

HOUSE BILL REPORT

SSB 5609

As Passed House:

April 5, 1995

Title: An act relating to air pollution control authorities.

Brief Description: Concerning the powers and duties of air pollution control authorities.

Sponsors: Senate Committee on Ecology & Parks (originally sponsored by Senators Loveland, Rasmussen, Prince, Snyder, Morton, West and A. Anderson).

Brief History:

Committee Activity:

Agriculture & Ecology: 3/22/95, 3/30/95 [DP].

Floor Activity:

Passed House: 4/5/95, 96-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 17 members: Representatives Chandler, Chairman; Koster, Vice Chairman; McMorris, Vice Chairman; Mastin, Ranking Minority Member; Chappell, Assistant Ranking Minority Member; Boldt; Clements; Delvin; R. Fisher; Honeyford; Johnson; Kremen; Poulsen; Regala; Robertson; Rust and Schoesler.

Staff: Rick Anderson (786-7114).

Background: Washington's air pollution control laws allow the "activation" of local air pollution control authorities. These local air authorities administer the air pollution control programs within the local area. The local authorities are composed of local elected officials from the cities and counties for that area. The Department of Ecology administers air pollution control laws in areas of the state without an activated local authority. There are local air authorities throughout western Washington and in many counties in eastern Washington.

Permits and a permit fee are required to conduct agricultural burning. Permits are administered by the Department of Ecology, local air authorities, or by local governments. Rules adopted by the department in January 1995 list criteria that local permitting entities are to consider. These factors include: meteorological conditions, time of year, size and duration of the burning activity, applicant's need, and type of

material to be burned. The criteria do not require seasonal limitations on burning, but also do not prohibit such limitations in a local permit program.

The Spokane County Air Pollution Control Authority has adopted agricultural burning restrictions that limit burning to late summer and require completion of burning within a 16-day period. The Spokane Authority is in the process of adopting rules allowing grass seed burning over a 47-day period. The permit issuing agencies in neighboring areas such as Whitman and Adams counties have not adopted such restrictions, but instead rely on weather conditions, particularly wind speed and direction, in determining when burning may be permitted.

Summary of Bill: Local air authorities administering the agricultural burning permit program may not limit the number of days of allowable burning, but may consider other criteria such as weather conditions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill is necessary to prevent local air authorities from limiting the number of days that grass seed growers can burn their fields.

Testimony Against: None.

Testified: John Cornwall and Larry Gady, Intermountain Grass Growers Association (pro).