

SB

273

Alaska State Legislature



During Interim: (June - Dec.)
716 West 4th Avenue, Suite 500
Anchorage, Alaska 99501-2133
(907) 269-0200
Fax (907) 269-0204

During Session: (Jan. - May)
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4993
Fax (907) 465-3872

Senator Drue Pearce

SB 273

Sponsor Statement

2/21/2000

Alaska arguably has the world's best oil spill prevention and response program. However, the current program is limited to vessels that carry oil as cargo (tank vessels), and on-shore oil facilities such as oil wells, pipelines, refineries, and tank farms.

Most of Alaska's oil spills come from carriers that are currently not required to prepare for spill response. Since 1995, 93 spills totaling 5,286 gallons of oil came from regulated vessels and facilities. During this same period, 945 spills totaling 258,000 gallons of oil came from non-regulated carriers. SB 273 will expand the prevention and response program to include larger non-tank vessels and the railroads transporting oil in bulk.

Specifically, non-tank vessels covered by this bill are defined as any watercraft of 300 or greater gross registered tons with an oil storage capacity of more than 6000 gallons. These vessels include larger fishing and processing vessels, cargo and cruise ships, and public vessels engaged in commerce such as the Alaska State Ferries. SB 273 requires these vessels to provide a response plan that will clean up the spill as quickly as possible with minimal damage to the environment. The legislation also requires vessel operators to provide proof of financial ability to respond to damages resulting from a spill.

Recent major oil spills along the Alaska Railroad system and from a large fishing vessel in Dutch Harbor illustrate the need to expand Alaska's oil spill prevention and response program. The railroad, cruise ships, large fishing vessels, container ships, along with Alaska's State Ferries carry large volumes of oil and should be prepared to respond quickly in the case of an spill.

Alaska is the only state on the West Coast that has not extended its contingency plan and financial responsibility laws to include non-tank vessels. In light of recent spills from these vessels in our waters, and from the railroad on our land, it is time to strengthen our oil spill laws. SB 273 will provide a heightened awareness of prevention and response readiness and will reduce the number and consequences of oil spills in the future.

District 18

Representative Brian Porter
Speaker of the House of Representatives
21st Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

February 12, 2000

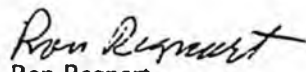
Dear Representative Porter

I am a retired Department of Fish and Game fisheries biologist and a 40 year resident of Alaska. The recent major spills of jet fuel by the Alaska Railroad near the Susitna River prompted a closer examination of this issue. I was astonished to learn of the tremendous quantity of jet fuel being transported over a railroad that suffers from a myriad of engineering problems, especially during the winter.

Hopefully the attached information that I have assembled will provide some useful perspective regarding this issue. This response is triggered by my love for sportfishing and concern over the environmental threat to important fishery and other aquatic resources traversed by the railroad.

I applaud the efforts of the administration and legislature to insure that the Alaska Railroad Corporation develops the necessary fuel prevention and cleanup response plans with oversight and enforcement by the appropriate State agencies.

Sincerely


Ron Regnart
9601 Hillside Drive
Anchorage, AK 99516



Alaska Center for the Environment Valley Office

642 South Alaska Street, Suite 201 • Palmer, Alaska • 99645

(907) 745-8223 • fax (907) 745-8223

E-mail- valley@pobox.alaska.net • <http://www.aecenter.org>

March 3, 2000

Senator Drue Pearce
State Capitol
Juneau, Alaska

of SEN HALFORD

Re: Senate Bill 273.

Dear Senator Pearce:

The Alaska Center for the Environment seeks responsible stewardship for Alaska's natural resources on behalf of over 9,000 members, and the Valley Office works on conservation issues effecting Valley residents.

We would like to thank you for your work on SB 273. We feel positive about this bill, and look forward to working with you as it moves through the legislative process.

During the hearing on Wednesday, I was favorably impressed with the cooperation between the DEC, the Department of Law, the United States Coast Guard, industry groups, and Alaskan attorneys working together to meld a better non-tank vessel and railroad contingency plan bill.

We recognize this bill as a significant step forward for Alaska, and I respectfully urge you to consider the following in further deliberations:

NON-TANK VESSELS:

1. Increase the minimum amounts of approved financial ability to assure that the state will be able to adequately recover damages and cleanup costs from one million to five million dollars per incident of non-persistent oils;
2. Increase the minimum amounts of approved financial ability to assure that the state will be able to adequately recover damages and cleanup costs from five million to 20 million dollars per incident of persistent oils;
3. Do not decrease the response planning criteria below 15%.

RAILROADS:

1. Change the wording from "oil" to "oil and hazardous substance;"

BASIS FOR POSITION:

The Alaska Railroad transports many substances through the railbelt communities that would be considered hazardous substances besides oil:

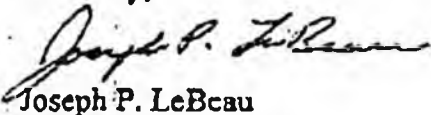
- a. Cyanide;
- b. Strong acids;
- c. Strong bases;
- d. Formaldehyde;
- e. Munitions;
- f. Radioactive substances;
- g. Explosives;
- h. Hazardous wastes;
- i. Poisonous gases and liquids;
- j. Pesticides;
- k. and other hazardous chemicals not listed above that meet the Alaska statutory definition of hazardous substance.

RAILROAD PROOF OF FINANCIAL ABILITY

The dollar amount of financial assurance required for the Alaska railroad seems to be quite low, taking into account that oil spill cleanup costs for the Gold Creek spill have already exceeded five million dollars. I urge you to consider increasing the minimum amount of proof of financial ability to at least ten million dollars for railroads transporting oil and hazardous substances in Alaska for diesels, gasoline and jet fuels being transported through the rail belt.

We support your efforts to improve Alaska's ability to recover costs and damages from non-tank vessel and railroad accidents through SB 273. Thank you for your time and consideration of our position.

