

FINAL BILL REPORT

SSB 5436

C 248 L 11
Synopsis as Enacted

Brief Description: Regarding the use of antifouling paints on recreational water vessels.

Sponsors: Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Shin, Litzow, Swecker, Tom, Harper, Nelson, Hobbs, Fraser, Rockefeller, White, Kilmer, Conway and Kline).

Senate Committee on Natural Resources & Marine Waters
House Committee on Environment

Background: Aquatic antifouling paints are used on water vessel hulls to prevent the growth of aquatic organisms such as barnacles and algae. Most of these antifouling paints use copper to reduce the growth.

According to a 2007 study, the Department of Ecology (DOE) has conducted research measuring copper concentrations in marinas and found the primary source of copper to be from the antifouling paints found on boat hulls. Research has shown copper to be highly toxic to aquatic life.

Summary: Recreational water vessels are defined as a vessel that is less than 65 feet in length, and used primarily for pleasure or leased, rented, or chartered to a person for the pleasure of that person. It does not include a vessel that is subject to United States Coast Guard inspection and is engaged in commercial use or carries paying passengers.

After January 1, 2018, new recreational water vessels with antifouling paint containing copper may not be sold in the state. Beginning January 1, 2020, the sale of copper antifouling paint intended for use on recreational water vessels is prohibited.

DOE is required to be responsible for the enforcement of the chapter. The money from the civil penalties collected must be deposited into the state Toxics Control Account.

DOE may establish a state wide advisory committee after January 1, 2016, to assist DOE in the implementation of the Act. DOE is also required to study how antifouling paints affect marine organisms and water quality. The study is in addition to the requirement to survey the manufacturers of antifouling paints to determine the type of paints available and report the findings of the survey to the Legislature by January 1, 2018.

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.

DOE may adopt rules to implement the act.

Votes on Final Passage:

Senate	46	3	
House	62	32	(House amended)
Senate	38	10	(Senate concurred)

Effective: July 22, 2011.