
SENATE BILL 5609

State of Washington

54th Legislature

1995 Regular Session

By Senators Loveland, Rasmussen, Prince, Snyder, Morton, West and
A. Anderson

Read first time 01/30/95. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to air pollution control authorities; and amending
2 RCW 70.94.141.

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

4 **Sec. 1.** RCW 70.94.141 and 1991 c 199 s 706 are each amended to
5 read as follows:

6 The board of any activated authority in addition to any other
7 powers vested in them by law, shall have power to:

8 (1) Adopt, amend, and repeal its own rules and regulations,
9 implementing this chapter and consistent with, but no more stringent
10 than it, after consideration at a public hearing held in accordance
11 with chapter 42.30 RCW. Rules and regulations shall also be adopted in
12 accordance with the notice and adoption procedures set forth in RCW
13 34.05.320, those provisions of RCW 34.05.325 that are not in conflict
14 with chapter 42.30 RCW, and with the procedures of RCW 34.05.340,
15 34.05.355 through 34.05.380, and with chapter 34.08 RCW, except that
16 rules shall not be published in the Washington Administrative Code.
17 Judicial review of rules adopted by an authority shall be in accordance
18 with Part V of chapter 34.05 RCW. An air pollution control authority
19 shall not be deemed to be a state agency.

1 (2) Hold hearings relating to any aspect of or matter in the
2 administration of this chapter not prohibited by the provisions of
3 chapter 62, Laws of 1970 ex. sess. and in connection therewith issue
4 subpoenas to compel the attendance of witnesses and the production of
5 evidence, administer oaths, and take the testimony of any person under
6 oath.

7 (3) Issue such orders as may be necessary to effectuate the
8 purposes of this chapter and enforce the same by all appropriate
9 administrative and judicial proceedings subject to the rights of appeal
10 as provided in chapter 62, Laws of 1970 ex. sess.

11 (4) Require access to records, books, files, and other information
12 specific to the control, recovery, or release of air contaminants into
13 the atmosphere.

14 (5) Secure necessary scientific, technical, administrative, and
15 operational services, including laboratory facilities, by contract or
16 otherwise.

17 (6) Prepare and develop a comprehensive plan or plans for the
18 prevention, abatement, and control of air pollution within its
19 jurisdiction.

20 (7) Encourage voluntary cooperation by persons or affected groups
21 to achieve the purposes of this chapter.

22 (8) Encourage and conduct studies, investigation, and research
23 relating to air pollution and its causes, effects, prevention,
24 abatement, and control.

25 (9) Collect and disseminate information and conduct educational and
26 training programs relating to air pollution.

27 (10) Advise, consult, cooperate, and contract with agencies and
28 departments and the educational institutions of the state, other
29 political subdivisions, industries, other states, interstate or
30 interlocal agencies, and the United States government, and with
31 interested persons or groups.

32 (11) Consult, upon request, with any person proposing to construct,
33 install, or otherwise acquire an air contaminant source or device or
34 system for the control thereof, concerning the efficacy of such device
35 or system, or the air pollution problems which may be related to the
36 source, device, or system. Nothing in any such consultation shall be
37 construed to relieve any person from compliance with this chapter,
38 ordinances, resolutions, rules, and regulations in force pursuant
39 thereto, or any other provision of law.

1 (12) Accept, receive, disburse, and administer grants or other
2 funds or gifts from any source, including public and private agencies
3 and the United States government for the purpose of carrying out any of
4 the functions of this chapter.

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