



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: October 11, 2021

TIME: 12:29 PM

WSR 21-21-030

**Agency:** Pollution Liability Insurance Agency

**Subject of possible rule making:** The Pollution Liability Insurance Agency (PLIA) proposes to amend Chapter 374-80 WAC Advice and Technical Assistance Program with updates on how the agency administers the program.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 70A.330.800.

**Reasons why rules on this subject may be needed and what they might accomplish:** Under RCW 70A.330.010, Washington's Legislature authorized the PLIA to provide technical advice and assistance to owners and operators of underground storage tanks to address releases. In 2019, PLIA adopted rules for the Advice and Technical Assistance Program and has since made updates in how the program is administered and requires these updates to be reflected in rules.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** PLIA provides advice and technical assistance to owners and operators of petroleum storage tanks identified by the Washington State Department of Ecology (Ecology) based on the relative risk posed to human health and the environment by the release. Ecology also regulates cleanup of hazardous waste sites under the Model Toxics Control Act. The Department of Ecology may be impacted by PLIA's work in these areas therefore PLIA will communicate with and inform Ecology of potential impacts.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) PLIA will follow the standard process for the adoption of rules under the Administrative Procedure Act (RCW 34.05).

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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Additional comments:

**Date:** 10/11/2021

**Name:** Phi Ly

**Title:** Legislative and Policy Manager

**Signature:**