
HOUSE BILL 1441

State of Washington 56th Legislature 1999 Regular Session

By Representatives Sheahan, Grant, Carrell and Kastama

Read first time 01/25/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to nuisances; and adding a new section to chapter
2 7.48 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 7.48 RCW
5 to read as follows:

6 A person may maintain an action under this chapter based upon air
7 emission or water or solid waste discharge or release, other than the
8 placement of nuclear waste, only where:

9 (1) The emission or discharge was not authorized by a term or
10 condition of:

11 (a) A statute or regulation;

12 (b) A license, permit, or order that is issued after the
13 opportunity for public comment by a local, state, or federal government
14 and subject to continuing compliance assurance procedures, review by
15 the issuing authority, and amendment or renewal; or

16 (c) A court order or judgment; and

1 (2) A violation of the term or condition proximately caused or
2 causes the injury or damage claimed.

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