p>Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.</p>	First preliminary draft	May 2026
173-182-350	Documenting compliance with the planning standards	<p>Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.</p> <p>Incorporate updates to align with modern agency practices and recent updates to related rules.</p>	First preliminary draft	May 2026
173-182-510	Requirements for response and protection strategies	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-522	Planning standards for shoreline cleanup	Incorporate Shoreline Cleanup Assessment Technique (SCAT) into	First preliminary draft	May 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
		current planning standards for shoreline cleanup.		
173-182-535	Planning standards for air monitoring to protect oil spill responders and the public	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-610	Plan evaluation criteria	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-630	Process for plan approval	Update requirements for plan approval process to align with existing rules.	First preliminary draft	May 2026
173-182-640	Process for public notice and opportunity for public review and comment period	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-700	Drill participation, scheduling, and evaluation	Update drill requirements to align with existing rules. Strengthen existing drill requirements for NFO responses. Strengthen existing drill requirements for Southern Resident Killer Whale (SRKW) deterrence tactics.	Initial feedback under review by rule team, not included in first preliminary draft	TBD 2026
173-182-710	Type and frequency of drills	Update drill requirements to align with existing rules. Strengthen existing drill requirements for NFO responses.	Initial feedback under review by rule team, not included in first preliminary draft	TBD 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
173-182-800	Primary response contractor (PRC) application	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-810	Content submittal and review of primary response contractor (PRC) applications	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-840	Content submittal and review of spill management team (SMT) and wildlife response service provider (WRSP) applications	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-182-910	Noncompliance	Update requirements to align with existing rules.	First preliminary draft	May 2026

Chapter 173-186 WAC, Oil Spill Contingency Plan – Railroad

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
Throughout	Minor administrative updates	Administrative updates include updated references, corrected formatting, minor grammatical edits, and minor wording clarifications.	First preliminary draft	May 2026
Throughout	Align with modern agency practices	Remove outdated requirements such as facsimile and paper-based submittals.	First preliminary draft	May 2026
173-186-040	Definitions	Update several definitions to align with existing rules. Clarify language to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-110	Submitting a railroad contingency plan	Update requirements to align with existing practice and modernization. Clarify language to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-120	Phase-in dates for this chapter	Update the phase-in language, as needed, in this rulemaking. Remove prior rulemaking phase-in language in its entirety.	First preliminary draft	May 2026
173-186-130	Annual plan maintenance	Modernization.	First preliminary draft	May 2026
173-186-140	Significant changes to approved plans	Clarify requirements to specify required notification timelines, communication methods, and related procedural details.	First preliminary draft	May 2026

WAC Section	Topic	Summary of Change	Status of rule language	Date added or revised
173-186-180	Enforcement— Noncompliance	Update requirements to remove language already in statute (RCW).	First preliminary draft	May 2026
173-186-200	Contingency plan format requirements	Modernization.	First preliminary draft	May 2026
173-186-220	Contingency plan general content	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule. Alignment with WAC 173-182.	First preliminary draft	May 2026
173-186-340	Planning standards for in situ burning	Update requirements to align with existing rules. Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-380	Documenting compliance with the planning standards	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-420	Process for plan approval	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-430	Process for public notice and opportunity for public review and comment period	Clarify existing requirements to eliminate ambiguity and improve consistent application of the rule.	First preliminary draft	May 2026
173-186-510	Type and frequency of drills	Update drill requirements to align with existing rules. Strengthen existing drill requirements for NFO responses.	Initial feedback under review by rule team, not included in first preliminary draft	TBD 2026