

SENATE No. 409

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Further Preventing an Oil Spill in Buzzards Bay..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 21M, as so appearing, is hereby amended by
2 inserting after the definition “ECIDIS” the following definition:-

3 “Escort”, to accompany, shadow, guard, protect and safeguard from harm. An escort
4 shall never be more than ¼ of a mile or 5 minutes away from a tank vessel.

5 Section 2: Said section 1 of said chapter 21M, as so appearing, hereby amends the
6 definition of ‘Rescue Tug’ by adding after the word ‘escort’ the following words:- “,as defined in
7 this section,”.

8 Section 3: Said section 1 of said chapter 21M, as so appearing, is hereby amended by
9 adding after the words “associated response gear” the following words:- “the primary purpose of
10 which shall be to serve as an escort tug for unescorted tank vessels carrying 6,000 or more
11 barrels of oil and provide on the water monitoring of these tank vessels and have the ability to
12 warn vessels of actual or potential threats to navigation and be available to assist immediately to

13 the threat of an accident. Nothing in this section shall be interpreted to mean that the primary
14 function of a rescue tug is to respond only when requested by a distressed vessel. ”

15 Section 4: Said section 1 of said chapter 21M, as so appearing, is hereby amended by
16 striking out the following definition: -

17 “Response time”, the amount of time required for a rescue tug to assist a tank vessel.”

18 Section 6: Section 8(c) of said chapter 21M, as so appearing, is hereby amended after the
19 phrase “5 cents for each barrel of petroleum product” by adding the following:-

20 “as established by the General Court in this legislation.”

21 Section 7: Section 9(c) of said Chapter 21M, as so appearing, is hereby amended by
22 striking out the words “be available to” and inserting in place of the following words:- “escort
23 every”.

24 Section 8: Said section 9(c) of said Chapter 21M, as so appearing, is hereby amended by
25 striking out the following words:- “The commissioner shall establish by regulation the maximum
26 response times that rescue tugs shall maintain upon being dispatched.”

27 Section 9: Section 9(f) of said Chapter 21M, as so appearing, is hereby amended by
28 striking the following words:- “authorize longer response times and fewer state pilots if he
29 determines that exigent circumstances exist.” and replacing them with the following words:- “not
30 dispatch rescue tugs and state pilots if the department determines that exigent circumstances
31 exist.”

32 Section 10: Said section 9(f) of said Chapter 21M, as so appearing, is hereby further
33 amended by inserting after the phrase, “joint committee on the environment, natural resources
34 and agriculture” the following words:- “as well as report in the Environmental Monitor”.

35 Section 11: Section 9(g) of said Chapter 21M, as so appearing is hereby amended by
36 striking out the words: - “maximum response times” and replacing it with the following words:-
37 “the dispatching of rescue tugs”