Sincerely,



Joseph P. LeBeau
Director

cc: Jeff Richardson Executive Director ACE

AMHS Testimony on SB 273

Thankyou Chairman Halford and Committee Members for giving me an opportunity to testify on this bill.

I would like to start by saying that the Alaska Marine Highway System supports the Legislature's efforts to prevent pollution of the prestine waters of the State of Alaska and to enact legislation to keep these waters clean. Over the 37 years that the Alaska Marine Highway System has served the communities of coastal Alaska, it has had an excellent safety record and made numerous efforts to prevent pollution. The Department of Transportation and Public Facilities has an agreement with the Department of Environmental Conservation to operate vessels of the Alaska Marine Highway System in support of oil spill cleanup activities and operations. In fact, the M/V Kennicott has several features designed into it such as a satellite communications system, command and control center facilities, a helo pad and a small boat docking facility. These features enhance this ship's ability to support a response operation should an emergency be declared under AS 46.03.865 (a).

We currently are members of the Washington State Maritime Cooperative (WSMC) which is an oil spill pollution clean-up organization covering Washington State waters. We have Shipboard Oil Pollution Emergency Plans which meet the requirements of the State of Washington and should meet the requirements for contingency plans under the proposed legislation.

We have summarized all costs of the oil spill response services necessary to meet the requirements of this bill in the Fiscal Note submitted by the Department of transportation and Public Facilities.

In conclusion, Mr. Chairman, the AMHS fully supports this bill. I would be happy to answer any questions. Thank you.

The 470 mile Alaska Railroad that runs between Seward and Fairbanks crosses two major mountain ranges and the Yukon, Susitna and Kenai Rivers, three of the most important salmon producing systems in the State. When construction of the federally owned railroad began in 1915, little concern was given to the effect that railroad operations might have on the area's fish and wildlife resources. Of course very little information was known about the distribution, abundance or biology associated with these resources, especially the fishery resources. Since that time much of this resource information has been obtained, major sport fisheries have developed along the railroad route and powerful locomotives carry long strings of tank cars carrying millions of gallons of petroleum products daily between Fairbanks and Anchorage. The risk of environmental damage associated with these large fuel shipments has been highlighted in recent months by train derailments and resultant major fuel spills near the Susitna River.

This discussion focuses on railway operations north of Anchorage due to the environmental threat associated with the transportation of large volumes of jet fuel. This is not meant to diminish the concern over fishery and other aquatic resources along the route south of Anchorage. There are approximately 36 railway crossings of anadromous fish (migrating from the ocean to spawn in fresh water) streams between Anchorage and Seward that include headwater lakes and streams of the Kenai River system. The valuable sport fisheries for salmon and trout in the Kenai River system account for 25 % of the sport fishing effort in Alaska. The railroad is located within a few hundred feet of portions of Turnagain Arm, Upper and Lower Trail Lakes and Kenai Lake. Until the ARC discloses the kinds and amounts of hazardous substances being transported along this route, the environmental threat is largely unknown.

Legislation establishing the quasi-public Alaska Railroad Corporation (ARC) and its seven member board of directors was signed by Governor Sheffield (currently President of ARC) in 1984 and a year later the railroad became the property of the State of Alaska. According to reports by ARC, the transportation of jet fuel between the North Pole oil refinery near Fairbanks and Anchorage began in 1977. In that year a total of 417 million gallons of jet fuel was transported and was the largest money maker for the railroad accounting for \$21 million in net earnings. It still is the single largest revenue item accounting for about one-third of all freight revenues.

Recent news articles in the Anchorage Daily News stated that at least 76 tank cars, each holding 22,000 gallons of jet fuel, are currently transported to Anchorage each day. This amounts to 1.7 million gallons shipped daily and 610 million gallons shipped yearly.

There are a minimum of 92 railway stream crossings between the North Pole Refinery and Anchorage and at least 51 of these are designated by the Alaska Department of Fish and Game (ADFG) as important for the spawning, rearing or migration of salmon and other species of anadromous fish. Also the majority of the major streams crossed by the railroad contain populations of resident fish species including rainbow trout, Arctic grayling, Dolly Varden, whitefish and burbot.

In addition to these major stream crossings, the railroad travels over many smaller culverted drainages originating from springs, intermittent creeks, beaver ponds and various wetlands. The railroad closely follows the active channels of the Susitna River and one of its major tributaries, the Chulitna River. North of Talkeetna the railroad is often within a few hundred feet from active channels or side sloughs of these rivers.

Streams traversed by the railroad north of Anchorage that support important sport fisheries include the Chena River (Yukon River), Susitna River, Little Susitna River and several streams flowing into Knik Arm. The ADFG estimates that sport fishing effort in the Susitna and Little Susitna River systems average over 250,000 angler days annually. Sport fishermen harvest more than 100,000 salmon (mostly kings and cohos) and 12,000 resident fish species (mostly rainbow trout and grayling) during some years in these two river systems. The economic value of just the king and coho salmon fisheries in these two rivers in 1986 was estimated to be nearly \$8 million. Salmon migrating to streams traversed by the railroad are also harvested by commercial and subsistence fishermen in the Yukon River and Cook Inlet.

The Susitna River king salmon run is considered to be the fourth largest in the State. Based on a variety of counting methods, the total run probably exceeds 100,000 fish some years. Aerial survey counts of as many as 36,000 and 39,000 spawning king salmon have been obtained for the eastside and westside Susitna tributaries, respectively. Annual sonar counts as high as 340,000 and weir counts of 85,000 sockeye salmon have been made in the Yetna and Chelatna Rivers, respectively, which are westside Susitna tributaries.

