

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE HOUSE BILL 1454**

Chapter 83, Laws of 1991

52nd Legislature  
1991 Regular Session

UNDERGROUND STORAGE TANKS--LIMITS ON PREEMPTION OF UNIFORM FIRE  
CODE

EFFECTIVE DATE: 7/28/91

Passed by the House March 14, 1991  
Yeas 96 Nays 0

JOE KING  
Speaker of the  
House of Representatives

Passed by the Senate April 15, 1991  
Yeas 47 Nays 1

JOEL PRITCHARD  
President of the Senate

Approved May 9, 1991

BOOTH GARDNER  
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1454** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
Chief Clerk

FILED

May 9, 1991 - 11:14 a.m.

Secretary of State  
State of Washington



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**SUBSTITUTE HOUSE BILL 1454**

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Passed Legislature - 1991 Regular Session

**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives Rust, Horn, Betrozoff and Nealey; by request of Department of Ecology).

Read first time March 5, 1991.

1            AN ACT Relating to underground storage tank law preemption; and  
2 amending RCW 90.76.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 90.76.110 and 1989 c 346 s 12 are each amended to read  
5 as follows:

6            (1) Except as provided in RCW 90.76.040 and subsections (2), (3),  
7 (~~and~~) (4), and (5) of this section, the rules adopted under this  
8 chapter supersede and preempt any state or local underground storage  
9 tank law, ordinance, or resolution governing any aspect of regulation  
10 covered by the rules adopted under this chapter.

11            (2) Provisions of the uniform fire code adopted under chapter 19.27  
12 RCW, which are not more stringent than, and do not directly conflict  
13 with, rules adopted under this chapter are not superseded or preempted.

1        (3) Local laws, ordinances, and resolutions pertaining to local  
2 authority to take immediate action in response to a release of a  
3 regulated substance are not superseded or preempted.

4        (~~(3)~~) (4) City, town, or county underground storage tank  
5 ordinances that are more stringent than the federal regulations and the  
6 uniform codes adopted under chapter 19.27 RCW and that are in effect on  
7 November 1, 1988, are not superseded or preempted. A city, town, or  
8 county with an ordinance that meets these criteria shall notify the  
9 department of the existence of that ordinance by July 1, 1989.

10        (~~(4)~~) (5) Local laws, ordinances, and resolutions pertaining to  
11 permits and fees for the use of underground storage tanks in street  
12 right of ways that were in existence prior to July 1, 1990, are not  
13 superseded or preempted.

Passed the House March 14, 1991.

Passed the Senate April 15, 1991.

Approved by the Governor May 9, 1991.

Filed in Office of Secretary of State May 9, 1991.