

FINAL BILL REPORT

SSB 5609

C 58 L 95

Synopsis as Enacted

Brief Description: Concerning the powers and duties of air pollution control authorities.

Sponsors: Senate Committee on Ecology & Parks (originally sponsored by Senators Loveland, Rasmussen, Prince, Snyder, Morton, West and A. Anderson).

Senate Committee on Ecology & Parks

House Committee on Agriculture & Ecology

Background: Washington's air pollution control laws allow the "activation" of local air pollution control authorities to administer an air pollution control program within the local area. The local authorities are activated by action of a county or several counties, and the governing body of the authority is composed of local elected officials from the cities and counties for that area. The Department of Ecology administers air pollution control laws in areas of the state without an activated local authority. There are local authorities throughout western Washington and in many counties in eastern Washington.

Permits are required to conduct agricultural burning, to be administered by the Department of Ecology, air quality authorities, or by local governments. Ecology is to establish general criteria for permit issuance of statewide applicability. Rules adopted by Ecology in January of 1995 establish such general criteria by listing the factors that should be considered by local permitting entities, such as meteorological conditions, time of year, size and duration of the burning activity, applicant's need, and type of material to be burned. The criteria do not require seasonal limitations on burning, but also do not prohibit the limitations in local permit programs.

The Spokane County Air Pollution Control Authority (SCAPCA) has adopted agricultural burning restrictions that limit burning to late summer and encourage completion of burning within a 16-day period. The Spokane Authority is considering amending the rules to allow grass seed burning over a 47-day period. The permit issuing agencies in neighboring areas such as Whitman and Adams counties have not adopted such restrictions, but instead rely on weather conditions, particularly wind speed and direction, in determining when such burning may be permitted. Segments of the grass seed industry in Spokane contend that the SCAPCA limitations are unduly restrictive when compared to these nearby areas and that uniform restrictions should apply.

Summary: Local air authorities administering the agricultural burning permit program must not limit the number of days of allowable burning, but may consider other criteria such as weather conditions.

Votes on Final Passage:

Senate 44 0

House 96 0

Effective: July 23, 1995