

SENATE BILL REPORT

SB 5036

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, FEBRUARY 8, 1993

Brief Description: Transferring the noise pollution responsibilities of the department of ecology to the department of health.

SPONSORS: Senators Haugen, Winsley and Erwin

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5036 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Barr, Deccio, McCaslin, Moore, Sutherland, and Talmadge.

Staff: Shannon Murphy (786-7483)

Hearing Dates: January 25, 1993; February 8, 1993

BACKGROUND:

The Department of Ecology is responsible for implementing the Noise Control Act of 1974. The Department of Ecology is responsible for setting and enforcing department-established noise levels.

The Department of Ecology delegated responsibility for noise pollution enforcement to local governments. Local government authorities responsible for enforcement must be certified in the use of sound level measurement procedures. The Department of Ecology is responsible for providing certification training.

Local governments may request approval from the Department of Ecology for local government noise requirements that differ from the state laws regarding enforcement. If local governments submit a request for approval and the Department of Ecology fails to respond within 90 days the request is deemed approved.

In 1982 and 1983 the Department of Ecology experienced funding cuts. As a result, the department was unable to carry out noise pollution responsibilities. Local governments were given enforcement authority for noise pollution violations. Local government enforcement authorities were not certified in the use of sound level measurement procedures as required by administrative rule.

It has been suggested that noise pollution is a health issue and enforcement of noise pollution would be more appropriately administered by the Department of Health.

SUMMARY:

Statutory authority for the state's noise pollution control program is transferred from the Department of Ecology to the Department of Health.

EFFECT OF PROPOSED SUBSTITUTE:

Technical changes are made. The term "Secretary" is clarified to mean "Secretary of Health." Responsibilities for the enforcement of noise pollution held by the Pollution Control Board are transferred to the Board of Health. The Pollution Control Board's authority to assess civil penalties is suspended.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Noise pollution is a health issue and should be administered by the Department of Health.

TESTIMONY AGAINST: None

TESTIFIED: John Thayere, Skagit County Health Department (pro); Tom Eaton, Department of Ecology (pro); Karen VanDusen, Department of Health (pro)