

WAC 173-435-060 Enforcement. (1) Whenever any episode stage has been declared, the department shall establish an emergency action center, which shall be the headquarters for all department actions during the episode.

(2) The department shall develop an operations manual, which shall set forth a plan for the receipt, processing, and dissemination of information and data during an episode.

(3) Enforcement with respect to any episode shall be directed from the emergency action center by the director in consultation with the governor's office.

(4) Authorized personnel of the department, the department of social and health services, and the state police shall have the authority to enforce orders of the director or the governor, issued under this chapter, as directed from the emergency action center. In addition, authorized personnel of any local air pollution control agency or local police force shall have the authority to enforce such orders against sources within the area over which that agency or police force has jurisdiction, as directed from the emergency action center.

(5) To determine compliance with any SERP, those persons authorized to enforce orders, hereunder, shall have the authority to enter upon any private or public property, excepting nonmultiple unit private dwellings, housing two families or less. No person shall refuse entry or access to enforcement personnel who request entry and present appropriate credentials.

(6) Whenever it appears that action being taken in compliance with SERPs will not avert imminent danger to public health and safety, the governor may order the following additional measures:

(a) Stopping and prohibiting motor vehicle travel and traffic;

(b) Closing down or restricting the use of any business, commercial, industrial or other establishment or activity which contributes to the emission of contaminants to the air.

(7) Any declaration or order issued in accordance with WAC 173-435-050 shall be effective immediately and shall not be stayed, pending completion of review.

(8) Whenever any order has been issued hereunder, the attorney general, upon the request of the governor or authorized representative, or the director shall petition the superior court of the county in which a source is located for a temporary restraining order for the immediate reduction or discontinuance of emissions from that source.

[Statutory Authority: Chapters 70.94 and 43.21A RCW. WSR 89-02-055 (Order 88-39), § 173-435-060, filed 1/3/89; Order DE 77-21, § 173-435-060, filed 10/31/77.]