

SENATE BILL REPORT

SB 5142

As Passed Senate, February 23, 2005

Title: An act relating to air registrations for elevators and warehouses.

Brief Description: Regarding air registrations for elevators and warehouses.

Sponsors: Senators Schoesler, Rasmussen, Morton and Delvin.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/3/05 [DP].

Passed Senate: 2/23/05, 46-0.

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Schoesler, Ranking Minority Member; Delvin, Jacobsen and Morton.

Staff: Sam Thompson (786-7413)

Background: The state's Clean Air Act directs the Department of Ecology (DOE) or the board of a local air pollution control authority (local board) to require permits for operating sources of air pollutants identified in the federal Clean Air Act. Within certain limitations, DOE or a local board must also require permits for operating sources of other air pollutants produced in quantities threatening public health or welfare.

Apart from permitting requirements, DOE or a local board may require sources of other air pollutants to register, report and pay annual administrative fees. