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HOUSE JOINT MEMORIAL 4019

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Reardon, Cooper, Lovick, Thomas, Grant, Kessler, Hatfield, O'Brien, Cody, Conway, Tokuda, Wolfe, Ogden, Ruderman, Murray, Schual-Berke, Stensen, Edmonds, Santos, Lantz, Linville, Pflug, Rockefeller, Wood and Hurst

Read first time 01/13/2000. Referred to Committee on Agriculture & Ecology.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED  
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE  
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF  
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF  
5 TRANSPORTATION:

6 We, your Memorialists, the Senate and House of Representatives of  
7 the State of Washington, in legislative session assembled, respectfully  
8 represent and petition as follows:

9 WHEREAS, Ensuring the safety of citizens residing near pipelines  
10 carrying hazardous substances and protecting the surrounding  
11 environment from the deleterious effects of pipeline spills are vital  
12 state and local responsibilities, yet the oversight of interstate  
13 pipelines has been largely preempted by federal law; and

14 WHEREAS, Several significant pipeline spills have occurred in  
15 Washington State in recent years, including a major petroleum spill in  
16 the City of Bellingham, resulting in a fire which killed three people  
17 and destroyed much of a city park; and

18 WHEREAS, Washington Governor Gary Locke thereafter formed a study  
19 team of local and state fuel accident response agencies, which in the  
20 course of numerous meetings, briefings, and public hearings learned

1 that current federal oversight of pipeline safety is inadequate in many  
2 respects; and

3 WHEREAS, Washington State through its Legislature and Governor are  
4 developing a strong, coordinated program of state and local oversight  
5 of pipeline safety that will be well integrated with concurrent federal  
6 oversight; and

7 WHEREAS, Such a program cannot be fully implemented without action  
8 by the Congress and the President to modify existing statutes and  
9 provide necessary administrative and budgetary support;

10 NOW, THEREFORE, Your Memorialists respectfully pray that:

11 (1) The Congress enact legislation amending the federal Pipeline  
12 Safety Act (49 U.S.C. Section 60101, et seq.) to allow states to adopt  
13 and enforce standards stricter than federal standards where to do so  
14 would not interfere with interstate commerce;

15 (2) Such Act be further amended to allow states at their option to  
16 seek authority to administer and enforce federal pipeline safety  
17 standards;

18 (3) As an interim measure pending congressional consideration of  
19 such legislative enactments the President direct the federal Office of  
20 Pipeline Safety to grant authority to states that qualify to enforce  
21 federal standards; and

22 (4) The Congress increase funding to allow states to implement  
23 pipeline safety measures, to support states with delegated authority to  
24 enforce federal standards, and to the Office of Pipeline Safety for  
25 additional research and development of technologies for testing, leak  
26 detection, and oversight operations.

27 BE IT RESOLVED, That copies of this Memorial be immediately  
28 transmitted to the Honorable William J. Clinton, President of the  
29 United States, the Secretary of the United States Department of  
30 Transportation, the President of the United States Senate, the Speaker  
31 of the House of Representatives, and each member of Congress from the  
32 State of Washington.

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