



Washington State Pollution Liability Insurance Agency
Rulemaking on Chapter 374-70 WAC Heating Oil Pollution Liability Insurance Program
Public comments received.

The Washington State Pollution Liability Insurance Agency (PLIA) appreciates the public interest in the agency's rulemaking on [Chapter 374-70 WAC Heating Oil Pollution Liability Insurance Program](#). This chapter applies to the administration of PLIA's [Heating Oil Insurance Program](#).

In compliance with [Chapter 34.05 RCW Administrative Procedure Act](#), PLIA conducted public listening sessions in June 2022 to engage with the public and to highlight potential rule changes and address questions and comments about the Heating Oil Insurance Program. After filing the [CR-102](#) with the proposed rule, PLIA held public comment sessions in November and December 2022. This document reflects the public comments and questions received during these public comment sessions. The public comments have been transcribed in full, and PLIA has appropriately provided responses related to the proposed rule.

Comments that did not cite to the proposed rule are answered with citation to PLIA's website.

This document and the [proposed rule changes](#) for [Chapter 374-70 WAC](#) serve as PLIA's concise explanatory statement.

Contact: Rules@plia.wa.gov



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<p>What was the motivation or the reason to add the language to Purpose and Authority of “that it’s in the best interest of human health”? Was there a reason behind that other than maybe just the obvious fact I suppose?</p>	<p>The term “and human health” is added to align with the Model Toxics Control Act, the state’s toxics cleanup law and regulations. RCW 70A.305.010(2) and WAC 173-340-100.</p>
<p>Okay: my questions are, they talk about the – I think they’re calling it – “accidental release” with any sort of what you may call a spill or something, right? That’s one of the changes?</p> <p>Then it talks about 180 days for the claim and stuff like that you have. Is that a change to going to 180 days, or is it just to tie it to the wording “accidental release”?</p>	<p>“Accidental release” is updated to include a release of heating oil from a heating oil tank system. WAC 374-70-020(2).</p> <p>The 180 calendar days is a designated time period for the following actions:</p> <ul style="list-style-type: none"> - Owners of registered heating oil tanks may transfer the registration under the program to a new owner if it is done within 180 calendar days or a property transfer. WAC 374-70-050(3). - Owners of a registered heating oil tank must file a claim within 180 calendar days of a heating oil tank abandonment or decommissioning. WAC 374-70-080(5). - Third party claims of a registered heating oil tank must file a claim within 180 calendar days of the tank abandonment or decommissioning. WAC 374-70-090(4).
<p>Next question/piece of this is when does the date of that accidental release...what is that date? Is it the date that someone says, “Oh, I dropped a quart of oil here” versus, “There’s a leaking underground storage tank and it’s got 2000 gallons leaking”? You know, at some point, they have to say, “We thought there might be something but we really found out when we investigated it three months later.” So, does that 180 days start when, “We think there might be a problem,” versus, “Oh, we investigated it and we have definite knowledge that there is a problem?” So, they talk about 180 days for a claim, I’m wondering when is the start date for that claim? When does the clock start ticking?</p>	<p>Under the program and the rule, the owner of a registered heating oil tank must file a claim as soon as practicable after discovery of a release. WAC 374-70-080(3).</p> <p>To learn more about program administration, please review our website: https://plia.wa.gov/heating-oil-pollution-liability-insurance-program/.</p>
<p>Are the comments being written down or recorded?</p>	<p>The public comment session is recorded. The comments received are documented and can be requested through a public records request 30 days after the effective date of the rule filing.</p>



