
Ecology & Parks Committee

HB 2964

Brief Description: Concerning oil spill contingency plan requirements.

Sponsors: Representatives Van De Wege, Williams, Nelson, Simpson and Hasegawa.

Brief Summary of Bill

- Requires a covered vessel or facility to activate an oil spill contingency plan if an oil spill occurs or during any incident or condition that may create a risk that oil or hazardous substances will be discharged.
- Provides steps that must be taken once an oil spill contingency plan is activated.
- Repeals a section of law relating to the reporting of collisions and near misses in waters located within 12 miles of Washington's shoreline.

Hearing Date: 1/26/10

Staff: Jason Callahan (786-7117).

Background:

All covered vessels and facilities are required to have an oil spill contingency plan on file with the Department of Ecology (Department). The contingency plan must meet standards identified by the Department and provide for the containment and cleanup of oil spills into the waters of the state. The contingency plan in a legally binding agreement on the party submitting the plan.

The contingency plan requirements apply to both facilities and covered vessels. A facility is, with a few exceptions, a structure, pipeline, device, or equipment located on or near state waters that transfers oil to or from a vessel or pipeline. A covered vessel is a tank vessel, cargo vessel weighing over 300 gross tons, or passenger vessel weighing over 300 gross tons.

A covered vessel located within 12 miles of the state's coastline is required to notify the United States Coast Guard (USCG) within one hour of becoming disabled, colliding with another vessel, or experiencing a near-miss collision with another vessel. The Department, the Military

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Department, and the USCG are expected to negotiate an agreement that allows state notification of incidents reported to the USCG. From these notifications, the Department must create summaries of reported incidents.

Summary of Bill:

All covered vessels and facilities are required to activate their contingency plans if an oil spill occurs or during any incident or condition that may create a risk that oil or hazardous substances will be discharged. Once the contingency plan is activated, the vessel or facility must contact the federal authorities and the Department as soon as practicable. Contact must also be made with the Emergency Management Division of the Military Department and include an estimate of the maximum most probable volume of oil that is at risk of being spilled.

The activation of the contingency plan requires the vessel or facility to also take three steps that are in addition to the contents of the contingency plan itself. The vessel or facility must assess damage and determine the probability of discharge, develop source control plans, and determine if oil spill response resources will be necessary to protect sensitive environmental areas.

The requirement that covered vessels located within 12 miles of the state's coastline are required to notify the USCG within one hour of becoming disabled, colliding with another vessel, or experiencing a near-miss collision with another vessel is repealed. Also repealed is the corresponding responsibility of the Department to create summaries of reported incidents.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2010.