

# SENATE BILL REPORT

## SHB 1726

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As Reported By Senate Committee On:  
Agriculture & Environment, April 2, 1997

**Title:** An act relating to outdoor burning of storm or flood-related debris.

**Brief Description:** Allowing outdoor burning of storm and flood-related debris.

**Sponsors:** House Committee on Agriculture & Ecology (originally sponsored by Representatives Robertson, Linville, L. Thomas, Regala, Benson, Kastama, Smith, Hatfield, Koster, Sullivan, McDonald, Chandler, Zellinsky, DeBolt, B. Thomas, Cairnes, Johnson, Cooke, Clements, Kessler and Mulliken).

**Brief History:**

**Committee Activity:** Agriculture & Environment: 3/26/97, 4/2/97 [DP, DNP].

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Majority Report:** Do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Newhouse, Oke and Rasmussen.

**Minority Report:** Do not pass.

Signed by Senators Fraser and McAuliffe.

**Staff:** Richard Duggan (786-7414)

**Background:** State air pollution control laws regulate outdoor fires, prohibiting the burning of some materials, controlling the conditions under which burning may be conducted, and conferring implementation jurisdiction on political subdivisions.

Among the statutory restrictions are prohibitions against outdoor burning in areas where air quality standards are exceeded for the pollutants emitted by those fires (primarily particulates and carbon monoxide). Outdoor burning is also prohibited in areas designated a "urban growth areas" under the Growth Management Act and in cities of more than 10,000 population in which there is a threat of exceeding air quality standards and alternative disposal practices or organic refuse elimination practices are reasonably available.

**Summary of Bill:** Outdoor burning may be allowed by permitting authorities to manage storm or flood-related debris. If allowed in nonattainment, threatened nonattainment, or urban growth areas, a permit is required and a permit fee may be required.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The large volume of debris left by recent storms has strained the usual disposal facilities and left residents throughout the state with limited options in their clean up efforts. Outdoor burning needs to be an option, especially in areas that do not provide chipping or collection services for yard waste. Local conditions can be better addressed by allowing local and regional authorities to permit outdoor burning.

**Testimony Against:** The description of the type of debris that can be burned should be more carefully defined, and a limit placed on the time period following a storm in which burning may take place. Providing an outdoor burning option may jeopardize federally required air quality plans. Creating an exception to the outdoor burning ban could derail the state's progress toward clean air. Chipping and hauling businesses will suffer financial losses in areas where burning is permitted.

**Testified:** Joe Williams, Department of Ecology (pro); Bob Sargent, Washington Organic Recycling Council (con).