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<p>Okay, and then as an example: If there's a quart of oil that came out of this device or something like that, or out of this underground storage tank...They filled it too full and a quart of oil spewed out over the top - "We've got an accidental release." True or false?</p> <p>Next concept is, if that is true, is there a claim at that point? I heard one time you only get one claim per life of the insurance policy. So, therefore, well yeah it's a claim and it's costing about \$50 to have someone haul the dirt away. So, there you go, we're no longer liable for helping you out with things, but then the real problem happens, you've already had your chance at the golden apple? Is that how that works? The golden apple being that you actually have some sort of \$60,000 insurance plan to help cover when something really does happen.</p>	<p>This scenario requires an initial investigation to determine if overflow of heating oil can be deemed an "accidental release" and meet the requirements of a claim.</p> <p>The \$60,000 policy is one-time limited to a registered heating oil tank. Once a claim has been made then the policy is no longer applicable. The legislature has found that heating oil tank owners can be supported through the Heating Oil Loan and Grant Program. RCW 70A.330.010 and RCW 70A.330.040(1).</p> <p>To learn more about program administration, please review our website: https://plia.wa.gov/heating-oil-pollution-liability-insurance-program/.</p>
<p>Next question related to all this is on what grounds does one have an investigation? The example: You got a quart of oil here that spilled out or something like that and it's all cleaned up basically because the people who spilled it took the dirt away and said, "There, all clean. Sorry about that." So is that an investigation thing? Or is there something more advanced, like, "There's oil in the waterhole kind of thing"? In the aquifer, and it came from there [the tank]. Is that an investigation? So, where does investigation start and speculation end?</p> <p>And of course they say, "Well, when you know that there's oil on the ground." Well, we already knew that, but is there really an oil spill? I mean, someone drops their oil filter on the ground, is that the same thing as an oil spill? I mean, people would say, "No." I'm just needing a little more detail to define what is an "accidental release."</p>	<p>"Accidental release" is defined under WAC 374-70-020(2) and includes heating oil releases that are unintended. The example provided in your comment may or may not be unintended. As with any claim for coverage, an initial investigation is required to determine the cause and extent of the release.</p> <p>Please see Chapter 374-45 WAC Reporting and Initial Investigations to understand the requirements of addressing heating oil releases.</p>
<p>It says in the WAC that, "We'll take care of it if there's money in the project for this sort of thing." In other words, "We might have spent all the money that was allocated, so 'no' you're not covered" might be an answer. And I wasn't sure,</p>	<p>It appears that your comment/question relates to the program statutory cap limit. Under RCW 70A.330.040(1), the law caps the program at \$15 million in a calendar year. In the event PLIA exceeds \$15 million in claim payments in a calendar year, WAC 374-70-080(18)</p>



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<p>and I think that was in section 17 of 80. I think it's section 80, or chapter 80, whatever you call that. And so it says, the last point on there on the bottom of that screen, a thing about, "Oh yeah, and we'll pay this, we'll cover this if there's still money." So I didn't know, you know, it's like All State or an insurance company for your car, they don't say, "Well, we'll cover your accident if we still have some money." They're basically saying, "We'll cover your accident – it's part of our contractual agreement." Is that how this works? Is it kind of like a contractual agreement? Or, "Gee, you know, we just had a big spill and they used up all the money, so, sorry. You know, social security and us are dead?" Whatever the case may be.</p> <p>So how does that work, the money available for claims? It talks about, "There's a benefit only if there's money left over," or something like that. And so I just wasn't sure what that meant. So, if there could be some extra detail on what that means – when do they run out of money? Is this like an annual thing? "Oh, we used up the money this year, you're out of luck. You got a claim, but 'sorry.'" You know, that kind of thing. Is there thousands of dollars, hundreds of dollars, or millions of dollars to take care of these things? That way, if we're going to have a claim, you better have it next year because we're out of money this year. You know what I mean?</p>	<p>provides for resumption of claim payments in the following year or when funds are available.</p>
<p>In section 60 or Chapter 60, or whatever you call it, 70-60. They refer to 70A.330.100 in there in, I think, section 6. "A claim accepted for coverage, after confirming the existence of an accidental release . . ." So, that kind of addresses a little bit about my first question, but it still didn't. . . The existence of an accidental release. "Yeah, they showed us a picture. They dropped the oil can, there's a quart of oil on the ground. There's an accidental release." It kind of ties into that 60 section 2 and section 6, or 2H.</p>	<p>WAC 374-70-060 (6) requires an investigation to be completed verifying the presence of a leak. A leak is confirmed through the collection of soil and/or groundwater samples that indicate presence of contamination above state cleanup levels.</p> <p>"Abandoned heating oil tank" is defined under WAC 374-70-020(1) as "left unused and that is no longer connected to an oil-fired furnace used for space heating of human living or working space... ."</p>