Two of the recent jet fuel spills, 8500 gallons on October 31 and 126,000 gallons on December 22 of last year, occurred in one of the remotest sections of the railroad about 40 miles north of Talkeetna. The cause of the October 31 train derailment and spill was reported to be due to the use of undersized locomotive hitches. Several dead juvenile coho salmon were found in a beaver pond which was covered by jet fuel. This pond is a tributary of Indian River, an important salmon spawning stream. As reported in the Anchorage Daily News, the larger December 3rd Gold Creek spill near the Susitna River was caused by an ice berm that derailed three locomotives and 15 tank cars. A more recent spill of 2,300 gallons of diesel fuel occurred February 1 in the Anchorage maintenance yard and was caused by human error.

Earlier documented spills include 50,000 gallons of jet fuel in 1982 and 100,000 gallons of diesel fuel in 1990 between Fairbanks and Nenana. The record of railroad spills of hazardous substances is incomplete but many spills ranging from 5 to 1,800 gallons of gasoline, diesel fuel and lubricating oil are documented.

The ARC has demonstrated its inability to promptly and successfully cleanup major spills. After the 126,000 gallon spill near Gold Creek it took cleanup crews 2 days to reach the site, removal of contaminated snow was not begun until 14 days after the spill and after 16 days only about 20 gallons of fuel had been pumped into recovery tanks. Drilled recovery holes revealed that the fuel had penetrated 30 feet of soil to the underground water table.

A 1986 report by the Alaska Department of Natural Resources cited permafrost and engineering problems facing the railroad between Fairbanks and Anchorage. Over one-half of this rail segment lies within the discontinuous permafrost zone. Permafrost melting can cause weakening or slumping of the track roadbed. Frequent frost heaving due to excessive underlying ground water requires portions of the track to be heavily shimmed. Track icings can suddenly occur requiring prompt attention as icings of only one or two inches can cause train derailments. Floods caused by high stream discharges or culvert blockages by beaver dams can erode or wash out the roadbed. Snow and rock avalanches are other railroad hazards. Although the railway system has been substantially upgraded by the ARC in recent years, the recent derailments and fuel spills indicate that some of these engineering problems persist. A small-diameter conventional pipeline, similar to the one proposed by the Denali Pipeline Company in 1983, might have been a better alternative for transporting petroleum products over this long and hazardous route.

Studies conducted by ADFG during the 1980's in conjunction with a proposed hydroelectric project established the importance of the mainstem Susitna as fish habitat. Salmon were found spawning in the main Susitna River channels and side sloughs upstream of Talkeetna. Several spawning sites occurred in the immediate vicinity and downstream of the Gold Creek spill. These studies also revealed that the drastic stream flow reductions in the fall trigger the downstream movement of fish from tributary streams into the main river channels and sloughs. Over 40 years of stream gauge information on the Susitna River at Gold Creek shows that the mean monthly summer (June-August) flows of 21,000 - 27,000 cubic ft. per second (cfs) decline to 1,300 - 1,900 cfs during winter (December-April). The low, but stable flows, in the main river channels and sloughs, which often is enhanced by warmer upwelling ground water, constitutes vital winter habitat for incubating salmon eggs in addition to juvenile king and coho salmon and several species of resident fish including rainbow trout and Arctic grayling. Due to cold temperatures, low stream flows, low oxygen levels and diminished feeding, fish become stressed and are probably more susceptible to pollution during the winter. Also fish sometimes become concentrated and confined to small discontinuous water bodies during low flows which limits their movements and ability to avoid pollutants.

Undeniably the ARC is a important transportation link and a valuable asset for the State of Alaska. But it needs to do a much better job in preventing the discharge of petroleum products and other hazardous substances. The railroad has become a rolling pipeline and, because of its close proximity to streams and lakes, spills of hazardous petroleum products have a high probability of reaching aquatic habitats even when the most efficient and prompt recovery efforts are made. Once hazardous hydrocarbons are in the ground or water the damage is already done. Cleanup is slow, costly and rarely complete. While improved recovery efforts must be made, prevention is the key to protecting water quality and aquatic environments. It is painfully ironic that while showcasing Alaska's wonderful scenery and rich natural resources for thousands of visiting tourists, the ARC is polluting the environment over which it travels.

The ARC should provide a public accounting of the volumes and types of petroleum and

other hazardous substances it transports along with projections of future transports. Unknown quantities of hazardous chemicals carried by the railroad include cyanide, lime and ammonium nitrate. Past spills and recovery efforts need to be documented. Immediate and positive steps need to be taken to halt spills including regular inspections of tracks and equipment to avoid derailments. The ARC needs a better response plan with trained personnel and recovery equipment ready to be immediately moved to a spill site. Spill prevention and recovery procedures need public scrutiny in addition to the approval and enforcement by appropriate State regulatory agencies. Finally, the ARC should take an active role in assisting with the monitoring of water quality and the health of fish and aquatic resources that are affected by its operations.

FISCAL NOTE

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

BILL NO. SB 273

Revision Date/Time (Note if correction) _____	Dept. Affected <u>DOT&PF</u>
Title <u>"An Act requiring oil discharge prevention and contingency plans,..."</u>	BRU <u>Marine Highway System</u>
Sponsor <u>Senator Pearce</u>	Component <u>Southeast & Southwest</u>
Requester <u>Senate Resources</u>	Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual	125.0	125.0	125.0	125.0	125.0	125.0
Supplies						
Equipment						
Land & Structures -						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	125.0	125.0	125.0	125.0	125.0	125.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other: Oil Spill Response Fund	125.0	125.0	125.0	125.0	125.0	125.0
TOTAL	125.0	125.0	125.0	125.0	125.0	125.0

Estimate of any current year (FY00) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This represents the estimated cost to the Alaska Marine Highway System to contract for oil spill response services to meet the requirements of this bill.

