

2 SSB 6461 - S AMD - 000226
3 By Senators Spanel and Fraser

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5 On page 1, after line 3, insert the following:

6 "Sec. 1. RCW 88.16.190 and 1975 1st ex.s. c 125 s 3 are each
7 amended to read as follows:

8 (1) Any oil tanker, whether enrolled or registered, of greater than
9 one hundred and twenty-five thousand deadweight tons shall be
10 prohibited from proceeding beyond a point east of a line extending from
11 Discovery Island light south to New Dungeness light.

12 (2) An oil tanker, whether enrolled or registered, of forty to one
13 hundred and twenty-five thousand deadweight tons may proceed beyond the
14 points enumerated in subsection (1) if such tanker possesses all of the
15 following standard safety features:

16 (a) Shaft horsepower in the ratio of one horsepower to each two and
17 one-half deadweight tons; and

18 (b) Twin screws; and

19 (c) Double bottoms, underneath all oil and liquid cargo
20 compartments; and

21 (d) Two radars in working order and operating, one of which must be
22 collision avoidance radar; and

23 (e) Such other navigational position location systems as may be
24 prescribed from time to time by the board of pilotage commissioners:

25 PROVIDED, That, if such forty to one hundred and twenty-five
26 thousand deadweight ton tanker is in ballast or is under escort of a
27 tug or tugs with an aggregate shaft horsepower equivalent to five
28 percent of the deadweight tons of that tanker, subsection (2) of this
29 section shall not apply: PROVIDED FURTHER, That additional tug shaft
30 horsepower equivalencies may be required under certain conditions as
31 established by rule and regulation of the Washington utilities and
32 transportation commission pursuant to chapter 34.05 RCW: PROVIDED
33 FURTHER, That a tanker assigned a deadweight of less than forty
34 thousand deadweight tons at the time of construction or reconstruction
35 as reported in Lloyd's Register of Ships is not subject to the
36 provisions of RCW 88.16.170 through 88.16.190.

1 **Sec. 2.** RCW 88.46.040 and 1991 c 200 s 417 are each amended to
2 read as follows:

3 (1) The owner or operator for each tank vessel shall prepare and
4 submit to the office an oil spill prevention plan in conformance with
5 the requirements of this chapter. The plans shall be submitted to the
6 office in the time and manner directed by the office, but not later
7 than January 1, 1993. The spill prevention plan may be consolidated
8 with a spill contingency plan submitted pursuant to RCW 88.46.060. The
9 office may accept plans prepared to comply with other state or federal
10 law as spill prevention plans to the extent those plans comply with the
11 requirements of this chapter. The office, by rule, shall establish
12 standards for spill prevention plans. The rules shall be adopted not
13 later than July 1, 1992.

14 (2) The spill prevention plan for a tank vessel or a fleet of tank
15 vessels operated by the same operator shall:

16 (a) Establish compliance with the federal oil pollution act of 1990
17 and state and federal financial responsibility requirements, if
18 applicable;

19 (b) State all discharges of oil of more than twenty-five barrels
20 from the vessel within the prior five years and what measures have been
21 taken to prevent a reoccurrence;

22 (c) Describe all accidents, collisions, groundings, and near miss
23 incidents in which the vessel has been involved in the prior five
24 years, analyze the causes, and state the measures that have been taken
25 to prevent a reoccurrence;

26 (d) Describe the vessel operations with respect to staffing
27 standards;

28 (e) Describe the vessel inspection program carried out by the owner
29 or operator of the vessel;

30 (f) Describe the training given to vessel crews with respect to
31 spill prevention;

32 (g) Establish compliance with federal drug and alcohol programs;

33 (h) Describe all spill prevention technology that has been
34 incorporated into the vessel;

35 (i) Describe the procedures used by the vessel owner or operator to
36 ensure English language proficiency of at least one bridge officer
37 while on duty in waters of the state;

38 (j) Describe relevant prevention measures incorporated in any
39 applicable regional marine spill safety plan that have not been adopted

1 and the reasons for that decision; (~~and~~)

2 (k) Include any other information reasonably necessary to carry out
3 the purposes of this chapter required by rules adopted by the office;
4 and

5 (1) Establish compliance with the escort requirements set forth in
6 RCW 88.16.190.

7 (3) The office shall only approve a prevention plan if it provides
8 the best achievable protection from damages caused by the discharge of
9 oil into the waters of the state and if it determines that the plan
10 meets the requirements of this section and rules adopted by the office.

11 (4) Upon approval of a prevention plan, the office shall provide to
12 the person submitting the plan a statement indicating that the plan has
13 been approved, the vessels covered by the plan, and other information
14 the office determines should be included.

15 (5) The approval of a prevention plan shall be valid for five
16 years. An owner or operator of a tank vessel shall notify the office
17 in writing immediately of any significant change of which it is aware
18 affecting its prevention plan, including changes in any factor set
19 forth in this section or in rules adopted by the office. The office
20 may require the owner or operator to update a prevention plan as a
21 result of these changes.

22 (6) The office by rule shall require prevention plans to be
23 reviewed, updated, if necessary, and resubmitted to the office at least
24 once every five years.

25 (7) Approval of a prevention plan by the office does not constitute
26 an express assurance regarding the adequacy of the plan nor constitute
27 a defense to liability imposed under this chapter or other state law.

28 (8) This section does not authorize the office to modify the terms
29 of a collective bargaining agreement."

30 Renumber the remaining sections consecutively and correct internal
31 references accordingly.

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35 On page 1, line 2 of the title, after "amending RCW" insert

1 "88.16.190, 88.46.040, and"

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