

FINAL BILL REPORT

SSB 6641

C 226 L 04

Synopsis as Enacted

Brief Description: Reducing the risk of oil spills and spill damage.

Sponsors: Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators B. Sheldon, Oke, Spanel, Carlson, Fraser, Shin, Regala, Winsley, Kohl-Welles, Poulsen, Kline, Fairley, Jacobsen, Prentice, Haugen, Berkey, Brown, McAuliffe, Franklin, Rasmussen and Keiser).

Senate Committee on Natural Resources, Energy & Water
House Committee on Fisheries, Ecology & Parks
House Committee on Appropriations

Background: The Legislature enacted oil spill prevention and response measures in 1991 to promote the safety of marine transportation and protect state waters from oil spills. The director of the Department of Ecology (DOE) has the primary authority to oversee prevention, abatement, response, containment, and cleanup efforts for oil spills in state waters. The oil spill program requires oil spill prevention plans, contingency response plans, and documentation of financial responsibility for vessels and facilities that may discharge oil into navigable waters.

Owners and operators of onshore and offshore facilities must prepare and submit oil spill contingency and prevention plans. The plans are valid for five years and may be combined into a single document. Facilities may opt to submit contingency plans for tank vessels unloading at the facility.

Persons or facilities conducting ship refueling and bunkering, or lightering of petroleum products, are required to have containment and recovery equipment readily available according to standards adopted by DOE. In addition, any person or facility transferring oil between an onshore or offshore facility and a tank vessel are also required to have containment and recovery equipment readily available. DOE has rule-making authority to adopt standards for the circumstances under which containment equipment should be deployed.

Summary: The primary objective of the state oil spill program is to adopt a zero spills strategy and prevent the release of oil or hazardous substances from entering marine waters.

DOE's statewide plan must include a process for notifying tribes of any oil spill.

DOE must, by June 30, 2006, adopt rules for directing when a boom should be deployed. The rules apply to any person or facility conducting ship refueling and bunkering, or the lightering of petroleum products. The DOE rules must be suitable to the environmental and operational conditions of the facilities and the U.S. Coast Guard must be consulted when the rules are

developed. DOE may require additional alternative oil prevention methods such as automatic shutoff devices and alarms, extra personnel or additional containment equipment.

DOE is directed to work with stakeholders to develop a report describing fueling practices and regulations for covered vessels and ships, and report recommendations and findings to the Legislature by December 15, 2004. The report must describe the current federal and state spill prevention and response requirements and recommendations for any new authorities necessary to establish a protective regulatory system for fueling ships.

Votes on Final Passage:

Senate	49	0	
House	96	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: June 10, 2004 (except for Sections 5 and 6, which are null and void, since they were not referenced in the omnibus transportation appropriations act)