Prepared by <u>Dennis Poshard, Special Assistant to the Commissioner</u>	Phone <u>465-3904</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>2/18/00 2:21 PM</u>
Approved by <u>Commissioner</u>	Date _____
Agency <u>Joseph L. Perkins, DOT&RF</u>	

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SB 273

Revision Date/Time (Note if correction) _____ Dept. Affected: Environmental Conservation
 Title "An Act requiring oil discharge prevention BRU Spill Prevention & Response
and contingency plans...for non-tank vessels and railroad..." Component Industry Preparedness & Pipeline Program
 Sponsor Senator Pearce
 Requester Senate Resources Component No. 1922

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services	168.5	168.5	168.5	168.5	168.5	168.5
Travel	19.8	19.8	19.8	19.8	19.8	19.8
Contractual	127.7	37.7	37.7	37.7	37.7	37.7
Supplies	3.3	3.3	3.3	3.3	3.3	3.3
Equipment	19.5	3.7	3.7	3.7	3.7	3.7
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	338.8	233.0	233.0	233.0	233.0	233.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type) 1052 Oil/Haz FD	338.8	233.0	233.0	233.0	233.0	233.0
TOTAL	338.8	233.0	233.0	233.0	233.0	233.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time	3	3	3	3	3	3
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Fiscal Impact: Three (3) full time positions will be required to draft and administer regulations for approximately 50 new nontank vessel operators and railroads. Two Environmental Specialists III will be located in Anchorage to initially develop regulations, and will then subsequently review and approve individual oil discharge prevention and contingency plans, inspect vessels and railroad facilities, and conduct and evaluate spill response drills. One Environmental Specialist II in Juneau will initially assist in developing regulations, and will subsequently review financial responsibility documentation and maintain the associated database, and conduct southeast vessel inspections. During the first year, \$90.0 for professional services contracts is included to assist in the negotiated rule making process and technical issues associated with the regulations. Other contractual funds cover position support costs and technical assistance with inspections and spill response drills.

Economic Impact: This bill will require some operators to incur additional costs for oil spill response equipment, contracts with spill response organizations if they are not already voluntarily meeting the regulatory standard, and costs to obtain and demonstrate proof of financial responsibility.

Prepared by: Larry Dietrick Phone 465-5250
 Division SPAR Date/Time 2/18/00 5:35 PM
 Approved by: Commissioner *Ken Foshier* Date 2-19-00
 Agency Department of Environmental Conservation

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

Personal Services Component Summary

FY: 2001

Scenario: FY2001 Legislative Fiscal Note Info

BRU: Spill Prevention and Response

Department: Environ Conservation

Component: Industry Prep. & Pipeline Op. (1922)

Line 100 Summary:

Salaries:	125,796
Benefits:	42,711
Premium Pay:	0
COLA:	0
Pre-vacancy total:	168,507
Minus 0.00% vacancy:	(0)
Post-vacancy total:	168,507
Lump sum prem. pay:	0
Total Line 100:	168,507

Active Positions:

	Existing	New	Transferred In	Total Positions
Full Time:	0	3	0	3
Part Time:	0	0	0	0
Non-Perm:	0	0	0	0
Total:	0	3	0	3

Inactive Positions:

	Deleted	Transferred Out
Full Time:	0	0
Part Time:	0	0
Non-Perm:	0	0
Total:	0	0

Split Positions:

	Counted	Not Counted	Total Splits
Full Time:	0	0	0
Part Time:	0	0	0
Non-Perm:	0	0	0
Total:	0	0	0

Change Record Total: 0.0

Total Component Months: 36.0

Component PCN Funding Summary:

	Amount	w/Vacancy
1004 General Fund Receipts	168,507	168,507
	168,507	168,507

Component PCN Summary:

PCN	Status	Job Title	Rng	Stp	BU	Pos	Split	Location	Mths	Salary	Prem	COLA	Benes	Total
18-#004	N	[No job title provided]	18	A	GG	FT		Anchorage	12.0	43,860	0	0	14,617	58,477
18-#005	N	[No job title provided]	16	A	GG	FT		Juneau	12.0	38,076	0	0	13,477	51,553
18-#006	N	[No job title provided]	18	A	GG	FT		Anchorage	12.0	43,860	0	0	14,617	58,477

Status Key: N=New D=Deleted TI=Transferred-in TO=Transferred-out

Position Detail:

Position Status: New	Budgeted Months: 12.0
Bargaining Unit: GG General Gov't Employees	Component Months: 12.0
Class: #0018 [No Job Title Provided]	Merit Date: none
Location: EBA Anchorage	Salary Change Date: none
Position Type: FACL Full Time	Calculation Method: Monthly - Steps and Months
Retirement: A PERS Other	Range / Step 1: 18 A 3,655.00/mth. for 12.0 mths.
Salary Schedule: 1A BASE	Range / Step 2:
Strike Class: 1	
Overtime Eligible: Yes	Total Salary: 43,860
Position Frozen: No	Total Premium Pay: 0
Position Split: No	Total Benefits: 14,617
Project:	Total COLA: 0
Region:	Total Position Cost: 58,477

Premium Pay:

Overtime Pay: 0.00 Hours: 0.00	Higher Class Pay: 0.00
Graveyard Pay: 0.00 Mths: 0.00	Standby Pay: 0.00
Swing Shift Pay: 0.00 Mths: 0.00	Subsistence Pay: 0.00
Hazardous Pay: 0.00	Additional Pay: 0.00
Seaduty Pay: 0.00	Total Premium Pay: 0

Benefits:

<u>Department Benefits:</u> FULL	<u>Statewide Benefits:</u> FULL
Leave Cash-in: 1.36% = 596.50	Health Insurance: 488.50 / Mth. = 5,862.00 / Yr.
Risk Management: 0.82% = 359.65	Life Insurance: 1.54 / Mth. = 18.48 / Yr.
Unemployment Insurance: 0.42% = 184.21	Legal Trust Fund: 8.00 / Mth. = 96.00 / Yr.
Term Leave: 1.88% = 824.57	<u>Total Statewide Benefits:</u> 498.04 / Mth. = 5,976.48 / Yr.
Short Term Non Perm: 0.00% = 0.00	<u>SBS Benefits:</u> FULL
Unique Rate: 0.00% = 0.00	Supplement Benefits: 6.13% = 2,688.62
Bargaining Unit Override Rate: 0.00% = 0.00	<u>Medicare Deduction:</u> FULL
<u>Total Department Benefits:</u> 4.48% = 1,964.93	Medicare Cost: 1.00% = 438.60
<u>Retirement Benefit:</u> FULL	<u>Total Benefits:</u> 14,617
Retirement Benefit: 8.09% = 3,548.27	

