

SENATE BILL REPORT

EHB 1015

As Reported By Senate Committee On:
Environment, Energy & Water, March 29, 2001

Title: An act relating to the use of gasoline additives.

Brief Description: Prohibiting methyl tertiary-butyl ether as a gasoline additive.

Sponsors: By Representatives Pennington, Mielke, Schindler, Ogden, Esser, Ruderman, Linville, Pearson, Ericksen, Morell and Talcott.

Brief History:

Committee Activity: Environment, Energy & Water: 3/23/01, 3/29/01 [DP].

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Majority Report: Do pass.

Signed by Senators Fraser, Chair; Regala, Vice Chair; Eide, Hale, Honeyford, Jacobsen, McDonald, Morton and Patterson.

Staff: Richard Rodger (786-7461)

Background: Methyl tertiary-butyl ether (MTBE) is a volatile oxygen-containing organic compound that is added to gasoline to promote more complete combustion, reduce air pollution, and increase octane ratings. Large scale, national use of the product was started in 1995 with the introduction of reformulated gasoline containing 11-15 percent MTBE by volume.

MTBE is difficult to bio-degrade, readily dissolves in water, and moves through soil and groundwater rapidly. The EPA has tentatively listed MTBE as a possible human carcinogen based upon experiments on animals.

MTBE was used as an oxygenate in approximate 700,000 gallons of gasoline, in the city of Spokane during 1994-95, to assist in reducing air pollution. The main use of MTBE in Washington has been as an octane booster.

Last fall the Department of Ecology (DOE) conducted a study of existing underground storage clean-up sites. The study revealed that nearly 50 percent had some contamination relating to the use of MTBE. Twenty-five percent of the sites exceeded the EPA's national drinking water advisory standard (20 parts per billion). The DOE estimates that there may be more than 800 point sources of MTBE contamination resulting from known leaking underground storage tanks. MTBE has not been detected in any drinking water wells in Washington State.

The U.S. Environmental Protection Agency has begun the process to eliminate MTBE as a fuel oxygenate. The state of California has adopted a ban of MTBE as a gasoline additive, effective December 31, 2002.

Summary of Bill: After December 31, 2003, the intentional addition of methyl tertiary-butyl ether (MTBE) to gasoline, motor fuel, or clean fuel for sale or use is prohibited. MTBE may in no event be present in gasoline above six-tenths of 1 percent by volume.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: MTBE is difficult to bio-degrade and moves through soil and groundwater rapidly. Extremely low concentrations of MTBE in water create a negative odor and taste. The EPA has tentatively listed MTBE as a possible human carcinogen. MTBE was used in Spokane one winter to oxygenate the gasoline in order to reduce air pollution. It has also been used as a gasoline octane booster in Washington State. The Department of Agriculture collects and coordinates the analysis of the contents of gasoline in the state. Prohibiting MTBE will promote the use of other oxygenates, such as Ethanol. Ethanol is a better additive to use, because it decomposes quickly. Ethanol is made from grain, so an MTBE ban that encourages ethanol use creates markets for grain producing agriculture.

Testimony Against: The Department of Agriculture is concerned about funding for their weights and measures program. This program tests the fuels at the gas stations to determine if they contain MTBE. Without funding they will not be able to continue the testing or enforce the provisions of the bill.

Testified: Representative John Pennington, prime sponsor; Representative Gary Chandler (pro); Hertha Lund (pro); Mary Beth Lang, Dept. of Agriculture (concerns).