

WAC 173-186-430 Process for public notice and opportunity for public review and comment period. (1) The purpose of this section is to specify the procedures for notifying the public which includes interested local and tribal governments about contingency plan status and decisions in order to provide opportunities for the public to review and comment.

(2) In order to receive notification of the public review and comment period, interested public, local, and tribal governments should sign up on the ecology email list (listserv) for posting notice about plan review and comment. Ecology's website will also be used to post notice of public review and comment periods.

(3) Public comment periods shall extend at least thirty days. Public notice, review, and comment periods are required in the following circumstances:

(a) Plan submittals for railroads that have never submitted a plan in Washington;

(b) Plan updates required by WAC 173-186-130;

(c) The submittal of plans for five-year review as required by WAC 173-186-110;

(d) Requests for an alternative planning standard in accordance with WAC 173-186-400;

(e) Rail plan holder requests for drill requirement waivers in accordance with WAC 173-186-540; and

(f) A permanent significant change to an approved plan.

(4) Public notice, review, and comment period are not required in the following circumstances:

(a) Routine updates to names, phone numbers, formatting, or forms that do not change the approved content of the plan;

(b) Plan updates to resubmit the binding agreement based on changes to the binding agreement signer; and

(c) Annual plan reviews that result in a letter to ecology confirming that the existing plan is still accurate.

[Statutory Authority: RCW 90.56.210. WSR 16-18-052 (Order 15-14), § 173-186-430, filed 8/31/16, effective 10/1/16.]