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<p>Then I had a question also about when something is abandoned or decommissioned. When is it considered abandoned? I mean, if you don't fill it for a season, is that abandoned just because it was too expensive to buy oil? And so, you turned on space heaters and lit up your open-hearth fireplace, and you stayed warm huddled around there until the price of oil comes down. Or what? When is it considered abandoned? You didn't use it this summer, so therefore, that was three or four months without use. When is it decommissioned? If you bring in an alternate source, say you got an electric heater, like a space heater or something like that, and you didn't use your oil because it was too expensive those months, is that considered "decommissioned?" So if there's a definition of what "abandoned" and "decommissioned", I may have missed it, but what is the "abandoned" and "decommissioned" definitions, so that people know when it applies? Is it like, "Oh, I haven't used that for five years?" Okay, that might be a good idea that it's been abandoned. They don't need heat from that thing. I think that might be section 80, subsection 4, I'm not exactly sure about the abandoned and decommissioned thing.</p>	
<p>Great question re abandoned. Some of us have primary and secondary heating sources</p>	
<p>The main thing is, as I understand, if there is a problem, we want to get it solved. I heard one place someone said, "Sorry, you get one claim. That's all you get on PLIA. PLIA offers you one claim." And I thought I read in here that it was per year. So, it's like, if you have more than one major oil spill per year, something's really wrong there. You would think, you know, with an underground storage tank. And then the replacement of the tank, they give you a \$1,500 allowance. Still, the responsibilities of the homeowner, I read in the WAC, if I'm not mistaken, the only thing that PLIA is covering is having a guy go in there with an excavator, and dig out some dirt, and put it in a truck, and haul it away. But when they dig out the</p>	<p>WAC 374-70-60(3) defines the corrective action costs covered under the Program. The policy pays up to \$60,000 for remedial actions that may include assessment, excavation, treatment and removal of contaminated soil, groundwater, and air/vapor testing. Additional eligible costs are reviewed and require agency approval before payment. Any costs in excess of the \$60,000 policy limit are the responsibility of the property owner.</p> <p>A homeowner with an open claim may hire one of the listed service providers on PLIA's website to have costs paid through the program. PLIA encourages homeowners to research and review the service</p>



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<p>dirt and the 120 foot cedar that’s right next to your house loses integrity of its roots, and six months later, or whatever, it falls down on your house and crushes your house. . . Well, they did remove the dirt, but they didn’t get the \$5,000-\$10,000 to take down the tree that they injured in getting rid of the dirt. It may have been that tree that was causing a leak, for instance. The roots grew in and grabbed the tank, or something, who knows? Again, I’m making up a fictitious scenario.</p> <p>But just the idea of what is actually covered? It says they’re going to provide their list of providers – service providers – for, “Okay, hey there’s been a leak. We’ve got an investigation and it’s gotta be taken care of. You can use these three, or five, or whatever service providers to haul that tank out.” So now there’s a market that they trust of service providers which is good, but maybe it’s a market who says, “We got a corner on the market, we can charge what we like.” And so, if you had a little more competition, they might say, “Yeah, well we can get it done for half the price of that. All we’re doing is bringing it in, hauling it out. That’s like 4 hours worth of work for a good crew.” It’s an empty tank right, that kind of thing. And so, just the idea, if there could be a little more clarification to what actually is covered and who’s actually responsible, and what sort of coverage is there? It’s alluded to, you know what I’m saying? But it wasn’t clear as to . . . If you read it really, really close you could probably piece it all together, but it’d be nice for the common user, or the common layperson, to have a little better definition of. . . “You’re responsible for everything but us coming in and taking the dirt away, and no we won’t kill your hundred foot tree right next to your house.” Because that’s where your oil tank is or something like that.</p> <p>So those are, I think, the main things that were kind of making me wonder to have a better</p>	<p>providers before hiring to ensure that the selected service provider will meet the remedial action needs.</p>



