

SENATE BILL REPORT

SB 6000

As Reported By Senate Committee On:
Ecology & Parks, March 1, 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: Senators Snyder, Heavey, Loveland, A. Anderson, Oke, Winsley and Swecker.

Brief History:

Committee Activity: Ecology & Parks: 2/28/95, 3/1/95 [DPS].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 6000 be substituted therefor, and the substitute bill do pass.

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

Staff: David Danner (786-7784)

Background: The Federal Aviation Administration (FAA) 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 by the granting of variances to the DOE rules. However, airports, county governments, and private firefighting entities argue that they face considerable obstacles in obtaining variances for aircraft fire rescue training that meets federal requirements.

Summary of Substitute Bill: Until July 1, 1998, fires set as part of training flight aircraft rescue are exempt from the permitting requirements of the Washington Clean Air Act, provided that the exercise is affiliated with an FAA-certified airport or is conducted in support of military or governmental activities, and not conducted during an air pollution episode.

The number of exempt fires allowed each year is the minimum necessary to meet federal safety requirements. The organization conducting the exercise must give prior notice to the local fire district and air pollution authority.

Substitute Bill Compared to Original Bill: Provisions restricting the number of exempt fires and requiring notice to local fire and air pollution authorities are added. An expiration date is added.

Appropriation: None.

Fiscal Note: Requested on February 23, 1995.

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

Testimony For: Aircraft fire training is essential to protecting safety of airport personnel, passengers and the public. Local variance procedure is not appropriate for annual training required by the federal government.

Testimony Against: Toxics and smoke from training fires fall on local residents. Exemption gives airports no incentive to move their training to facilities in less populated areas.

Testified: Ken Kirsch, Boeing (pro); Stu Clark, Department of Ecology (pro); Steven Bennett, City of Normandy Park (con).