
SUBSTITUTE SENATE JOINT MEMORIAL 8017

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Environmental Quality & Water Resources (originally sponsored by 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)

Read first time 01/31/2000.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF
5 TRANSPORTATION:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, Ensuring the safety of citizens residing near pipelines
10 carrying hazardous substances and protecting the surrounding
11 environment from the deleterious effects of pipeline spills are vital
12 state and local responsibilities, yet the oversight of interstate
13 pipelines has been largely preempted by federal law; and

14 WHEREAS, Several significant pipeline spills have occurred in
15 Washington State in recent years, including a major petroleum spill in
16 the City of Bellingham, resulting in a fire which killed three people
17 and destroyed much of a city park; and

18 WHEREAS, Washington Governor Gary Locke thereafter formed a study
19 team of local and state fuel accident response agencies, which in the
20 course of numerous meetings, briefings, and public hearings learned

1 that current federal oversight of pipeline safety is inadequate in many
2 respects; and

3 WHEREAS, Washington State through its Legislature and Governor are
4 developing a strong, coordinated program of state and local oversight
5 of pipeline safety that will be well integrated with concurrent federal
6 oversight; and

7 WHEREAS, Such a program cannot be fully implemented without action
8 by the Congress and the President to modify existing statutes and
9 provide necessary administrative and budgetary support;

10 NOW, THEREFORE, Your Memorialists respectfully pray that:

11 (1) The Congress enact legislation amending the federal Pipeline
12 Safety Act (49 U.S.C. Section 60101, et seq.) to allow states to adopt
13 and enforce standards stricter than federal standards where to do so
14 would not interfere with interstate commerce;

15 (2) Such Act be further amended to allow states at their option to
16 seek authority to administer and enforce federal pipeline safety
17 standards;

18 (3) As an interim measure pending congressional consideration of
19 such legislative enactments the President direct the federal Office of
20 Pipeline Safety to grant authority to states that qualify to enforce
21 federal standards; and

22 (4) The Congress increase funding to assist states in responding to
23 pipeline accident emergencies, to implement pipeline safety measures,
24 to support states with delegated authority to enforce federal
25 standards, and to the Office of Pipeline Safety for additional research
26 and development of technologies for testing, leak detection, and
27 oversight operations.

28 BE IT RESOLVED, That copies of this Memorial be immediately
29 transmitted to the Honorable William J. Clinton, President of the
30 United States, the Secretary of the United States Department of
31 Transportation, the President of the United States Senate, the Speaker
32 of the House of Representatives, and each member of Congress from the
33 State of Washington.

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