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<p>understanding of what the Pollution Liability Insurance Agency is doing and who's responsible for what. Now you've got good feedback in there, you've got some good stuff in there. And then of course, what's it really going to cost? For someone, if they spill that quart of oil or something like that – and I'm using that as a fictitious example – for them to all of a sudden say, "That was your shot at the golden apple type of thing." The golden apple meaning if you really did have a spill, you'd want to have this insurance for that. They all kind of tie back together again to those ambiguities in the language.</p>	
<p>Who is this I'm speaking with? Are these just three other people out there I wonder? You're the only one official, right?</p>	
<p>Hello Kristy here. Regarding the one-time limitation, is this per property or per registered owner?? If someone had a leak then sold me their house and later I discover there is a leak, am I covered?</p>	<p>WAC 374-70-040 states that the coverage is per occurrence, per site, per year.</p> <p>Provided that you as the new owner, transferred the heating oil tank registration in your name within 180 calendar days of the property transfer, and you filed a claim then you would be covered. WAC 374-70-050(4).</p>
<p>From my reading of the WAC the other day, they were changing the language from "registered owner" – like they're supposed to register owners, no – they're saying owners with "registered tanks", and so I think it, my interpretation - but I'd like to know the answer to this one too – and that is since it is a tank, I imagine you could have five tanks on one property, and you could have them all registered, so therefore every tank should have an insurance policy is what I would presume, but there's the ambiguity. And this WAC should address that, say, "Limit one per customer," or something like that, but it doesn't say that. And with the ambiguity, you have to presume it in the favor of the one who didn't write it, namely the owner. And</p>	<p>A claim may be made per each heating oil tank registered with the Insurance program, WAC 374-070-080(1). You may open one claim per release from each registered heating oil tank.</p>



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<p>therefore, the owner should be able to presume by law, I think, that they have a right for all five of their tanks on their property to be covered by five separate insurance policies, given that they're saying not "registered owner", but "registered tank."</p>	
<p>Thank you for hosting this. I think I misunderstood the purpose. I thought it was going to be discussion led, vs. open question session. I do not have any questions at this time, but will look to the links by Dec 30 for the answers asked by others. Really appreciate your time today, Keith.</p> <p>Me too. Unfortunately many of us don't have time to read in entirety. Is there a format learn about the program and changes that is not text based?</p>	<p>Thank you for your comment.</p>
<p>If someone had a leak and then sold me the house and later I discover there is that leak, but I didn't have it, it was them. . . Well if PLIA was covering the tank for the prior owner and according to the WAC, if I read it right, if the leak happened while on PLIA's watch. . . In other words, maybe the leak happened from the owner prior to the one who sold you the house, and so it would go back to that owner, prior to the owner you bought the house from. And so this is a good question: At what point do you stop the lineage? At what point do you say we got an insurance plan that's here to protect the people and, gee, we're going to get out of it because it was three people before? No, there's a leak and it's been a little leak or a big leak, or who knows. It's been leaking ever since they put it in 50 years ago. But nobody ever caught it and that's why your oil burner is burning so much oil. It's supposed to burn a gallon a day and it's burning five. Well, no it's not, it's leaking four. I'm just throwing out fictitious examples. But the concept would be is that if you got sold a house, my guess would be that you would have the inspector inspect the tank and give you a clean bill of health on that tank. All the facts would say that there was no leak, it happened on your watch, and you have the</p>	<p>WAC 374-70-040 states that the coverage is per occurrence, per site, per year.</p> <p>Provided that you, as the new owner, transferred the registration to yourself within 180 calendar days of the property transfer, and you filed a claim then you are eligible for coverage. If you fail to transfer the registration within this term, then the policy ends on the date of the ownership change and the release would not be covered. WAC 374-70-050(4).</p> <p>Policy coverage is based on whether the heating oil tank registration has been valid during the succession of property and tank ownership.</p>



