

SENATE BILL REPORT

SB 5344

As of February 11, 2009

Title: An act relating to providing an emergency response system for the Strait of Juan de Fuca.

Brief Description: Providing an emergency response system for the Strait of Juan de Fuca.

Sponsors: Senators Ranker, Swecker, Rockefeller, Marr, Hargrove, Pridemore, Fraser, Shin, McDermott and Kilmer.

Brief History:

Committee Activity: Environment, Water & Energy: 2/11/09.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: Sam Thompson (786-7413)

Background: The state has funded a response tug at Neah Bay since 1999 to protect the Strait of Juan de Fuca and Washington's outer coast from potentially catastrophic oil spills. The response tug renders aid to all vessels if they become disabled.

Certain "covered" vessels – ships designed to carry oil as cargo and large passenger and cargo vessels – are required to file contingency plans with the Department of Ecology (DOE) describing how they will contain and remediate potential oil spills. Operating without an approved contingency plan, or in violation of a plan's provisions, is grounds for criminal and civil penalties.

Summary of Bill: Contingency plans for covered vessels entering the Strait of Juan de Fuca west of Port Angeles must include a catastrophic event response provision. The provision would require the vessels to contract with a multi-mission tug stationed in Neah Bay and be available for response any hour of any day that the vessel is located in the western Strait of Juan de Fuca.

A contracted tug must meet certain minimum requirements, including the ability to maneuver a fully-loaded tanker of 180,000 ton capacity in severe weather, deploy a high seas boom, store oil, and serve as a salvage platform. A contracted tug must also be equipped with a certain type of hook and line and, after five years, be equipped with a specified integrated fire fighting system.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Covered vessels must contract with a qualifying tug by July 1, 2010. A vessel may satisfy the requirement by directly contracting with a tug operator or through a private organization or cooperative providing umbrella coverage for multiple vessels.

Vessels must submit evidence of compliance with the requirement as part of contingency plans submitted to DOE. Vessels may file addendums to previously-submitted plans evidencing compliance with the requirement.

DOE must provide for practice drills for contracting tugs. The drills must emphasize a tug's ability to respond to a potentially worst case spill scenario.

The requirement to contract with a tug does not apply if the federal government implements similar tug escort requirements or requires a rescue tug to be stationed at Neah Bay. Upon implementation of federal standards, DOE must prepare agency request legislation repealing the requirement.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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