

# HOUSE BILL REPORT

## HB 2603

---

### As Reported by House Committee On: Environment

**Title:** An act relating to distinguishing emissions sources that degrade air quality adjacent to certain port operations.

**Brief Description:** Distinguishing emissions sources that degrade air quality adjacent to certain port operations.

**Sponsors:** Representatives Fey, Jinkins, Sawyer, Wylie and Santos.

#### **Brief History:**

##### **Committee Activity:**

Environment: 1/16/18, 1/25/18 [DP].

#### **Brief Summary of Bill**

- Directs the Department of Ecology, working with the Puget Sound Clean Air Agency, to complete a study distinguishing the emission sources of a certain toxic air pollutant.

---

### HOUSE COMMITTEE ON ENVIRONMENT

**Majority Report:** Do pass. Signed by 5 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Fey, Kagi and McBride.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys and Dye.

**Staff:** Jacob Lipson (786-7196).

#### **Background:**

The Department of Ecology (ECY) and seven local air pollution control authorities (local air authorities) have each received approval from the Environmental Protection Agency (EPA) to administer aspects of the federal Clean Air Act in Washington. Local clean air agencies have primary responsibility for administering the state and federal Clean Air Acts in counties

---

*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.*

which have elected to activate a local air authority or to form a multicounty air authority; in other areas of the state, the ECY is responsible for administering state and federal Clean Air Act programs. The local air authority covering King, Pierce, Kitsap, and Snohomish counties is the Puget Sound Clean Air Agency (PSCAA).

Under the federal Clean Air Act, each state maintains a State Implementation Plan (SIP) that describes how the state implements clean air programs to achieve the federal National Ambient Air Quality Standards (NAAQS) for certain air pollutants, known as criteria pollutants, as well as to limit levels of 187 EPA-identified hazardous air pollutants. The ECY also regulates the emissions of a total of around 400 toxic air pollutants. In 2010 the University of Washington and the PSCAA completed an evaluation of air toxics in the Tacoma and Seattle area.

As a component of the SIP, and in order to carry out various responsibilities delegated to them under the federal Clean Air Act, the ECY and local air authorities operate air monitoring stations. These air monitoring stations are dispersed at locations statewide. According to the information available on the ECY's air monitoring network website, there is an air monitoring station located in Tacoma on the peninsula between the Hylebos and Blair Waterways in Commencement Bay.

The United States Bureau of Transportation Statistics (BTS) compiles information on port operations nationwide, including data on port container traffic. Data from the 2016 Annual Report to Congress by the BTS shows that the Port of Tacoma was the busiest port in Washington as measured by total volume of container throughput, at 2.125 million containers in 2015.

---

**Summary of Bill:**

The ECY, in consultation with the PSCAA, must complete a study to distinguish the source of emissions of the toxic air pollutant posing the greatest cancer risk at the air monitoring station closest to the port with the highest volume of container traffic, as measured by the BTS in the most recent year statistics were available.

The ECY must submit a progress report on the study to the Legislature by January 1, 2021, and must complete and submit the final report by January 1, 2023. The report may be accompanied by recommendations for changes to state law, port operations, or other means by which cancer risks might be reduced from the toxic air pollutant that is the subject of the study.

---

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) It would be helpful to better understand the sources of toxic pollution near the Port of Tacoma. A study that can distinguish sources of diesel pollution would benefit many parties operating near the port, by eliminating their operations as a source of concern, and would also allow future pollution-reduction efforts to be more focused.

(Opposed) None.

**Persons Testifying:** Representative Fey, prime sponsor; Craig Kenworthy, Puget Sound Clean Air Agency; and Stu Clark, Department of Ecology.

**Persons Signed In To Testify But Not Testifying:** None.