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<p>insurance because either A) it transferred from the prior person to you when you bought the place because you went through the process and said, “Hey, register me and my tanks, or tank in the PLIA,” and therefore you’d be covered, but that’s the ambiguity in the language. And so if you could address that ambiguity that this person brings up. . . Yeah, it got passed down to me and the person who had it had PLIA and I got the PLIA from them, but dang it, this thing. . . They dig it up and it’s down forty feet, you know, or something like that. It’s been going for twenty years, or whatever the case may be, and that was three owners ago. Does PLIA still cover it because they’re interested in the human health or are they not going to cover it because it was too expensive? What’s their real goal of doing this? And that ties into my other questions. . . unfortunately I don’t have the time to read the entirety – that’s for sure – you know, it’s hard to read sometimes if you don’t have a real sharp mind or maybe a lawyer in a past life.</p>	
<p>Unfortunately many of us don’t have time to read in entirety. Is there a format learn about the program and changes that is not text based?</p>	<p>Thank you for your comment. PLIA will consider this request.</p>
<p>If you can put it into plain commonsense language that. . . Even a cartoon video or something, a puppet show, who cares, but you have some sort of examples of what is covered and what is not covered or you know like there’s a thing about, “I’m a Bill” or something like that from Schoolhouse Rock. And they told you the complex thing of legal – getting a bill into law. And they did it with so much fun and enjoyment that people could watch this thing over and over again, and they’d still say, “Wow! That’s cool. Because, I’m a Bill. . .” And so if they had something like this – “Because I’m a tank. . .” or whatever, a leaky oil storage tank or something like that, it would put all these perspectives into – not just a dry, you know, we just read the WAC to you, but bring it alive. Make it something people could understand. They know what they’ve got covered and what they don’t have</p>	<p>Thank you for your comment. PLIA continues to improve access to our program through revised program documents and language translation.</p>



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<p>covered.</p> <p>Laymans terms would be great. Other formats for ppl with learning disabilities.</p> <p>Yes, laymans terms, for people with learning disabilities. That’s right, it’s hard if you’re having a tough time just reading, to put all those words together in the right order and make sense out of them, but if you can understand audio/visuals, or maybe just three different forms. Just an audio podcast that shares these things for people who are audio-oriented, that kind of thing.</p>	
<p>What if someone sold me a house and it had a leak? Am I covered if I got the insurance, or is that just a way out of the agreement for PLIA?</p>	<p>PLIA would cover up to \$60,000 in costs if the previous owner had a registered heating oil tank, and you transferred the registration to yourself, as the new owner, within 180 calendar days of the property transfer.</p>
<p>I just have a quick general question. Yeah, so if I’m reading this correctly, after July 2, 2020, no new homeowners were eligible to apply for this insurance, but those of us who have had it before, is anything changing as far as the coverage amounts or anything like that? I didn’t see that noted, so I’m assuming not. My main question was if anything is changing for those of us that currently do have the insurance?</p>	<p>Under RCW 70A.330.040(1), PLIA can register new heating oil tank registrations after July 1, 2020. Registrations in place by July 1, 2020 are valid, and there are no policy changes to these registrations.</p>
<p>When I read the WAC, they, I think, were getting rid of new users because I don’t think they want anybody having oil. You know, it’s kind of like when they put a \$4,500 connect charge for getting natural gas. You know, if you want to get off your oil – well, okay I’ll get natural gas. Well guess what, there’s a tariff on that, or there’s a surcharge, or whatever it is, because we’re taxing you for getting gas. Because we don’t want you to do gas either. The only thing we like is electric. And so with that bent in the legal – in the policies that we see – well they say, it’s going to cost \$4,500 to dig that little tiny trench from the gas line to your house. And it’s like, wow, it used to be free, huh? And we gave you 700 bucks as a rebate to get you connected so we</p>	<p>Please see RCW 70A.330.010 which states that the legislature intends to transition the heating oil insurance program to a revolving loan and grant program.</p>



