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## SENATE JOINT RESOLUTION NO. 401

Senate Amendments in [ ] — February 6, 2001

*Memorializing the U.S. Coast Guard to provide funding from the Oil Spill Liability Trust Fund to remove the oil contained in the 27 vessels of the U.S. Maritime Administration's James River Reserve Fleet listed as in dire need of scrapping, and Congress to provide funding sufficient to allow the U.S. Maritime Administration to complete the scrapping of their reserve vessels in a timely and responsible manner.*

Patrons Prior to Engrossment—Senators Forbes, Norment and Quayle

Referred to Committee on Rules

WHEREAS, the U.S. Maritime Administration (MARAD) has 89 reserve vessels anchored in the James River off Fort Eustis near Newport News and 27 of those vessels are on MARAD's list of vessels in dire need of scrapping (dire need vessels); and

WHEREAS, the 27 dire need vessels contain a combined volume of oil in excess of six million gallons and have deteriorated to a degree where there is a substantial threat of oil spillage; and

WHEREAS, MARAD's reserve vessels are located in a section of the James River that is environmentally sensitive and where local conditions such as high water currents make containment of spilled oil difficult; and

WHEREAS, in August 2000, pursuant to §§ 2.1-51.12:1 and 2.1-51.12:2 of the Code of Virginia, the Secretary of Natural Resources released the Tributary Strategy for the James River, outlining the efforts needed to restore and protect the water quality and aquatic resources of the James River and Chesapeake Bay, and spillage from the dire need vessels could complicate those efforts; and

WHEREAS, in August 2000, the former USS Donner, which was classified as a low risk vessel, spilled 1,000 gallons of heavy oil through a hole in its hull caused by metal wastage, resulting in an oily sheen outside the cleanup booms two miles long and a half-mile wide; and

WHEREAS, according to MARAD, the agency has not received the funding from Congress necessary for it to move forward to scrap the 27 dire need vessels; and

WHEREAS, funds are available from the Oil Spill Liability Trust Fund (Trust Fund), administered by the U.S. Coast Guard, to take action to prevent spillage where a responsible party or agency does not take adequate action to prevent such spillage, and the Coast Guard can then seek reimbursement from MARAD; and

WHEREAS, in order to protect the environment of the James River and the health of its citizens, at a minimum, the oil on the scrap vessels should be removed, using experienced salvage contractors and Trust Fund monies; and

WHEREAS, moving the vessels elsewhere in order to remove the oil or scrap them is not a viable option as such action would create a substantial risk of spillage occurring elsewhere along the route; now, therefore, be it,

RESOLVED by the Senate, the House of Delegates concurring, That the U.S. Coast Guard be [ memorialized urged ] to provide funding from the Oil Spill Liability Trust Fund to remove the oil contained in the 27 vessels of the U.S. Maritime Administration's James River Reserve Fleet classified as in dire need of scrapping; and, be it,

RESOLVED FURTHER, That Congress be [ memorialized urged ] to provide funding sufficient to allow MARAD to complete the scrapping of their reserve vessels in a timely and responsible manner; and, be it,

RESOLVED FINALLY, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the Secretary of the United States Department of Transportation so that they may be apprised of the sense of the General Assembly of Virginia on this matter.

ENGROSSED

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