

SENATE BILL REPORT

EHB 2033

As Reported By Senate Committee On:
Ecology & Parks, March 30, 1995

Title: An act relating to an exemption to the Washington clean air act for fire training.

Brief Description: Providing an exemption to the Washington clean air act for fire training.

Sponsors: Representatives D. Schmidt and Scott.

Brief History:

Committee Activity: Ecology & Parks: 3/28/95, 3/30/95 [DPA].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass as amended.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe, McDonald, Spanel and Swecker.

Staff: David Danner (786-7784)

Background: The Federal Aviation Administration requires airport fire rescue personnel to undergo annual training and certification for aircraft fire rescue. This training involves fires set using aviation fuel to simulate the conditions of an actual aircraft fire.

Under the Washington Clean Air Act, any person who sets fires in the course of fire fighting instruction must first obtain a permit from an air pollution control authority, the Department of Ecology, or a local government delegated as a permitting authority. The permitting authority may decline to issue a permit based on Department of Ecology rules.

The act also prohibits outdoor fires containing petroleum products.

In recent years, aircraft fire training was allowed through the granting of variances to DOE rules. However, airports, county governments, and private fire fighting entities have argued that they face considerable obstacles in obtaining variances for aircraft fire rescue training that meets federal requirements.

An air crash fire training facility is currently being constructed in North Bend.

Summary of Amended Bill: Fires set as part of training flight aircraft rescue fires are exempt from the permitting requirements of the Washington Clean Air Act, provided that (1) the fire fighters participating in the training fires are affiliated with an airport certified by the Federal Aviation Administration or operated in support of military or governmental activities, and (2) the fire training is not conducted during an air pollution episode or during a period of impaired air quality declared under the Clean Air Act.

The number of fires allowed per year is limited to the minimum necessary to meet federal safety requirements. Prior to fire training exercises, those conducting training must notify local fire departments and air pollution authorities of their plans.

Fires set as part of activities covered in the bill are not subject to the act's prohibition of outdoor burning of petroleum products.

The provisions of this bill expire on July 1, 1998, or on the date that the North Bend fire training facility becomes fully operational, whichever is earlier.

Amended Bill Compared to Original Bill: An expiration date is added.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Training using real fires is essential to air crash rescue preparedness. It builds confidence in fire fighters, and ultimately saves lives. This bill recognizes that safety is a priority, and removes burdens and delays of variance procedures.

Testimony Against: Open pit burning for fire training uses up to 8,000 gallons on jet fuel, resulting in emissions of carcinogens that endanger public health. Citizens of areas near airports must endure soot and unpleasant odors. Training should be carried out in non-urban areas.

Testified: Ken Kirsch, Boeing (pro); Senator Mike Heavey (con); Steve Bennett, City of Normandy Park (con); Minnie Brasher, Burien resident (con).