

# SENATE BILL REPORT

## SHB 1349

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As Reported By Senate Committee On:  
Environment, Energy & Water, March 22, 2001

**Title:** An act relating to funding for removal and disposal of derelict vessels.

**Brief Description:** Authorizing a funding mechanism for removal and disposal of derelict vessels.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Kessler, Buck, Morris, Sehlin, Linville and Rockefeller).

**Brief History:**

**Committee Activity:** Environment, Energy & Water: 3/20/01, 3/22/01 [DP].

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### SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

**Majority Report:** Do pass.

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

**Staff:** Jim Metropulos (786-7784)

**Background:** The number of derelict vessels that have been abandoned by their owners in the state has increased in recent years. These vessels are frequently disposed of by sinking them into deep water. Derelict vessels might contain hazardous wastes that could potentially be released into the environment. The state toxics control account and the local toxics control account were created by the Legislature during the 1988 session and subsequently affirmed by the voters with the passage of Initiative 97, the Model Toxics Control Act, in November 1988. The main purpose of the Model Toxics Control Act is to raise sufficient funds to clean up all hazardous waste sites and to prevent the creation of future hazards due to improper disposal of toxic wastes into the state's land and waters.

The primary source of revenue to the accounts is the hazardous substances tax, a privilege tax on the first possession of hazardous substances in the state. Fifty-three percent of hazardous substance tax receipts are deposited in the local toxics control account and 47 percent of receipts are deposited in the state toxics control account. Revenues to the local toxics control account are estimated to be \$63.0 million for the 1999-01 biennium and \$43.0 million for the 2001-03 biennium.

Moneys deposited in the local toxics control account are used for grants or loans to local governments for the following purposes, in descending order of priority:

- (1) remedial actions to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment, including investigations, health assessments, and monitoring;

- (2) hazardous waste plans and programs;
- (3) solid waste plans and programs; and
- (4) funds for a program to assist in the assessment and cleanup of sites of methamphetamine production.

**Summary of Bill:** Local governments may apply for grants from the local toxics control account for the cleanup and disposal of hazardous substances from abandoned and derelict vessels that pose a threat to human health or the environment. The cleanup of hazardous substances from abandoned and derelict vessels follows remedial actions, hazardous waste planning, solid waste planning, and methamphetamine production site cleanup in funding priority. "Abandoned or derelict vessels" are defined as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The proper disposal of derelict or abandoned vessels is a big problem. The state currently has no procedure to remove derelict vessels or clean up hazardous wastes from these vessels. The bill should be amended to cover the costs of disposing these vessels because if they are allowed to remain, they could be used to store hazardous wastes again.

**Testimony Against:** None.

**Testified:** PRO: Representative Lynn Kessler (prime sponsor); Eric Johnson, Washington Public Ports Association; Bob Sokol, Port of Port Townsend; Bruce Marshall, Port of Olympia; Loren Stern, Department of Natural Resources.