
HOUSE BILL 1630

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Fuhrman, D. Sommers, Bowman, Padden, Lisk, Chandler, Hochstatter, Nealey, Morton and Casada.

Read first time February 4, 1991. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to first or second stage impaired air quality;
2 amending RCW 70.94.473; and adding a new section to chapter 70.94 RCW.

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

4 **Sec. 1.** RCW 70.94.473 and 1990 c 128 s 2 are each amended to read
5 as follows:

6 (1) Except as provided in section 2 of this act, any person in a
7 residence or commercial establishment which has an adequate source of
8 heat without burning wood shall:

9 (a) Not burn wood in any solid fuel burning device whenever the
10 department has determined under RCW 70.94.715 that any air pollution
11 episode exists in that area;

12 (b) Not burn wood in any solid fuel burning device except those
13 which meet the standards set forth in RCW 70.94.457, or a pellet stove
14 either certified or issued an exemption certificate by the United
15 States environmental protection agency in accordance with Title 40,

1 Part 60 of the code of federal regulations, in the geographical area
2 and for the period of time that a first stage of impaired air quality
3 has been determined, by the department or any authority, for that area.
4 A first stage of impaired air quality is reached when particulates ten
5 microns and smaller in diameter are at an ambient level of seventy-five
6 micrograms per cubic meter measured on a twenty-four hour average or
7 when carbon monoxide is at an ambient level of eight parts of
8 contaminant per million parts of air by volume measured on an eight-
9 hour average; and

10 (c) Not burn wood in any solid fuel burning device, including those
11 which meet the standards set forth in RCW 70.94.457, in a geographical
12 area and for the period of time that a second stage of impaired air
13 quality has been determined by the department or any authority, for
14 that area. A second stage of impaired air quality is reached when
15 particulates ten microns and smaller in diameter are at an ambient
16 level of one hundred five micrograms per cubic meter measured on a
17 twenty-four hour average.

18 (2) When a local air authority exercises the limitation on solid
19 fuel burning devices specified under RCW 70.94.477(2), a single stage
20 of impaired air quality applies in the geographical area defined by the
21 authority in accordance with RCW 70.94.477(2) and is reached when
22 particulates ten microns and smaller in diameter are at an ambient
23 level of ninety micrograms per cubic meter measured on a twenty-four
24 hour average or when carbon monoxide is at an ambient level of eight
25 parts of contaminant per million parts of air by volume measured on an
26 eight-hour average.

27 When this single stage of impaired air quality is reached, no
28 person in a residence or commercial establishment which has an adequate
29 source of heat without burning wood shall burn wood in any solid fuel

1 burning device, including those which meet the standards set forth in
2 RCW 70.94.457.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.94 RCW
4 to read as follows:

5 In counties with a population of forty thousand or less, the
6 department or an authority shall not make the determination that a
7 first or second stage of impaired air quality is reached unless the
8 department or authority has quantitative evidence that a first or
9 second stage has been reached within such a county.