
SUBSTITUTE HOUSE BILL 2593

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Appleton, B. Sullivan, Jarrett, Morris, Hankins, Chase, McIntire, Dickerson, McCoy, Conway, Green, Darneille, Schual-Berke, Lovick, Pettigrew, Sommers, Ericks, Lantz, Hasegawa, Morrell, Kenney, Haler, Springer, Roberts, P. Sullivan, Strow, Miloscia, Wallace, Cody, Sells, Moeller, Dunshee, Williams, O'Brien, McDermott, Kessler, Woods, Kilmer, Eickmeyer, Hunt, Flannigan, Takko, Nixon, Rodne, Simpson, Linville and Kagi; by request of Department of Ecology)

READ FIRST TIME 01/31/06.

1 AN ACT Relating to oil spill prevention, preparedness, and
2 response; and adding new sections to chapter 88.46 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 88.46 RCW
5 to read as follows:

6 (1) The department's rules authorized under RCW 88.46.160 and this
7 section shall be scaled to the risk posed to people and to the
8 environment, and be categorized by type of transfer, volume of oil,
9 frequency of transfers, and such other risk factors as identified by
10 the department.

11 (2) The rules may require prior notice be provided before an oil
12 transfer, regulated under this chapter, occurs in situations defined by
13 the department as posing a higher risk. The notice may include the
14 time, location, and volume of the oil transfer.

15 (3) The rules may require additional measures to be taken in
16 conjunction with the deployment of containment equipment or with the
17 alternatives to deploying containment equipment.

18 (4) The rules shall include regulations to enhance the safety of

1 oil transfers over water originating from vehicles transporting oil
2 over private roads or highways of the state.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 88.46 RCW
4 to read as follows:

5 In addition to other inspection authority provided for in this
6 chapter and chapter 90.56 RCW, the department may conduct inspections
7 of oil transfer operations regulated under RCW 88.46.160 or section 1
8 of this act.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 88.46 RCW
10 to read as follows:

11 If the director believes a person has violated or is violating or
12 creates a substantial potential to violate the provisions of any rules
13 adopted under this chapter, the director may institute such actions as
14 authorized under RCW 88.46.070 (2) and (3).

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 88.46 RCW
16 to read as follows:

17 The department shall by rule adopt procedures to determine the
18 adequacy of contingency plans approved under RCW 88.46.060. The rules
19 shall require random practice drills without prior notice that will
20 test the adequacy of the responding entities. The rules may provide
21 for unannounced practice drills of individual contingency plans. The
22 department shall review and publish a report on the drills, including
23 an assessment of response time and available equipment and personnel
24 compared to those listed in the contingency plans relying on the
25 responding entities, and requirements, if any, for changes in the plans
26 or their implementation. The department may require additional drills
27 and changes in arrangements for implementing approved plans which are
28 necessary to ensure their effective implementation.

29 NEW SECTION. **Sec. 5.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

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