




STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 17, 2013

TO: David Schumacher, Director
Office of Financial Management

FROM: Maia D. Bellon, Director 

SUBJECT: Contingency Planning for State Agency Operations - July 1

Per your request, below please find the agency services that fall into the categories specified in your June 12, 2013, letter to agency directors and others.

1. Services funded by appropriation in the enacted transportation budget (ESSB 5024):

The Department of Ecology (Ecology) does not receive any direct appropriations in the enacted transportation budget.

2. Services that do not require an appropriation, e.g., from non-appropriated funds:

Ecology has six non-appropriated accounts, but only two have staff that charge to the fund source. Additionally, Ecology has two non-appropriated trust funds related to toxic site cleanup that we manage, and one supports 1/10th of an FTE.

Non-Appropriated Funds

Electronic Products Recycling Account (Fund 11J-6) – RCW 70.95N.130. This account funds an electronic products recycling program that provides free collection, transportation, and recycling of electronic products including televisions, computers, and monitors. It supports oversight and administration of the E-Cycle WA program. Ecology staff activities include: registration of collectors, transporters, processors, and manufacturers (who fund the program); enforcement on these entities and retailers; public education and outreach; and, support to consumers who call for information.

- 3.0 FTEs are supported by this fund

Product Stewardship Programs Account (Fund 16T-6) – RCW 70.275.130. This account supports administering and enforcing mercury lights collection, processing, and recycling



programs. A stewardship organization administers the program and ecology provides oversight. Ecology staff write implementation rules, manage the contractor, oversee compliance with the law, keep the website up to date, create focus sheets, make presentations, make annual reports, provide technical assistance to citizens, businesses and local governments, and track national efforts related to mercury lighting.

- 0.75 FTE are supported by this fund

Basic Data Account (Fund 116-6) – RCW 43.21A.067. This account supports the gathering of stream flow, groundwater and other hydrographic data by the USGS, and making it available to Ecology and other entities. No staff supported.

Coastal Protection Account (Fund 408-6) – RCW 90.48.390. This account supports environmental restoration and enhancement projects, investigation of the long-term effects of oils spills, and implementation of aquatic land geographic information systems. No staff supported.

State Agency Parking Account (Fund 277-6) – RCW 43.01.240. Supports commute trip reduction incentives. No staff supported.

Industrial Insurance Premium Refund Account (Fund 03K-6) – RCW 51.44.170. Used by the Safety Officer to purchase safety equipment for the agency. No staff supported.

Non-Appropriated Trust Funds

Northlake Shipyard Trust Fund – This fund supports the cleanup, post-cleanup evaluation, and Ecology’s oversight costs at the Northlake Shipyard site on Lake Union. Ecology manages the contractors and provides oversight of the cleanup. The Trust Fund was approved by the court and established in August, 1994. The Trust Fund allows oversight costs, therefore, Ecology staff charge to the fund when appropriate.

- 0.1 FTE are supported by this fund

Yakima Railroad Trust Fund – This fund supports the remediation of groundwater contamination in the Yakima Railroad Area. Ecology manages the contractors and provides oversight of the cleanup. The Trust Fund was approved by the court and established between April and May, 1997. No staff supported.

- 3. Services to continue based on certain constitutional mandates and federal law. (Please consult with your assigned Assistant Attorney General (AAG) for clarification. The existence of a state statute or federal grant is not, by itself, a sufficient mandate for this purpose).**

The Ecology Senior Management Team consulted with our AAG and concluded we do not have services within this category.

- 4. Many important programs and services will cease absent timely legislative appropriations. Therefore, in addition to the categories above, I am also asking that agencies identify services that are necessary for the immediate response to issues of public safety, or to avoid catastrophic loss of state property.**

Ecology has two program areas that fit this narrow definition. They are detailed below. We have identified minimum staffing levels to continue these services. Please note, if significant oil/hazardous materials spills or dam safety events occur, additional resources will be needed to be deployed, in addition to the minimum ongoing staff as detailed below.

Oil and Hazardous Material Response – 1 WMS FTE Supported by Recalled Responders:

One Ecology manager will work and screen spill reports during business hours, after hours and weekends. Spill reports will be triaged based on their potential human health, environmental, and economic threats to determine whether spills are:

- Not responded to
- Passed to an appropriate local or federal agency for a response
- Responded to by Ecology staff

When Ecology's response is warranted, the appropriate staff resources will be identified (job class, training, and certifications), and appropriate response staff will be recalled by seniority. There will be no staff on paid standby. Due to the potential workload from incoming calls 24/7, the Response Manager position will be rotated among Response Section Supervisors. For catastrophic spills where the spiller has not initiated appropriate response measures, Ecology may need to activate our emergency response contracts to provide additional clean-up personnel and equipment.

In addition to Spill Responders, specialized positions will be recalled as required for catastrophic spills. These positions are filled by Ecology staff with specialized training and certifications, including:

- Crisis Manager
- Environmental Unit Lead
- Natural Resource Damage Assessment
- Planning Section Chief
- Public Information Officer
- Liaison
- Safety Officer
- Vessel Inspector/Salvage Specialist

The spill response activity at Ecology is designed to function independently in the field with limited support. During prolonged or catastrophic incidents, support services are required to keep our response operations functioning efficiently. This may require periodic support from Ecology's IT Services and Contracts Office, as well as, expertise from supporting programs such as Hazardous Waste, Toxics Cleanup, and Water Quality.

This assumes that the Military Department Emergency Management Division is operational at the Alert and Warning Center and continuing to serve as the after-hour call receiver and dispatcher.

Dam Safety – 1 WMS FTE Supported by Recalled Dam Safety Engineer:

One Ecology manager will maintain current availability, on a 24/7 basis, to receive emergency dam safety phone calls reporting dam safety incidents. The manager will consult the lead dam safety engineer (or his designee) to determine whether expert personnel need to be deployed to investigate and/or respond to the report, depending on the nature of the information being reported, and the possible threat to public safety.

Thank you for your guidance and coordination on this challenging exercise. We assume payroll will be processed for the July 10 pay period, and look forward to additional guidance on whether that will be handled by Ecology (will require a handful of staff for a few days in early July), or by the Department of Enterprise Services per preliminary communication from this non-appropriated agency. I will be your main point of contact on this issue. If you have any questions, please do not hesitate to contact me at my office (360-407-7001) or on my cell (360-584-8912).

cc: Jim Cahill, Office of Financial Management
Linda Steinman, Office of Financial Management
Mary Sue Wilson, Assistant Attorney General
Polly Zehm, Deputy Director
Erik Fairchild, Chief Financial Officer
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