Notes: [none]

Position Justification:

Funding Detail:	Percent	Amount
1004 General Fund Receipts	100.00%	58,477.00
Total Funding:	100.00%	58,477.00

Position Detail:

Position Status: New
 Bargaining Unit: GG General Gov't Employees
 Class: #0016 [No Job Title Provided]
 Location: AWA Juneau
 Position Type: FACL Full Time
 Retirement: A PERS Other
 Salary Schedule: 1A BASE
 Strike Class: 1
 Overtime Eligible: Yes
 Position Frozen: No
 Position Split: No
 Project:
 Region:

Budgeted Months: 12.0
 Component Months: 12.0
 Merit Date: none
 Salary Change Date: none
 Calculation Method: Monthly - Steps and Months
 Range / Step 1: 16 A 3,173.00/mth. for 12.0 mths.
 Range / Step 2:
 Total Salary: 38,076
 Total Premium Pay: 0
 Total Benefits: 13,477
 Total COLA: 0
 Total Position Cost: 51,553

Premium Pay:

Overtime Pay: 0.00 Hours: 0.00
 Graveyard Pay: 0.00 Mths: 0.00
 Swing Shift Pay: 0.00 Mths: 0.00
 Hazardous Pay: 0.00
 Seaduty Pay: 0.00

Higher Class Pay: 0.00
 Standby Pay: 0.00
 Subsistence Pay: 0.00
 Additional Pay: 0.00
 Total Premium Pay: 0

Benefits:

Department Benefits: FULL
 Leave Cash-In: 1.36% = 517.83
 Risk Management: 0.82% = 312.22
 Unemployment Insurance: 0.42% = 159.92
 Term Leave: 1.88% = 715.83
 Short Term Non Perm: 0.00% = 0.00
 Unique Rate: 0.00% = 0.00
 Bargaining Unit Override Rate: 0.00% = 0.00
 Total Department Benefits: 4.48% = 1,705.80
 Retirement Benefit: FULL
 Retirement Benefit: 8.09% = 3,080.35

Statewide Benefit: FULL
 Health Insurance: 488.50 / Mth. = 5,862.00 / Yr.
 Life Insurance: 1.54 / Mth. = 18.48 / Yr.
 Legal Trust Fund: 8.00 / Mth. = 96.00 / Yr.
 Total Statewide Benefits: 498.04 / Mth. = 5,976.48 / Yr.
 SBS Benefits: FULL
 Supplement Benefits: 6.13% = 2,334.06
 Medicare Deduction: FULL
 Medicare Cost: 1.00% = 380.76
 Total Benefits: 13,477

Notes: [none]

Position Justification:

Funding Detail:

	Percent	Amount
1004 General Fund Receipts	100.00%	51,553.00
Total Funding:	100.00%	51,553.00

Position Detail:

Position Status: New	Budgeted Months: 12.0
Bargaining Unit: GG General Gov't Employees	Component Months: 12.0
Class: #0018 [No Job Title Provided]	Merit Date: none
Location: EBA Anchorage	Salary Change Date: none
Position Type: FACL Full Time	Calculation Method: Monthly - Steps and Months
Retirement: A PERS Other	Range / Step 1: 18 A 3,655.00/mth. for 12.0 mths.
Salary Schedule: 1A BASE	Range / Step 2:
Strike Class: 1	
Overtime Eligible: Yes	Total Salary: 43,860
Position Frozen: No	Total Premium Pay: 0
Position Split: No	Total Benefits: 14,617
Project:	Total COLA: 0
Region:	Total Position Cost: 58,477

Premium Pay:

Overtime Pay: 0.00 Hours: 0.00	Higher Class Pay: 0.00
Graveyard Pay: 0.00 Mths: 0.00	Standby Pay: 0.00
Swing Shift Pay: 0.00 Mths: 0.00	Subsistence Pay: 0.00
Hazardous Pay: 0.00	Additional Pay: 0.00
Seaduty Pay: 0.00	Total Premium Pay: 0

Benefits:

<u>Department Benefits:</u>	<u>FULL</u>
Leave Cash-In: 1.36% =	596.50
Risk Management: 0.82% =	359.65
Unemployment Insurance: 0.42% =	184.21
Term Leave: 1.88% =	824.57
Short Term Non Perm: 0.00% =	0.00
Unique Rate: 0.00% =	0.00
Bargaining Unit Override Rate: 0.00% =	0.00
Total Department Benefits:	1,964.93
<u>Retirement Benefit:</u>	<u>FULL</u>
Retirement Benefit: 8.09% =	3,548.27

<u>Statewide Benefits:</u>	<u>FULL</u>
Health Insurance: 488.50 / Mth.=	5,862.00/ Yr.
Life Insurance: 1.54 / Mth.=	18.48/ Yr.
Legal Trust Fund: 8.00 / Mth.=	96.00/ Yr.
Total Statewide Benefits:	498.04 / Mth.= 5,976.48 / Yr.

<u>SBS Benefits:</u>	<u>FULL</u>
Supplement Benefits: 6.13% =	2,688.62

<u>Medicare Deduction:</u>	<u>FULL</u>
Medicare Cost: 1.00% =	438.60

Total Benefits: 14,617

Notes: [none]

Position Justification:

Funding Detail:

	Percent	Amount
1004 General Fund Receipts	100.00%	58,477.00
Total Funding:	100.00%	58,477.00

FISCAL NOTE

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

BILL NO. SB 273

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title oil discharge prevention and contingency plans BRU _____
 Component _____
 Sponsor Senator Drue Pearce _____
 Requester (S) Res _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 273 will create no fiscal impact to the state's general fund. However, the Alaska Railroad Corporation will incur a fiscal impact. Information attached

Prepared by: Wendy Lindskoog Phone 265-2498
 Division _____ Date/Time 2/19/00 4:48 PM
 Approved by Commissioner [Signature] Date 2/22/00
 Agency _____

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

SB 273: By Senator Drue Pearce

Alaska Railroad Corporation Financial Responsibility:

Over the last several years, the Alaska Railroad corporation has had in place two \$10,000,000 lines of credit. One to meet self insurance requirements and one to meet operational requirements. These credit lines are with two separate national banks. They are currently for one year and are renewable annually. At this time, the lines of credit are whole and have not been drawn on.

