

6641-S

Sponsor(s): Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators B. Sheldon, Oke, Spanel, Carlson, Fraser, Shin, Regala, Winsley, Kohl-Welles, Poulsen, Kline, Fairley, Jacobsen, Prentice, Haugen, Berkey, Brown, McAuliffe, Franklin, Rasmussen and Keiser)

Brief Description: Reducing the risk of oil spills and spill damage.

**SB 6641-S - DIGEST**

(DIGEST AS ENACTED)

Recognizes the importance of prevention in obtaining the goal of zero oil spills to waters of the state.

Recognizes that the regulation of oil and fuel transfers on or near waters of the state vary depending on many factors including the type of facility or equipment that is used, the type of products being transferred, where the transfer takes place, and the type of vessels involved in the transfer.

Finds that the department of ecology shall initiate a review of the current statewide marine fueling practices for covered vessels and ships as those terms are defined in RCW 88.46.010.

Directs the department of ecology to work with stakeholders to develop a report describing: (1) The types of fueling practices being employed by covered vessels and ships;

(2) The current spill prevention planning requirements that are applicable under state and federal law for covered vessels and ships; and

(3) The current spill response requirements under state and federal law for covered vessels and ships.

Requires the department of ecology to report recommendations for regulatory improvements for covered vessel and ship fueling.

Requires the department of ecology to deliver the report with its recommendations and findings to the appropriate committees of the legislature by December 15, 2004.

Requires the department to adopt rules as necessary to carry out the provisions of RCW 88.46.160 by June 30, 2006. The rules shall include standards for the circumstances under which containment equipment should be deployed including standards requiring deployment of containment equipment prior to the transfer of oil when determined to be safe and effective by the department. The department may require a person or facility to employ alternative measures including but not limited to automatic shutoff devices and alarms, extra personnel to monitor the transfer, or containment equipment that is deployed quickly and effectively. The standards adopted by rule must be suitable to the specific environmental and operational conditions and characteristics of the facilities that are subject to the standards, and the department must consult with the United States coast guard with the objective of developing state standards that are compatible with federal requirements applicable to the activities covered by this section.

Requires the establishment of a process for immediately

notifying affected tribes of any oil spill.

Provides that the owner or operator for each onshore and offshore facility and any state agency conducting ship refueling or bunkering of more than one million gallons of oil on the waters of the state during any calendar year shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of chapter 90.56 RCW.

Provides that the act shall be null and void if appropriations are not approved.