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<p>could sell you gas. But now they're saying you got to pay that big huge fee. Point is, is that the new user, they're trying to get you off of oil. They're trying to make oil go away. And if that's the case, they say, "Well, no new oil tanks are covered since 2020."</p> <p>Okay, obviously if you have oil, they're not going to give you a policy – "Sorry, we stopped that." But if they're really trying to do this – PLIA – for the human health factor, well then, why would they not keep covering? They may say, "No, we're not issuing permits for any new oil tanks," and that stops it, but why would they stop covering oil tanks because, you know, "I'm sorry, it's after 2020"? They're really not interested in human health at that point. I'm inferring of course that there's something else involved here. Maybe, they're low on funds or something? I don't know. But that would be really helpful to have this background. Why the 2020 – why the no new PLIAs – if that's what they're saying - and if they're really interested in human health, you would think, if it's a leaky oil tank then let's get the insurance on it, and again, do a test, and if the test – the oil tank is not leaking when you're getting your insurance, well then it's something that obviously happens on PLIA's watch, why the cutoff at 2020? That makes no sense to me at that point if they want to be consistent with their own words.</p>	
<p>Are the benefits of the policy being changed? I didn't know if I recognized it in here. You're right, good question. The other thing: I thought it was a 30-day limit that you have to report your leaky oil spill, or something like that, from the time you get your new house or something and it came with a tank, you had 30 days to get it? I think that was it, I might have said the wrong words. What other benefits are changing? Are we getting more time? Less time? Better resource coverage? Is it still \$60,000? I think it says it is, but okay, yeah it'd be</p>	<p>Although the legislature directed the end of new heating oil tank registrations on July 2, 2020, there have been no changes to the policy for those with registrations in place prior to this date.</p>



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<p>great to have some more details on that.</p>	
<p>One thing I find very odd, prior claims are not released to prospective purchasers "due to privacy". Why is that? If I am buying a house, why would I not be allowed to research prior releases?</p>	<p>RCW 70A.330.080 deems heating oil tank registration information as confidential.</p>
<p>They say in there – I don’t know if this is new or old – but they say, “And you will have your – what do you call it? – in a public record investigation document that’s open to public records” or something like that. So you could do a public records request. If that is a change in the WAC then – the way to address that is to go to the part in the WAC where it says that they will be part of a registered recorded thing that you can do a public records - I think that may be covered in the WAC, and I don’t know if that’s a new thing. I don’t think I see the proposed changes. I saw a summary about the proposed changes, but I didn’t see where they underlined, scratched through, strikeout and all that other stuff. I missed that.</p>	<p>The public may request a public records request from PLIA. WAC 374-20-060. Any information deemed confidential is redacted prior to records release. These agency provisions align with the state Public Records Act found in Chapter 42.56 RCW.</p>
<p>https://plia.wa.gov/wp-content/uploads/OTS-4148.1-For-Filing.pdf</p> <p>Thank you for sharing. This visual indication of what changed is VERY helpful</p> <p>Everybody can take a peak at that link and see what actually changed. The point is that if they underline it it’s new, and if they strike through it, it’s out. So, in that case here, we could probably just do a quick search on this and discover about that public records. I’m going to say “public” on a search and I don’t find it. “Record” – Okay, project field report – “This form provides a record of all corrective actions”, but where’s the part where I thought I read - it was on public disclosure.</p> <p>I might be reading that into it. Again, another ambiguity. Close out report - may serve as a closure for this claim, but it doesn’t say. So really, it doesn’t really say if it’s going to be available to the new</p>	<p>Record disclosure is provided under RCW 70A.330.080. A public records request may be submitted to perform due diligence on a property that may have had corrective actions performed.</p> <p>The proposed rule WAC 374-70-080(17) provides for claims that have inactivity for twelve months to be administratively closed by PLIA. This administrative action allows PLIA to release any reserved insurance funding for this claim. Administratively closed claims can be reopened by the claimant at any time, and insurance funding will be reserved for the claim.</p>



