

## Ensuring public protection from heavy oil spills

### The Issue

Bitumen oil is one type of heavy, persistent crude oil being shipped frequently and in large quantities through the Northwest. Bitumen is extracted from oil sands deposits, primarily from Alberta, Canada. This oil is frequently blended with lighter hydrocarbons to make it easier to transport in pipelines, oil tankers, barges, and train tank cars. Bitumen can also be shipped in an undiluted form as a viscous liquid.

This oil is a priority concern for the Department of Ecology (Ecology). In its undiluted form, bitumen can sink when it is spilled and increase the risk of damage to the state's environment and economy.

There could be disagreement about whether the current legal definition of oil applies to viscous liquid and diluted bitumen. Though Ecology believes the existing definition of oil does include these oils, a gap in the definition could cause confusion and hinder the state's ability to prevent and prepare for these spills, and to maintain the equipment necessary to respond to damaging oil spills. This persistent type of oil should clearly be included in the state's definition of "oil" to ensure Ecology can work with industry and others to prevent and respond to all oil spills.

### Solution

The state's definition of oil needs updated so the state oil pollution laws cover all petroleum products handled in Washington.

This will ensure Ecology maintains the authority to require refineries, oil pipelines, regulated oil-handling facilities, oil tankers, and other large commercial vessels operating in Washington are appropriately equipped to respond to any type of oil they might spill.

### Proposal

Ecology is proposing legislation to update the state's definition of oil in state law (Chapters 88.40, 88.46 and 90.56 RCW) to clarify that bitumen and other heavy oils are regulated under state law.

### WHY IT MATTERS

When crude oil is spilled, it can pose a significant risk to human health and safety and the environment.

One type of particularly damaging crude oil is bitumen extracted from oil sand deposits in Canada. This oil is often diluted with other chemicals to make it easier to ship.

When spilled in the environment, diluted bitumen can sink. Spill response experts are concerned that these oils can sink before response teams are able to safely contain and clean up a spill.

Washington State would benefit if all companies handling these products make the investments necessary to protect its citizens and rapidly clean up all oil spills.

Oil transportation information:  
[ecy.wa.gov/programs/spills/OilMovement/index.htm](http://ecy.wa.gov/programs/spills/OilMovement/index.htm).

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### Special accommodations:

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## The Definition of Oil

If passed, the bill would affirm the state's existing authority to require that refineries, oil pipelines, regulated oil-handling facilities, oil tankers, and other large commercial vessels prevent all oil spills, and are equipped to mount a rapid, aggressive, and well-coordinated response when they occur. The bill would also correct a 2007 bill drafting error and update references to federal regulations.

### How it benefits Washington

Ecology calculated that a major marine oil spill could cost Washington's economy \$10.8 billion. Further analysis shows that same spill could adversely affect up to 165,000 jobs due to disruptions to maritime shipping and public port activities, recreation and tourism, and injuries to state fish, shellfish, and wildlife resources.

Crude oils, including bitumen from oil sands deposits, other heavy oils, and related additives pose significant environmental, human safety and health risks. This legislation will benefit Washington by ensuring the companies handling all types of oil make the investments necessary to protect state citizens from oil spills.

