

HOUSE BILL REPORT

SSB 6329

As Reported by House Committee On:
Fisheries, Ecology & Parks

Title: An act relating to extending the date for ballast water discharge implementation.

Brief Description: Extending the date for implementation of ballast water discharge requirements.

Sponsors: Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senator Oke).

Brief History:

Committee Activity:

Fisheries, Ecology & Parks: 2/27/04 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Modifies the date for authorizing discharge of ballast water into waters of the state from July 1, 2004 to July 1, 2007.
- Extends the ballast water work group to June 30, 2007, adds representatives from the Department of Fish and Wildlife (Department), the shellfish industry, tribes, and maritime labor to the work group, and requires a report to the Legislature by December 15, 2006.
- Requires masters, owners, operators or persons-in-charge to submit to the Department an interim ballast water management report by July 1, 2006, describing actions needed to implement ballast water requirements.

HOUSE COMMITTEE ON FISHERIES, ECOLOGY & PARKS

Majority Report: Do pass as amended. Signed by 9 members: Representatives Cooper, Chair; Uptegrove, Vice Chair; Sump, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Buck, Hatfield, O'Brien, Pearson and D. Simpson.

Staff: Jeff Olsen (786-7157).

Background:

In 2000, the Washington Legislature enacted ballast water management legislation . The legislation included the requirement that after July 1, 2002, nonexempt vessels could only discharge ballast water into waters of the state if they either did an open sea exchange or had treated the ballast water according to standards developed by the Department. In 2002, legislation was enacted that changed the implementation date to July 1, 2004.

The 2002 legislation also required the Department to establish a ballast water work group. Members of the work group include one staff person from the Governor's executive policy office, two representatives each from the Puget Sound and Colombia River Steamship Operators, three representatives from the Washington Public Ports, two representatives from the petroleum transportation industry, one representative from the Puget Sound Action Team, and two representatives from the environmental community. The ballast water work group was directed to study ballast water technology, including exchange and treatment methods and the associated costs, services needed by the industry and the state to protect the marine environment, and funding methods for implementing the ballast water program. The work group was required to submit a report to the Legislature by December 15, 2003, however, no report was completed.

Summary of Amended Bill:

The date for authorizing discharge of ballast water into waters of the state is changed from July 1, 2004 to July 1, 2007. The discharge of ballast water must meet standards set by the Department that are consistent with applicable state and federal laws. In addition, the Department must make every effort to align ballast water standards with adopted international and federal standards while ensuring that the goals of the state program are met.

The ballast water work group is extended from June 30, 2004 to June 30, 2007. Representatives from the Department, the shellfish industry, tribes, and maritime labor are added to the ballast water work group. The Puget Sound Water Quality Action Team must provide staff support to the work group, rather than the Department.

The ballast water work group must provide a report to the Legislature by December 15, 2006. The report must include: issues relating to ballast water technology and management plans; the availability of proven ballast water treatment technologies; the services needed by the industry and the state to protect the marine environment including penalties and enforcement; consistency with federal and international standards; and the costs associated with implementing the program. The report must also describe how Washington and Oregon are coordinating their efforts for ballast water treatment in the Columbia River system, and how ballast water management is coordinated on the west coast.

Masters, owners, operators or persons-in-charge must submit to the Department an interim ballast water management report by July 1, 2006. The interim report must describe the actions needed to implement ballast water requirements, including treatment methods applicable to the class of vessel. The ballast water work group shall develop recommendations for the interim ballast water management report. Reports may include a statement that there are no treatment methods applicable to the vessel for which the report is being submitted.

The Department must provide an extension for vessel owners or operators with treatment technologies which require shipyard modifications that cannot reasonably be performed prior to July 1, 2007. The Department shall provide the extension until the first scheduled drydock or shipyard period.

Amended Bill Compared to Substitute Bill:

The amended bill adds representatives from the shellfish industry, tribes, and maritime labor to the ballast water work group. The amended bill requires the ballast water work group to study and report on additional issues including the availability of feasible and proven ballast water treatment technologies, aligning state ballast water standards with federal and international standards, and coordination with Pacific coast states and British Columbia. The amended bill also requires masters, owners, operators, or persons-in-charge to submit an interim ballast water management report to the Department by July 1, 2006 describing implementation actions. The amended bill directs the ballast water work group to develop recommendations for the interim ballast water management report. The amended bill also allows an extension for vessel owners requiring treatment technologies needing shipyard modifications to the first scheduled drydock or shipyard period following July 1, 2007.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.