The proposed legislation would require the Alaska Railroad to have proof of financial responsibility to respond to damages of approximately \$5,450,000. This amount is derived from a maximum of 100 tank cars per train, multiplied by 545 barrels per tank car, multiplied by \$100 per barrel. Typically, an Alaska Railroad fuel train pulls approximately 70 car loads of fuel.

It is the railroad's intent to use a portion of an existing line of credit as proof of financial ability.

The Alaska Railroad also estimates the following cost for oil discharge prevention and contingency plans:

- 1) Contingency plan development: \$250,000
Includes mapping, environmental assessment, response needs (personnel and equipment), public involvement, agency review
- 2) Risk assessment: \$400,000
Includes risk assessment and recommendations by consultants and public review
- 3) Contingency plan implementation: \$1,000,000 – first year, \$750,000 – subsequent years
Assumes cost of equipment, personnel, training, drills annually

1-LS1464D
Chenoweth
3/3/00

SRES

CS FOR SENATE BILL NO. 273()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring oil discharge prevention and contingency plans and proof of
2 financial responsibility for nontank vessels and railroad tank cars; authorizing
3 inspection of nontank vessels and trains; and providing for an effective date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 46.04 is amended by adding a new section to read:

6 Sec. 46.04.055. Nontank vessels and railroad tank cars. (a) A person may
7 not cause or permit the operation of a nontank vessel within the waters of the state or
8 cause or permit the transfer of oil to or from a nontank vessel unless

9 (1) effective June 1, 2001, an oil discharge prevention and contingency
10 plan has been approved by the department and the person is in compliance with the
11 plan; a plan under this paragraph is subject to the requirements of AS 46.04.030; and

12 (2) the person has furnished to the department and the department has
13 approved proof of financial ability to respond to damages meeting the requirements of
14 AS 46.04.040; proof of financial responsibility required under this paragraph is subject

L

1 to adjustment of dollar amounts under AS 46.04.045 and is established, for a nontank
2 vessel that carries

3 (A) persistent product as fuel or in bulk, at \$300 per incident
4 for each barrel of persistent product storage capacity or \$5,000,000, whichever
5 is greater; and

6 (B) nonpersistent product, at \$100 per incident for each barrel
7 of nonpersistent product storage capacity or \$1,000,000, whichever is greater.

8 (b) A person may not transport oil by railroad tank car or cause or permit the
9 transfer of oil to or from a railroad tank car unless

10 (1) effective June 1, 2001, an oil discharge prevention and contingency
11 plan has been approved by the department and the person is in compliance with the
12 plan; a plan under this paragraph is subject to the requirements of AS 46.04.030; and

13 (2) the person has furnished to the department and the department has
14 approved proof of financial ability to respond to damages meeting the requirements of
15 AS 46.04.040; proof of financial responsibility required under this paragraph is subject
16 to adjustment of dollar amounts under AS 46.04.045 and is established at

17 (A) \$300 per incident for each barrel of persistent product based
18 on the maximum amount of persistent product storage capacity of any train on
19 the railroad; and

20 (B) \$100 per incident for each barrel of nonpersistent product
21 based upon the maximum amount of nonpersistent product storage capacity of
22 any train on the railroad or \$1,000,000, whichever is greater.

23 (c) Effective June 1, 2001, for purposes of AS 46.04.030(k), response planning
24 standards apply to nontank vessels and railroad tank cars as follows:

25 (1) for a nontank vessel contingency plan required by (a)(1) of this
26 section,

27 (A) containment and control of 15 percent of the maximum oil
28 capacity of the nontank vessel within 48 hours; and

29 (B) cleanup of the discharge within the shortest possible time
30 consistent with minimizing damage to the environment;

31 (2) for a railroad tank car contingency plan required by (b)(1) of this

1 section,

2 (A) containment and control of 15 percent of the maximum oil
3 capacity of a train on the railroad within 48 hours; and

4 (B) cleanup of the discharge within the shortest possible time
5 consistent with minimizing damage to the environment.

6 (d) Notwithstanding the requirements of AS 46.04.040(1) and AS 46.04.047,
7 for purposes of (a)(2) and (b)(2) of this section, an applicant may provide evidence of
8 financial responsibility provided by an insurer or other person who does not agree to
9 be subject to direct action in state courts or to appoint an agent for service of process.

10 (e) The requirements of (a) - (d) of this section do not apply to a nontank
11 vessel operating in the waters of the state if the nontank vessel

12 (1) is engaged in innocent passage; for purposes of this paragraph, a
13 nontank vessel is engaged in innocent passage if its operation in state waters would
14 constitute innocent passage under either the Convention on the Territorial Sea and the
15 Contiguous Zone, April 29, 1958, 15 U.S.T. 1606, or the United Nations Convention
16 on the Law of the Sea 1982, December 10, 1982, U.N. Publication No. E 83.V.5, 21
17 I.L.M. 1261 (1982);

18 (2) enters state waters because of imminent danger to the crew, or in
19 an effort to prevent an oil spill or other harm to public safety or the environment, and
20 are inapplicable only until the vessel is able to leave state waters as soon as it may do
21 so without imminent risk of harm to the crew, public safety, or the environment; or

22 (3) enters state waters after the United States Coast Guard has
23 determined that the vessel is in distress, and are inapplicable only until the vessel is
24 able to leave state waters as soon as it may do so without imminent risk of harm to
25 the crew, public safety, or the environment.

