
HOUSE BILL 3017

State of Washington

56th Legislature

2000 Regular Session

By Representatives Kessler, Cooper, Barlean, Anderson, Reardon, Linville, Hatfield, Stensen, Wolfe, Ogden, Rockefeller, Conway, Keiser and Santos

Read first time 01/25/2000. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to oil spill prevention measures for oil tankers;
2 amending RCW 88.16.190; creating a new section; providing an effective
3 date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the marine waters
6 located in and adjacent to the Strait of Juan de Fuca between the state
7 of Washington and Canada are some of the most pristine and diverse
8 marine waters in the United States and include irreplaceable natural
9 resources. The area includes such national treasures as the Olympic
10 Coast National Marine Sanctuary and the Olympic National Park, is home
11 to five federally recognized Indian reservations, holds one of the
12 largest sea bird colonies on the west coast, and is the habitat for
13 several threatened and endangered species.

14 The legislature also finds that the marine waters are of great
15 environmental and economic importance to not only the state of
16 Washington, but also to the people of Canada and the United States.
17 The legislature also recognizes that the marine vessel traffic on these
18 waters presents risks of accidents and oil spills which would be
19 devastating to the environment and to the economy.

1 The legislature recognizes that transits by commercial vessels
2 through the Strait of Juan de Fuca are projected by the United States
3 coast guard to increase by fifty percent from the year 2000 to the year
4 2015. Volumes of petroleum movement, including cargo and bunker oil,
5 are conservatively projected to increase by nearly four billion gallons
6 by the year 2015. The legislature also recognizes that this growth in
7 commercial vessel transits and petroleum movement constitute a
8 significant and growing increase in projected oil spill frequency.

9 The legislature finds that the 1976 legislative requirement of tug
10 escorts for all laden, single-hull oil tankers operating east of New
11 Dungeness, as augmented by federal law, has greatly improved
12 navigational safety in the eastern Strait of Juan de Fuca and Rosario
13 Strait. Extension of this proven safety measure westward to the mouth
14 of the strait, or its equivalent by locating a dedicated oil spill
15 prevention tug will similarly improve navigational safety and correct
16 a growing safety gap in the marine navigation system.

17 **Sec. 2.** RCW 88.16.190 and 1994 c 52 s 1 are each amended to read
18 as follows:

19 (1) Any oil tanker, whether enrolled or registered, of greater than
20 ~~((one hundred and twenty five))~~ forty thousand deadweight tons shall be
21 prohibited from proceeding beyond a point, within the internal waters
22 of the state of Washington and the United States, east of a line
23 extending from ((Discovery Island light south to New Dungeness light))
24 Bonilla Point light on Vancouver Island to Tatoosh Island light, unless
25 the conditions set in subsection (2) of this section are met.

26 (2)(a) An oil tanker, whether enrolled or registered, of greater
27 than forty ~~((to one hundred and twenty five))~~ thousand deadweight tons
28 may proceed beyond the points enumerated in subsection (1) of this
29 section if ((such)) the tanker is in ballast or under the escort of a
30 tug or tugs with the ability to control the movement of or stop the
31 tanker. A tanker is exempt from this section if it possesses all of
32 the following standard safety features:

33 ~~((a) Shaft horsepower in the ratio of one horsepower to each two~~
34 ~~and one half deadweight tons; and~~

35 ~~(b))~~ (i) A bow thruster with a dedicated power source;

36 (ii) Two rudders with separate steering systems;

37 (iii) An independent source of electrical power for each rudder and
38 screw combination;

1 (iv) Twin screws with a dedicated power source to each; ((and
2 (e))) (v) Double ((bottoms, underneath)) hulls for all oil, fuel,
3 and liquid cargo compartments; ((and
4 (d))) (vi) Two radars in working order and operating, one of which
5 must be collision avoidance radar; and
6 (((e))) (vii) Such other navigational position location systems as
7 may be prescribed from time to time by the board of pilotage
8 commissioners((÷

9 ~~PROVIDED, That, if such forty to one hundred and twenty five~~
10 ~~thousand deadweight ton tanker is in ballast or is under escort of a~~
11 ~~tug or tugs with an aggregate shaft horsepower equivalent to five~~
12 ~~percent of the deadweight tons of that tanker, subsection (2) of this~~
13 ~~section shall not apply: PROVIDED FURTHER, That additional tug shaft~~
14 ~~horsepower equivalencies may be required under certain conditions as~~
15 ~~established by rule and regulation of the Washington utilities and~~
16 ~~transportation commission pursuant to chapter 34.05 RCW: PROVIDED~~
17 ~~FURTHER, That)).~~

18 (b)(i) The conditions in this subsection (2) do not apply if an oil
19 spill prevention tug, of size and capacity as determined by the
20 department of ecology, is in continuous operation at or near the
21 westward end of the Strait of Juan de Fuca. The oil spill prevention
22 tug shall, to the extent the department determines feasible, include
23 among its operations the escorting of laden oil tankers through the
24 traffic convergence zone where tankers must cross the paths of other
25 vessels entering or exiting established vessel traffic lanes.

26 (ii) The conditions may be waived by the department of ecology
27 following adoption of rules that substantially reduce the risks of
28 drift grounding, powered grounding, and collision.

29 (iii) The department of ecology may, based on its own risk
30 analysis, waive the conditions for an individual oil tanker that is
31 unladen or has additional safety features that supersede the features
32 listed in (a) of this subsection.

33 (3) A tanker assigned a deadweight of less than forty thousand
34 deadweight tons at the time of construction or reconstruction as
35 reported in Lloyd's Register of Ships is not subject to the provisions
36 of RCW 88.16.170 through 88.16.190.

37 NEW SECTION. Sec. 3. This act is necessary for the immediate
38 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 April 1, 2000.

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