

# SENATE BILL REPORT

## SB 5126

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As Reported By Senate Committee On:  
Environment, Energy & Water, January 23, 2001

**Title:** An act relating to technical and clarifying amendments to the pipeline safety act of 2000.

**Brief Description:** Regarding technical and clarifying amendments to the pipeline safety act of 2000.

**Sponsors:** Senators Spanel, Patterson, Morton, McDonald, Regala, Gardner, Fraser, Rasmussen and Oke.

**Brief History:**

**Committee Activity:** Environment, Energy & Water: 1/19/01, 1/23/01 [DPS].

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### SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass.  
Signed by Senators Fraser, Chair; Regala, Vice Chair; Hale, Honeyford, McDonald and Morton.

**Staff:** Richard Rodger (786-7461)

**Background:** The Legislature recently passed the Washington State Pipeline Safety Act of 2000. That act required the Utilities and Transportation Commission (UTC) to develop and implement a comprehensive hazardous liquid pipeline safety program. The UTC and the Department of Ecology were also required to seek federal authority to act as federal agents to inspect and enforce federal law, and seek authority to adopt safety standards over interstate hazardous liquid pipelines.

The UTC was required to transfer all powers and duties related to hazardous liquid pipelines to Ecology if: (1) the federal interstate pipeline preemption is lifted, or (2) interstate pipeline authority is granted to Ecology. The federal government did grant the state additional inspection authority, but only if the UTC handled this responsibility.

The act also created a new hazardous liquid pipeline safety account for use by Ecology in performing the pipeline inspections. Since the inspection duties remain at the UTC, the account is not used.

**Summary of Substitute Bill:** In response to the federal action, assigning the hazardous liquid pipeline inspection duties to the UTC, references to the Department of Ecology are removed. The statutory provisions transferring the pipeline inspection program are stricken to reflect the fact that the program remains at the UTC. The hazardous liquid pipeline safety account is repealed. Other technical and clarifying changes are made.

**Substitute Bill Compared to Original Bill:** The section that transferred civil penalties for violations of the underground facilities laws into the public service revolving account is removed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** July1, 2001.

**Testimony For:** This bill clarifies that the hazardous liquid pipeline safety program will remain with the UTC in accordance with the federal pipeline inspection authority granted to Washington State. It will also eliminate the associated, unused hazardous liquid pipeline safety account.

**Testimony Against:** The civil penalties for violations of the underground facility laws should not be deposited in the public service revolving account. That account is for the UTC's programs, and the UTC has no jurisdiction over the underground facility program.

**Testified:** Senator Harriet Spanel, prime sponsor; Mark Asmundson, Mayor of Bellingham (pro); Earl Tower, BP Pipeline North America (pro); Dave Ducharme, Utility Contractors Association of Washington (concerns); Duke Schaub, Associated Contractors of Washington (concerns).