

ESHB 1449 - S AMD TO S AMD (S-3087.1/15) 451
By Senator Ranker

NOT ADOPTED 4/15/2015

1 Beginning on page 5, line 36 of the amendment, strike all of
2 section 6 and insert the following:

3 "NEW SECTION. **Sec. 6.** A new section is added to chapter 90.56
4 RCW to read as follows:

5 (1)(a) A facility that receives crude oil from a railroad car
6 must provide advance notice to the department that the facility will
7 receive crude oil from a railroad car, as provided in this section.
8 The advance notice must include the route taken to the facility
9 within the state, if known, and the scheduled time, location, volume,
10 place of origin of the crude oil, type, and gravity of crude oil as
11 measured by standards developed by the American petroleum institute.
12 Each week, a facility that provides advance notice under this section
13 must provide the required information regarding the scheduled arrival
14 of railroad cars carrying crude oil to be received by the facility in
15 the succeeding seven-day period. A facility is not required to
16 provide advance notice when there is no receipt of crude oil from a
17 railroad car scheduled for a seven-day period.

18 (b) Twice per year, pipelines must report to the department the
19 following information about the crude oil transported by the pipeline
20 through the state: The volume of crude oil, the type of crude oil,
21 and the types of diluting agents used in the crude oil. This report
22 must be submitted each year by July 31st for the period January 1st
23 through June 30th and by January 31st for the period July 1st through
24 December 31st.

25 (2) The department may share information provided by a facility
26 through the advance notice system established in this section with
27 the state emergency management division and any county, city, tribal,
28 port, or local government emergency response agency upon request.

29 (3) The department must publish information collected under this
30 section on a quarterly basis on the department's internet web site.
31 With respect to the information reported under subsection (1)(a) of
32 this section, the information published by the department must be
33 aggregated on a statewide basis by route through the state, by week,

1 and by type of crude oil. The report may also include other
2 information available to the department including, but not limited
3 to, place of origin of the crude oil, modes of transport, number of
4 railroad cars delivering crude oil, and number and volume of spills
5 during transport and delivery.

6 (4)(a) A facility providing advance notice under this section is
7 not responsible for meeting advance notice time frame requirements
8 under subsection (1) of this section in the event that the schedule
9 of arrivals of railroad cars carrying crude oil changes during a
10 seven-day period.

11 (b) Twice per year, a facility must submit a report to the
12 department that corrects inaccuracies in the advance notices
13 submitted under subsection (1) of this section. The facility is not
14 required to correct in the report any insubstantial discrepancies
15 between actual and scheduled train arrival times. The report must be
16 submitted each year by July 31st for the period January 1st through
17 June 30th and by January 31st for the period July 1st through
18 December 31st.

19 (5) Consistent with the requirements of chapter 42.56 RCW, the
20 department and any state, local, tribal, or public agency that
21 receives information provided under this section may not disclose any
22 such information to the public or to nongovernmental entities that is
23 not aggregated and that contains proprietary, commercial, or
24 financial information. The requirement for aggregating information
25 does not apply when information is shared by the department with
26 emergency response agencies as provided in subsection (2) of this
27 section.

28 (6) The department shall adopt rules to implement this section.
29 The advance notice system required in this section must be consistent
30 with the oil transfer reporting system adopted by the department
31 pursuant to RCW 88.46.165."

EFFECT: Requires place of origin and gravity of crude oil to be provided in advance notice by railroads. Requires pipelines to report twice per year the volume of crude oil, the type of crude oil, and the types of diluting agents used in the crude oil. Facilities are required to correct inaccuracies in advance notices twice per year.

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