26 (f) In place of the requirements of (a)(1), (b)(1), and (c)(1) of this section, the
27 department may adopt regulations by negotiated regulation making under AS 44.62.710
28 - 44.62.800 to provide for alternative means to obtain equivalent levels of spill
29 prevention and response, including the use of fleet plans, membership in a nonprofit
30 corporation that is a primary response action contractor and a contingency plan holder,
31 and spill prevention measures.

1 * Sec. 2. AS 46.04.060 is amended to read:

2 **Sec. 46.04.060. Inspections.** (a) In addition to other rights of access or
3 inspection conferred upon the department by law or otherwise, the department may at
4 reasonable times and in a safe manner enter and inspect oil terminal facilities,
5 pipelines, exploration and production facilities, tank vessels, nontank vessels, trains,
6 and oil barges in order to

7 (1) ensure compliance with the provisions of this chapter; or

8 (2) participate in an examination of the structural integrity and the
9 operating and mechanical systems of those vessels, barges, trains, pipelines, and
10 facilities by federal and state agencies with jurisdiction.

11 (b) When the department determines that no federal or state agencies with
12 jurisdiction are performing timely and adequate inspections of an oil terminal facility,
13 pipeline, exploration or production facility, tank vessel, nontank vessel, train, or oil
14 barge, it may perform its own inspection of the structural integrity and operating and
15 mechanical systems of a facility, pipeline, tank vessel, nontank vessel, train, or oil
16 barge by using personnel with qualifications in the areas being inspected.

17 * Sec. 3. AS 46.04.060 is amended by adding a new subsection to read:

18 (c) For purposes of this section, "train" includes tracks, associated facilities,
19 and operations.

20 * Sec. 4. AS 46.04.900(12) is amended to read:

21 (12) "oil terminal facility" means an onshore or offshore facility of any
22 kind, and related appurtenances, including but not limited to a deepwater port, bulk
23 storage facility, or marina, located in, on, or under the surface of the land or waters
24 of the state, including tide and submerged land, that [WHICH] is used for the purpose
25 of transferring, processing, refining, or storing oil; a vessel, other than a nontank
26 vessel, is considered an oil terminal facility only when it is used to make a ship-to-ship
27 transfer of oil, and when it is traveling between the place of the ship-to-ship transfer
28 of oil and an oil terminal facility;

29 * Sec. 5. AS 46.04.900(21) is amended to read:

30 (21) "vessel" includes tank vessels, [AND] oil barges, and nontank
31 vessels:

1 * Sec. 6. AS 46.04.900 is amended to add new paragraphs to read:

2 (24) "nonpersistent product" has the meaning given to "non-persistent
3 or Group I oil" in 33 C.F.R. 155.1020;

4 (25) "nontank vessel" means a self-propelled watercraft of 300 gross
5 registered tons or greater; in this paragraph, "watercraft" includes commercial fishing
6 vessels, commercial fish processor vessels, passenger vessels, and cargo vessels, but
7 does not include a tank vessel, oil barge, or public vessel;

8 (26) "persistent product" has the meaning given to "persistent oil" in
9 33 C.F.R. 155.1020;

10 (27) "public vessel" means a vessel that is operated by and is either
11 owned or bareboat chartered by the United States, a state or a political subdivision of
12 that state, or a foreign nation, except when the vessel is engaged in commerce;

13 (28) "railroad tank car" means rolling stock used to transport oil in bulk
14 as cargo by rail;

15 (29) "train" means connected rolling stock operated as a single moving
16 vehicle on rails; for purposes of this paragraph, "connected rolling stock" includes
17 railroad tank cars.

18 * Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section
19 to read:

20 TRANSITIONAL PROVISIONS: REGULATIONS. (a) The Department of
21 Environmental Conservation may proceed to adopt regulations necessary to implement the
22 changes made by this Act. The regulations take effect under AS 44.62 (Administrative
23 Procedure Act), but not before the effective date of secs. 1 - 6 of this Act.

24 (b) If, under AS 46.04.055(f), added by sec. 1 of this Act, the Department of
25 Environmental Conservation adopts regulations by negotiated regulation making under
26 AS 44.62.710 - 44.62.800, or if, notwithstanding the authority provided in AS 46.04.055(f),
27 the Department of Environmental Conservation, using negotiated regulation making under
28 AS 44.62.710 - 44.62.800, adopts regulations to implement, interpret, or make specific the
29 requirements of the provisions added or amended by this Act, the Department of
30 Environmental Conservation shall provide to the members of the legislature, if in session, or
31 to the legislative council if the legislature is not in session, a comprehensive report

- 1 summarizing the activities undertaken to adopt the regulations using the negotiated regulation
- 2 making process authorized by AS 44.62.710 - 44.62.800.
- 3 * Sec. 8. Section 7 of this Act takes effect immediately under AS 01.10.070(c).
- 4 * Sec. 9. Except as provided in sec. 8 of this Act, this Act takes effect September 1, 2000.



Alaska Steamship Association

234 Gold Street • Juneau, Alaska 99801
(907) 586-3107 • Fax (907) 586-0165

March 19, 2000

The Honorable Rick Halford
Alaska State Senate
State Capitol Building
Juneau, Alaska 99801

Re: Senate Bill 273

Dear Senator Halford:

The Alaska Steamship Association (ASA) offers the following comments relative to SB – 273. Before doing so, we would like to acknowledge the work of Senator Pearce and Pat Carter and on this bill. The Senator and Pat have listened to our concerns to date in several work sessions, and accommodated us where they could.

SB – 273 would bring non-tank vessels under the oil spill contingency planning and response requirements that currently apply to tank vessels. In so doing, it closes a gap in existing state law, and a perceived gap in federal law. Many of the member companies (cargo, container and cruise) in ASA operate non-tank vessels, and thus we are directly impacted by the proposed legislation. Our members also provide maritime transportation services to the Alaskan timber, mining, and fishing industries.

