

# HOUSE BILL REPORT

## HB 2523

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**As Reported By House Committee On:**  
Agriculture & Ecology

**Title:** An act relating to fire training activities.

**Brief Description:** Regarding fire training activities.

**Sponsors:** Representatives Chandler, Linville, Mulliken, Schoesler, Hatfield, Cooper, Skinner and Clements.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 1/26/98, 1/29/98 [DPS].

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

**Staff:** Carole Richmond (786-7114).

**Background:** The Washington Clean Air Act requires burning permits for a variety of intentional outdoor burning activities. The intent of the permits is to require that certain conditions be met, including limiting burning to days when air quality is not impaired, limiting the kinds of materials that can be burned, and limiting the conditions where such burning can occur. Several kinds of permits are available, including those that must be obtained prior to weed abatement, certain kinds of fire fighting instruction, and certain agricultural activities; and those that must be obtained for certain limited outdoor burning activities, such as disposing of organic refuse from land clearing.

Current law also includes a prohibition on burning certain materials outdoors, including garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, or any substance other than natural vegetation that normally emits dense smoke or obnoxious odors.

At present, a burning permit is not required for aircraft crash fire training conducted in compliance with several conditions pertaining to type of facilities that may engage in such

training and air quality considerations. These training activities are exempted from the prohibition on burning petroleum products. The permit exemption sunsets on July 1, 1998, or the date upon which the North Bend fire training center is fully operational.

**Summary of Substitute Bill:** Retains original definition of facility. Retains original permit exemption for aircraft crash fire training and adds a requirement that a facility be operated in a manner that will minimize, to the extent possible, the air contaminants generated during operation. Also requires written approval from the department or local air pollution control authority prior to the commencement of initial operation of training. Such approval will be provided if training is conducted in compliance with the required conditions. Exempts burning of petroleum done in conjunction with aircraft crash rescue fire training from the requirement for a limited outdoor burning permit. Requires a limited outdoor burning permit for the burning of prohibited materials done in conjunction with fire fighting or other actions to protect public health and safety.

**Substitute Bill Compared to Original Bill:** In the original bill, permit exemption for aircraft crash fire training is repealed and replaced with written approval. The type of training facility that can engage in such training is changed to those that are specifically designed, maintained, and operated in accordance with Federal Aviation Administration (FAA) requirements for such training. The training facility must be located in an area where air quality impacts from the training activities are minimized. Soil and water pollution must be prevented through the use of a collection and containment system for petroleum products, fire retardant, and water. The sunset for the permit exemption is repealed. Except for repeal of the sunset clause, the substitute bill does not include these provisions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The FAA has paid 90 percent of the cost of the Big Bend Community College Fire Training Center. A large number of firefighters from Washington and other western states are served in four-day courses and one-day refresher and specialized courses. The Live Fire Training Facility at Big Bend Community College will meet EPA standards. The FAA is funding both sites. This will help firefighters. Refineries need to be able to burn petroleum and other prohibited substances to provide training for refinery fires. The substance is supported but the language could be simpler. The original bill changes too much language and is confusing.

**Testimony Against:** None.

**Testified:** Douglas Sly, Big Bend Community College; Gary White, Big Bend Community College; Mike Kelly, Big Bend Community College; Matt Cavanaugh, Federal Aviation Administration; Dan Riley, Western States Petroleum Association; Dennis Rehkop, Shell Anacortes Refining Co.; Dan Harju, Anacortes City Fire Department; Jerry Shotts, Port of Moses Lake; and Stu Clark, Department of Ecology (all in favor).