

SENATE BILL REPORT

SJM 8005

As Passed Senate, February 13, 2002

Brief Description: Petitioning Congress to strengthen vessel safety standards.

Sponsors: Senators Fraser, Swecker, Spanel, Patterson, Thibaudeau, Hargrove, Gardner, Costa, Prentice, Eide, Franklin, Regala, Jacobsen, Kline and Kohl-Welles.

Brief History:

Committee Activity: Environment, Energy & Water: 1/18/01, 2/1/01 [DP]; 1/25/02 [DP].
Passed Senate: 2/13/02, 47-0.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Majority Report: Do pass.

Signed by Senators Fraser, Chair; Regala, Vice Chair; Eide, Hale, Honeyford, Jacobsen, Keiser, McDonald and Morton.

Staff: Richard Rodger (786-7461)

Background: On March 6, 2000, the United States Supreme Court ruled in *U.S. v. Locke*, a decision often referred to as the Intertanko case, that several provisions of the state's oil pollution prevention regulations are preempted by federal law. The court also remanded eight other state issues to the federal district court for further review under the federal preemption analysis. Prior to the lower court's decision, the Department of Ecology withdrew the regulations that remained at issue.

Summary of Bill: Congress is requested to immediately amend the Oil Pollution Act of 1990 to clarify that states are authorized to adopt safety measures of oil tankers, barges and cargo vessels, so long as the measures do not conflict with federal law.

The U.S. Coast Guard is requested to immediately strengthen its oil tanker safety standards. The Coast Guard is requested to adopt measures similar to the provisions struck down by the Supreme Court. The measures include crew training, accident reporting, navigation watch practices, and English-language proficiency for deck officers.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: The state should be allowed to adopt additional safety measures that are designed to help prevent oil pollution from oil tankers, barges and cargo vessels. At the very minimum, the Coast Guard should adopt stricter safety standards that would reduce the risks of oil spills.

Testimony Against: None.

Testified: Joe Stohr, DOE, Spills Program Manager (pro); Bruce Wishart, People for Puget Sound (pro).