

HOUSE BILL REPORT

SSJM 8017

As Passed House:
February 29, 2000

Brief Description: Requesting federal assistance in ensuring pipeline safety.

Sponsors: Senators Spanel, Gardner, Oke, Brown, Swecker, Franklin, Kline, B. Sheldon, Shin, Bauer, Eide, Patterson, Haugen, Costa, Kohl-Welles, Rasmussen, Fairley, McAuliffe, Prentice, Fraser, Goings, Hale and Winsley.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/17/00, 2/22/00 [DP].

Floor Activity:

Passed House: 2/29/00, 97-0.

Brief Summary of Bill

- Substitute Senate Joint Memorial 8017 petitions the President and Congress of the United States to enact legislation amending the federal Pipeline Safety Act that allows states to adopt and enforce standards stricter than federal standards in order to promote pipeline safety.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 13 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Koster, Republican Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Schoesler; Stensen; Sump and Wood.

Staff: Carole Richmond (786-7114).

Background:

The federal Pipeline Safety Act administered by the Office of Pipeline Safety within the U.S. Department of Transportation preempts states from adopting safety standards for interstate pipelines. The federal law allows, however, for state oversight of intrastate pipeline safety. In addition, the laws allows states to seek and accept

designation as federal agents for the purpose of inspecting interstate hazardous liquid pipelines. To date, only four states have received this designation, and, as of the mid-1990s, the federal Office of Pipeline Safety no longer provides delegation of authority to states.

A pipeline accident in June of 1999 cost the lives of three young people in Bellingham, Washington. As a result of this tragedy, Governor Gary Locke convened a task force on pipeline accident prevention and response. The task force issued a set of recommendations in December 1999. Among the Governor's principal recommendations are the following:

- to seek reauthorization of the federal Pipeline Safety Act that either (1) removes the federal pre-emption clause that prevents the state from adopting safety standards for interstate pipelines; or (2) provides additional authority to states for the administration of interstate pipeline safety programs.
- to seek additional funding for state pipeline safety programs.

Summary of Bill:

Substitute Senate Joint Memorial 8017 petitions the President and Congress of the United States to enact legislation amending the federal Pipeline Safety Act that allows states to:

- adopt and enforce standards stricter than federal standards; and
- seek authority to administer and enforce federal pipeline safety standards.

As an interim measure, while Congress considers legislation, the President is petitioned to direct the Office of Pipeline Safety to grant authority to qualified states so that they may enforce federal standards.

Congress is petitioned to increase funding for state pipeline safety programs to:

- assist states in responding to pipeline accident emergencies;
- provide additional support for states with delegated authority to enforce federal standards; and
- the federal Office of Pipeline Safety for additional research and development of technologies related to testing, leak detection, and oversight.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It's important to let Congress know that this Legislature is very supportive of stronger standards of pipeline safety. The biggest deficiencies are at the federal level. This memorial urges Congress to amend legislation, but we also need to pressure the Executive Branch to support the states. The federal Office of Pipeline Safety (OPS) has refused to delegate authority. The OPS only has 55 inspectors nationwide.

Testimony Against: None.

Testified: Senator Harriet Spanel (prime sponsor); Carol Jolly, Governor's Office.