As we learn more about the bill's consequences for our industry and those we serve, we will bring that knowledge to the legislature; with the hope that this bill can be improved wherever warranted. We intend to keep the bill's sponsor fully informed along the way, and to continue to work cooperatively with her.

Our ongoing specific concerns are:

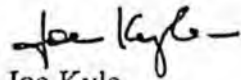
- the devil is in the detail in this legislation, and the bill leaves many of our concerns up to the Department of Environmental Conservation (DEC) to address through the negotiated regulation process;
- the additional financial burden this bill place on us, over and above what we already bear under existing federal statute, is not clear;

- the practical impact of this bill is that we will be forced to join the only statewide coop in place at this time, CHADUX;
- to our knowledge, CHADUX does not have the equipment that may be required to respond to spills of the persistent oils that many of our cargo vessels carry as bunkers;
- we do not know how this bill will affect the costs or availability of services we provide to remote areas of the state to service the timber, mining, and fishing industries;
- how the recent U.S. Supreme Court decision regarding the *Intertanko* case impacts DEC and the *neg reg* process is unclear, and lastly;
- we are anxious that the construct of this bill brings us under the existing statutory language that applies to tank vessels, an altogether different kettle of fish than non-tank vessels.

We acknowledge that DEC has publicly pledged to be reasonable with us as it adheres to the *neg reg* process to bring us into compliance, but we remain anxious. Regarding financial impacts for our customers and us, we are working those numbers and will supply the legislature with that information as soon as possible. If we learn the bill threatens to inhibit any existing service, we will notify the legislature immediately. Finally, we are exploring whether it may be more appropriate to address non-tank vessels in a separate chapter under the statute, rather than the current construct.

Thank you for accepting this written testimony. We look forward to continuing to work with Senator Pearce and the legislature on this bill, as we more fully understand its impacts upon our members and customers.

Sincerely,



Joe Kyle
Executive Director

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
U. S. Coast Guard
Marine Safety Office Juneau

2780 Sherwood Lane Suite 2A
Juneau, AK 99801-8545
Staff Symbol:
Phone: (907) 463-2450
FAX: (907) 463-2445

16670

FEB 22 2000

Northstar Maritime
P. O. Box 102019
Anchorage, AK 99510

I am writing this letter to express my concern about the increased incidence of deepdraft vessel operators failing to comply with the navigation safety regulations contained in 33 CFR Part 164.33. Specifically, in the course of routine boardings, my inspectors have noted that vessels have navigated far within the internal waters of Southeast Alaska with inadequate charts and in some cases, prior to boarding a licensed Marine Pilot. This poses a significant risk to safe navigation and protection of the sensitive Alaskan marine environment. To address that risk and assist vessel agents and operators, my staff, with input from other marine professionals, has compiled a listing of charts (Enclosure 1) which I consider appropriate for entry into Southeast Alaskan waters and prior to boarding a licensed Marine Pilot.

For vessels greater than 1600 gross tons operating in the navigable waters of the United States, the navigation safety regulations specify in part, that each vessel must have charts that are "of a large enough scale and have enough detail to make safe navigation of the area possible....". This is particularly critical for vessels entering Southeast Alaskan waters and transiting to one of the several pilot boarding stations. Enclosure (1) lists the specific charts I consider necessary for that segment of the voyage. Vessel agents should use this information when coordinating pre-arrival arrangements for a vessel. This list does not relieve the vessel operator from having on board appropriate charts for the remainder of the transit inside Southeast Alaska. Failure to do so could result in vessel movement controls or civil penalty actions.

As Captain of the Port for Southeast Alaska, I am responsible for ensuring safe and environmentally sound maritime operations. To do that effectively, requires a shared commitment by all segments of the maritime community. I appreciate your continued support and ask that you use the information I provided to ensure the vessels you manage have the appropriate charts on board. If you have any questions please contact Lieutenant Jim Bartlett at (907) 463-2444.

Sincerely,

R. C. LORKIAN
Commander, U. S. Coast Guard
Officer in Charge, Marine Inspection
Southeast Alaska

Encl: (1) Navigation Charts Listing

Copy: Southeast Alaska Pilots' Association
Alaska Coastwise Pilots' Association
Alaska Marine Pilots Association
Southwest Alaska Pilot's Association
MSO Anchorage

received
2/11/00

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 273(), Draft Version "D"

1 Page 1, line 9, following "effective":

2 Delete "June 1"

3 Insert "November 1"

4 Page 2, line 3, following "(A)":

5 Insert "only"

6 Page 2, line 5:

7 Delete "and"

8 Page 2, line 6, following "(B)":

9 Insert "only"

10 Page 2, line 7, following "greater":

11 Insert "; and

12 (C) both persistent product as fuel or in bulk, and nonpersistent
13 product, at the applicable financial responsibility rate established in (A) or (B)
14 of this paragraph for the storage capacity of the vessel for persistent product
15 or nonpersistent product that predominates on the vessel"

16 Page 2, line 10, following "effective":

17 Delete "June 1"

18 Insert "November 1"

19 Page 2, line 23, following "effective":

- 1 Delete "June 1"
- 2 Insert "November 1"

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 2/15/00

FURTHER; Finance

Date of 5-Day Notice: 2/17/00
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/21/00

Resources Committee considered

SENATE BILL NO. 273

"An Act requiring oil discharge prevention and contingency plans and proof of financial responsibility for nontank vessels and railroad tank cars; authorizing inspection of nontank vessels and trains; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 273 (RES)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:** same title
- new title
- House Bill:** same title
- technical title
- new: SCR# _____

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>[Signature]</i>	✓		
		<i>[Signature]</i>			
		<i>Colin L. Taylor</i>	✓		
		<i>Linda Meyer</i>	✓		
		<i>[Signature]</i>	✓		
CHAIR:		CHAIR: <i>Rick Helford</i>	✓		

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
DCTPF	2/18/00		✓
DEC	2/18/00		✓

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill