

# HOUSE BILL REPORT

## SB 6538

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**As Passed House - Amended:**

March 5, 2002

**Title:** An act relating to ballast water.

**Brief Description:** Establishing the ballast water work group.

**Sponsors:** By Senators Regala, Jacobsen and Oke.

**Brief History:**

**Committee Activity:**

Natural Resources: 2/20/02 [DPA].

**Floor Activity:**

Passed House - Amended: 3/5/02, 97-0.

**Brief Summary of Bill  
(As Amended by House)**

- Requires the Department of Fish and Wildlife (DFW) to establish a ballast water work group to study issues related to ballast water technology; services needed by the industry and the state to protect the marine environment; and costs associated with, and possible funding methods for implementing the ballast water program.
- Directs the DFW to work cooperatively with the United States Coast Guard and the marine exchange to improve the ballast water information system.
- Modifies the date after which discharge of ballast water into waters of the state is authorized only if there has been an open sea exchange or the ballast water has been treated from July 1, 2002, to July 1, 2004.
- Requires the director of the DFW to consider rules adopted by Oregon when adopting rules for ballast water management for the Columbia River system.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass as amended. Signed by 10 members: Representatives Doumit, Chair; Rockefeller, Vice Chair; Sump, Ranking Minority Member; Eickmeyer, Ericksen, Jackley, McDermott, Orcutt, Pearson and Upthegrove.

**Staff:** Bill Lynch (786-7092).

**Background:**

In 2000 the Legislature enacted ballast water management legislation. This measure gave the Department of Fish and Wildlife (DFW) the authority to establish a ballast water reporting program and to develop standards for the discharge of treated ballast water. This bill also included the requirement that after July 1, 2002, nonexempt vessels could only discharge ballast water into waters of the state if they either did an open sea exchange or had treated the ballast water according to the DFW standards.

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**Summary of Amended Bill:**

The DFW is required to establish a ballast water work group consisting of 12 members. The membership of the work group consists of: one person from the Governor's executive policy office to serve as the chair of the work group; two representatives from the Puget Sound steamship operators; two representatives from the Columbia River steamship operators; three representatives from the Washington public ports, one of whom must be a marine engineer; two representatives from the petroleum transportation industry; and two representatives from the environmental community.

The ballast water work group must study the following issues: all issues related to ballast water technology, including exchange and treatment methods and the associated costs; services needed by the industry and the state to protect the marine environment; and costs associated with, and possible funding methods for implementing the ballast water program. The director of the DFW must also monitor the activities of the Oregon task forces on ballast water management and provide the work group with periodic updates of Oregon's efforts. The work group must submit a report to the Legislature by December 15, 2003. Staff support for the work group must come from existing staff at the DFW. The work group is directed to begin its work immediately after the effective date of the legislation. The work group terminates on June 30, 2004.

The date after which discharge of ballast water into waters of the state is authorized only if there has been an open sea exchange or the ballast water has been treated, is modified from July 1, 2002 to July 1, 2004. In adopting rules for ballast water management for the Columbia River system, the director of the DFW must consider the rules adopted by Oregon.

The report that the DFW is required to provide the Legislature in 2004 must describe how the costs of treatment will be substantially equivalent among ports where treatment is required. This report must also describe how Oregon and Washington are coordinating their efforts for ballast water management in the Columbia River system.

The DFW must work cooperatively with the United States Coast Guard and the marine exchanges to improve the ballast water information system, and to make improvements no later than October 1, 2002. The cooperative effort is directed to strive to obtain ballast water reports for the Coast Guard for its management purposes. The DFW must take steps prior to July 1, 2002 to reduce or eliminate the costs of reporting.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** This bill contains an emergency clause and takes effect immediately.

**Testimony For:** Washington is a leader in ballast water management. The treatment technology is not in place yet to meet the original goal of requiring by July 1, 2002, either open sea exchanges or treatment of ballast water before ballast water can be discharged into state waters. There have been strides forward, but this must be done well in order to protect the environment and the industries. Vessels are not able to move dockside easily for treatment of ballast water. It isn't clear if it is better to pump ballast into a barge for treatment or to treat the ballast in the tanks. It isn't possible to dump chlorine in the tanks because it harms the environment when that water is discharged. Better coordination with Oregon and the Coast Guard is important.

**Testimony Against:** None.

**Testified:** Senator Regala, prime sponsor; Rick Wickman, Columbia River Steamship Operators Association; Eric Johnson, Washington Public Ports Association; Randy Rey, Puget Sound Steamship Operators Association; and Morris Barker, Department of Fish and Wildlife.