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<p>homeowner for something that’s such a community event. This community event might mean that the community that’s buying an oil tank would like to know, has it had oil issues already? Here we go – corrected number 13 – we’re looking at section 80, subsection 80-13, or Chapter 80-13. It is recorded by the heating oil tank service provider on the project and reported in the Online Community, not provided by PLIA, but the Online Community. So, apparently there’s a website somewhere, but it doesn’t tell us where. And so, that’s kind of interesting to note. And if you’ve got a claim they’re supposed to work on it – twelve months have gone by and they may close it for inactivity.</p> <p>That’s another question: “Hey, I’m sorry. They have COVID going on, they wouldn’t let anybody out of their house for twelve months. Certainly, you’re not going to get somebody out here excavating, and now all of a sudden I lose my chance? There’s a leaky oil thing here and I lose it because COVID happened?” And so why would that be in there to say, “We’re not going to take care of a leaky oil tank because it took too long?” There’s no extenuating circumstances here, and so it’s kind of like you’re violating that first thing they said about human health. So maybe it’s good to put that in there because it puts all this other stuff in context and helps you figure out if it’s even consistent with its own self. So, I would say that, my best guess is that that number 17 [WAC 374-70-080 Claims, section 17] – they’re adding it. Why are they adding it?</p>	
<p>I’m looking at WAC 374-70-80. I was looking at item number 13, 14, 17 – stuff like that. The bottom section of that piece. Here they’re saying revenue available – they’re taking that out, not putting it in. So it wasn’t underlined, it was a strikeout. So maybe they’re saying, “Hey, we’re making sure that there’s payments available.” To develop a payment plan or plan on resuming payments. Payment will</p>	<p>It appears that your comment/question relates to the program statutory cap limit. Under RCW 70A.330.040(1), the program funding is capped at \$15 million in a calendar year. In the event PLIA exceeds this limit in a calendar year, the proposed rule WAC 374-70-080(18) provides for resumption of claim payments in the following year or when funds are available.</p>



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<p>commence with sufficient revenue. So if they run out of money, they're not going to pay you, but when they do get money, they'll pay you, but it's kind of vague as to – okay, does that go on after I'm done paying for this? You're going to still pay me?</p> <p>Or, I sold my house because I couldn't afford to live there anymore, or didn't have a job or something, and something bad happened and now I don't have the house, but I still have this bill for \$10,000 because I got stuck paying it because they were going to sue me for the house or something if I didn't pay it and PLIA didn't cover? All this kind of stuff, I'm just imagining – I'm just wondering what 18 [WAC 374-70-080 Claims, Section 18] really means. I like the idea that they're saying they will do something if they have money, but how do you get that money? It's an insurance plan, right? You're supposed to be able to find money somehow. A state thing, right? So, related to the state – the state didn't go bankrupt. So the question is: How important is this to get these leaky oil tanks out of the ground and into dumpsters, and replace them with something cleaner? Hydrogen cells, electricity that's made by clean sources, whatever the case may be.</p>	
<p>If you do want to get your tank replaced, they're only going to cover the difference between a steel tank and a fiberglass tank. And so if your steel tank is \$3,000 and your fiberglass tank is \$4,000, they only cover \$1,000 toward getting you back on your feet. I don't know if that was clear to everybody, but it took me a little bit of time to put that together. And again, the service oil tank providers – It would be nice to have a clue what's the cost of having these things come out of the ground? In other words, is the standard claim \$100,000 and \$60,000 is just a drop in the bucket as far as most people are concerned? Or is the standard claim \$2,000 and they give you up to \$60,000 in case a train fell over in your backyard or something?</p>	<p>Claim Cost information is available in the PLIA Book provided on the News and Outreach section of our website.</p> <p>The corrective action costs vary among claims. Variables include: property conditions; media affected (soil, groundwater, air/vapor); and location of the release.</p>



