

2SSB 5057 - S AMD TO S AMD (S-2278.4) **208**

By Senators Hargrove, Hatfield

NOT ADOPTED 03/09/2015

1 On page 16, after line 16 of the amendment, insert the
2 following:

3

4 "Sec. 11. RCW 88.16.170 and 1991 c 200 s 601 are each amended
5 to read as follows:

6 (1)(a) Because of the danger of spills, the legislature finds
7 that the transportation of crude oil and refined petroleum products
8 by tankers on the Columbia river, Grays Harbor, and on Puget Sound
9 and adjacent waters creates a great potential hazard to important
10 natural resources of the state and to jobs and incomes dependent on
11 these resources.

12 (b) The legislature recognizes that the Columbia river has many
13 natural obstacles to navigation and shifting navigation channels
14 that create the risk of an oil spill. The legislature also
15 recognizes that Grays Harbor and Puget Sound and adjacent waters are
16 ((a)) relatively confined salt water environments with irregular
17 shorelines and therefore there is a greater than usual likelihood of
18 long-term damage from any large oil spill.

19 (c) The legislature further recognizes that certain areas of the
20 Columbia river, Grays Harbor, and Puget Sound and adjacent waters
21 have limited space for maneuvering a large oil tanker and that these
22 waters contain many natural navigational obstacles as well as a high
23 density of commercial and pleasure boat traffic.

24 (d) For these reasons, it is important that large oil tankers be
25 piloted by highly skilled persons who are familiar with local waters
26 and that such ((tankers)) vessels have sufficient capability for
27 rapid maneuvering responses.

1 (e) It is therefore the intent and purpose of this section and
2 RCW 88.16.180 and 88.16.190 to decrease the likelihood of oil spills
3 on the Columbia river, Grays Harbor, and on Puget Sound and its
4 shorelines by ((requiring all oil tankers above a certain size to
5 employ licensed pilots and to be escorted by a tug or tugs while
6 navigating on certain areas of Puget Sound and adjacent waters))
7 establishing safety requirements that comprehensively address spill
8 risks, which may include the establishment of tug escorts and other
9 measures to mitigate safety risks in certain state waters.

10 (2) The department of ecology may adopt rules to implement this
11 section. These rules may include tug escort requirements and other
12 safety measures for oil tankers of greater than forty thousand
13 deadweight tons, all articulated, tug barges, and other towed
14 waterborne vessels or barges that may apply in the following areas:

15 (a) Within a two-mile radius of the Grays Harbor pilotage
16 district as defined in RCW 88.16.050; or

17 (b) Any inland portion of the Columbia river or within three
18 miles of Cape Disappointment at the mouth of the Columbia river.

19 (3) Prior to proposing draft rules, the department of ecology
20 shall consult with the Washington board of pilotage commissioners,
21 United States coast guard, the Oregon board of maritime pilots, the
22 Grays Harbor and Columbia river harbor safety committees, area
23 tribes, public ports in Oregon and Washington, local governments,
24 and other appropriate entities. The department of ecology may not
25 adopt rules under this section until a vessel traffic risk
26 assessment has been completed for the waters subject to rule making.
27 In order to adopt a rule under this section, the department of
28 ecology must determine that the results of a vessel traffic risk
29 assessment provides evidence that the rules are necessary in order
30 to achieve best achievable protection as defined in RCW 88.46.010.

31 (4) Rules adopted under this section must:

32 (i) Be designed to achieve best achievable protection as
33 defined in RCW 88.46.010;

34

1 (ii) To ensure that any escort tugs used have an aggregate
2 shaft horsepower equivalent to at least five percent of the
3 deadweight tons of the escorted oil tanker or articulated tug barge;
4 and

5 (iii) Ensure that escort tugs have sufficient mechanical
6 capabilities to provide for safe escort.

7 (5) The provisions of this section do not apply to pilotage for
8 enrolled tankers."

9 Renumber the remaining sections consecutively and correct any
10 internal references accordingly.

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EFFECT: Authorizes the department of ecology to adopt safety standards for vessels and barges carrying oil as cargo in Grays Harbor and Columbia river. The rules must be based upon vessel traffic risk assessments.

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By Senator Hargrove

On page 24, line 32 of the title amendment, after "90.56.010,"
insert "88.16.170,"

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