

HOUSE BILL REPORT

SB 6025

As Reported by House Committee On:
Agriculture & Ecology

Title: An act relating to the use of gasoline additives.

Brief Description: Prohibiting methyl tertiary-butyl ether as a gasoline additive.

Sponsors: By Senators Eide, Patterson, Franklin, Fairley, Kline, Regala, Fraser, Thibaudeau, Spanel and Honeyford.

Brief History:

Committee Activity:

Agriculture & Ecology: 3/20/01, 3/29/01 [DPA].

Brief Summary of Bill
(As Amended by House Committee)

- Prohibits the intentional addition of methyl tertiary-butyl ether (MTBE) to fuel after December 31, 2003.
- Prohibits a person to knowingly mix methyl tertiary-butyl ether (MTBE) into gasoline above 0.6 percent.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass as amended. Signed by 13 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Mielke, Republican Vice Chair; B. Chandler, Delvin, Dunshee, Grant, Hunt, Quall, Roach, Schoesler and Sump.

Staff: Jason Callahan (786-7117).

Background:

The Clean Air Act is a federal law enacted in 1970 to create a nationwide framework for controlling air pollution. In 1990 Congress added significant amendments to the Clean Air Act aimed at improving air quality in metropolitan areas that currently violate health-based standards. The 1990 amendments set acceptable standard levels for various air

pollutants, called National Ambient Air Quality Standards. Pollutants with established national standards include ozone, carbon monoxide (CO), and toxins. If the presence of a pollutant exceeds the acceptable level in a metropolitan area, the United States Environmental Protection Agency (US EPA) designates that area a "nonattainment area." Nonattainment areas are subject to federal, state, and local regulations aimed at reducing the amount of the pollutant in the air. Nonattainment status has been applied to metropolitan areas nationwide, including New York City, Los Angeles, Cleveland, and Spokane.

The Clean Air Act amendments require that gasoline sold in CO nonattainment areas contain at least 2.7 percent oxygen. CO pollution results from the incomplete combustion of fuel, and 80 percent of CO pollution is generated from motor vehicles. Higher oxygen contents in gasoline, which helps the fuel burn with fewer harmful emissions, can be achieved by the addition of oxygenates such as ethanol or methyl tertiary-butyl ether (MTBE). Refiners make the decision as to which oxygenate is used to produce cleaner burning gasoline. Some refineries in the United States have increased octane levels and engine efficiency by adding MTBE, a derivative of natural gas, to their gasoline.

The US EPA has issued a health advisory regarding oral consumption of MTBE. Although no data regarding the health effects of MTBE on humans is available, the California Environmental Protection Agency (CAL/EPA) has shown that long term exposure to the chemical causes cancer in laboratory rats and mice. The US EPA lists MTBE as a possible human carcinogen. MTBE has been found in public drinking water supplies in California, Colorado, Iowa, Illinois, New Jersey, and Texas. The CAL/EPA reports that MTBE may invade drinking water wells and reservoirs through leaking underground storage tanks and pipelines.

After discovering MTBE in its drinking water, California began phasing the chemical out of that state's gasoline. California has prohibited the sale of any gasoline produced with the use of MTBE by December 31, 2002, and prohibits the sale of any gasoline containing more than 0.05 volume percent MTBE by December 31, 2004.

In Washington, Spokane is the only serious CO nonattainment area listed by the US EPA. Thus, only Spokane is mandated to use oxygenated fuels. The Department of Ecology (DOE) has no evidence that MTBE is being added as part of Washington's oxygenated fuel program; however, they can not report that MTBE is absent from Washington's gasoline in the form of an octane booster for premium grades. DOE samples at oil spill sites have detected the presence of MTBE.

Current Washington law contains no prohibitions or restrictions on MTBE.

Summary of Amended Bill:

After December 31, 2003, the intentional addition of methyl tertiary-butyl ether (MTBE) to gasoline, motor fuel, or clean fuel for sale or use is prohibited. MTBE may in no event be knowingly added to gasoline above 0.6 percent by volume.

Amended Bill Compared to Bill:

Amendment exempts persons who unknowingly mix gasoline with MTBE above six-tenths of one percent from the application of this section.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is good for the environment. It also benefits the growers of grain by expanding new markets for their crops.

Testimony Against: None.

Testified: (In support) Linda Johnson, Washington State Farm Bureau.