

2SHB 2347 - H AMD 768

By Representative Morris

WITHDRAWN 02/18/2014

1 Beginning on page 9, line 30, after "**Sec. 8.**" strike all material
2 through "spaces." on page 11, line 9 and insert the following:

3 "(1) The department of ecology must submit a report to the
4 legislature by December 1, 2014. The report must include a
5 recommendation on the merits of establishing additional tug escort
6 requirements for oil tankers entering state waters.

7 (2) The additional tug escort requirements to be evaluated in the
8 department of ecology's report must include:

9 (a) Whether there is a need for a second escort tug for oil tankers
10 in waters where tug escort is already required by law;

11 (b) Whether there is a need for tug escorts for oil tankers in
12 waters where there are not currently tug escort requirements; and

13 (c) Whether other tug escort requirements are needed for oil
14 tankers entering state waters based on season, adverse weather
15 conditions, and the type of oil being transported by the tanker as
16 defined in RCW 90.56.010.

17 (3) In developing recommendations to include in the report, the
18 department of ecology must:

19 (a) Seek the input of stakeholders, including maritime safety
20 forums such as the Puget Sound, Grays Harbor, and lower Columbia region
21 harbor safety committees;

22 (b) Consider the net benefits to navigational safety of any new tug
23 escort requirements;

24 (c) Consider the data and findings of the 2014 vessel traffic risk
25 assessment completed under the direction of the Puget Sound partnership
26 and maritime experts in evaluating tug escort requirements for vessels
27 in Puget Sound;

28 (d) Consider the data and findings of any draft or final risk
29 assessment studies being performed for vessel traffic on the Columbia
30 river; and

1 (e) Account for the differences between Puget Sound, Grays Harbor,
2 and the Columbia river, including differences in the physical
3 environment, vessel traffic, weather, and other relevant factors, and
4 appropriately account for these unique local circumstances.

5 (4)(a) If the governor approves, after January 1, 2014, a
6 recommendation of the energy facility site evaluation council pursuant
7 to RCW 80.50.100 to certify a facility meeting the criteria listed in
8 RCW 80.50.020(12) (d) or (f), the department of ecology may adopt rules
9 to require the escort of oil tankers by a tug or tugs in the areas
10 listed in RCW 88.16.190(1).

11 (b) The department of ecology may adopt rules to require the escort
12 of oil tankers by a tug or tugs in the areas listed in RCW
13 88.16.190(1)(b)(ii) and (iii) if, after January 1, 2014, the state of
14 Oregon or any local jurisdiction in Oregon makes a final determination
15 or issues a final permit to site or expand a facility in the watershed
16 of the Columbia river meeting the criteria listed in RCW 80.50.020(12)
17 (d) or (f) and which would be required to receive a certification
18 pursuant to RCW 80.50.100 if an identical facility were proposed in
19 Washington.

20 (c) In adopting rules pursuant to this subsection, the department
21 of ecology must fulfill the requirements in subsection (3)(a) through
22 (e) of this section."

23 Correct the title.

EFFECT: Retains a requirement for the Department of Ecology to report to the legislature by December 1, 2014, on the need for new oil tanker tug escort requirements. Makes the Department of Ecology's rule-making authority to adopt new tug escort requirements for oil tankers contingent upon the Governor's approval of the siting or expansion of an oil facility capable of receiving more than 50,000 barrels of oil per day or processing more than 25,000 barrels of oil per day. Authorizes the Department of Ecology to adopt tug escort rules for oil tankers on the Columbia River if Oregon gives final approval to site or expand a 50,000 barrel-per-day oil storage facility or a 25,000 barrel-per-day processing facility. Removes the 2020 expiration date on the Department of Ecology's rule-making authority, and removes rule limitations specific to oil tankers with multiple power and steering systems. In adopting tug escort rules after the siting or expansion of a facility, the department must consult with

stakeholders and consider certain safety and risk factors.

--- END ---