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<p>My question is: I have a 300-gallon tank. If that springs a leak, cracks, and it gets replaced, can I assume that it will be replaced with the same size tank? Because that's really all I would care about. I don't think I would care if it was steel or fiberglass or whatever.</p>	<p>Regarding heating oil tank replacement, PLIA recommends that you confer with tank sellers for this information. PLIA will pay the difference in cost between a steel walled tank and a fiberglass tank. RCW 70A.330.100(2).</p>
<p>I thought I read in here that you have to have a tank that meets certain criteria. Removal/repair/replacement – subsection E [WAC 374-70-060 Coverage, subsection (4)(e) – it says you have to comply with your new tank on RCW 70A.330.100. That's one of the things I brought up earlier in my questions. Now that I have this in front of me, it says your replacement of a heating oil tank except for the reimbursement of new tanks' costs in accordance with this here. So, they're excluding from your coverage the replacement of your tank. That's your business. You could put another tank in there, but the only thing they're going to cover is if you make it according to their standards. They'll cover the difference, so, "Hey you can get the old steel tanks that'll rot out again, or you can get these new fiberglass tanks which cost \$1,000 more, or \$500 more, or \$20 more – who knows – and we'll pay you for the difference to make sure that you upgrade to the best tank in your 300-gallon range." That's how I interpret that – subsection E.</p> <p>Okay, I'm still not quite clear on this. So does this insurance cover the cost of the tank replacement, or just the cleanup?</p> <p>It looks like it's in the exclusions.</p> <p>And then at that point, the difference comes in if I choose a tank that's – I don't know – more expensive than what this program [PLIA's Heating Oil Loan and Grant Program] you mentioned might cover, then I would be liable for the difference? This difference that was mentioned – this insurance does not cover the tank itself, but there's a</p>	<p>The Heating Oil Insurance Program does not cover heating tank replacement. The program covers costs associated with corrective actions on a heating oil tank release. Additional information about coverage is found in the insurance policy.</p> <p>Replacement of a heating oil tank is not covered, with the exception provided in RCW 70A.330.100 (WAC 374-70-060(4)(e)); however PLIA will pay the difference in price between a steel-walled tank and fiberglass tank.</p> <p>For other costs associated with replacing a heating oil tank or for infrastructure upgrades related to tank replacement or removal, the Heating Oil Loan and Grant Program may offer resources.</p>



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<p>program you mentioned that can be applied for that may cover part of the cost of a tank, but then in that case it would have to be a tank that's up to the standards of what this program would partially or possibly fully cover?</p>	
<p>One thing that would be very helpful is having perhaps example scenarios for people getting away from oil heating. Pros and cons for decommission approach versus tank removal. My heater is relatively new and has a lifetime warranty. My fear is my heater will outlive this program.</p>	
<p>Can you please provide link to heating oil loan grant program you mentioned?</p>	<p>https://plia.wa.gov/heating-oil-loan-and-grant-program/</p>
<p>So if I wind up staying on oil and therefore will need a new tank if there is an issue, then it is my responsibility as far as the tank costs? But, possibly through this program, I may get some financial help with that?</p>	<p>Please see PLIA's webpage on the Heating Loan and Grant Program for more information.</p>
<p>Do you happen to know if there's a certain income, like you have to be on Medicaid or something like that, before you'll get any value out of the grants?</p>	<p>Please see PLIA's webpage on the Heating Loan and Grant Program for more information.</p>
<p>We are asking these questions - is there a way that you will post this with answers, so that way it's not like, "Oh yeah, we got all the questions answered but we didn't know the response?" Where are the responses? Is there a link you can post that says, "You'll see all the answers to these and many other questions at this location?"</p>	<p>Home Page: https://plia.wa.gov/</p> <p>Public Engagement Page link: https://plia.wa.gov/public-engagement/</p>
<p>we all received invite to zoom sessions can they also send email with link to answers?</p> <p>meaning all PLIA registered owners a blast out letting them know questions were answered and here is where to find them</p> <p>I second that, send it in an email.</p> <p>Yeah, this last thing about having an email sent out like the original email about the comments session - that would be nice to have a follow-up one.</p>	



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Number of attendees at Public Listening Session: 5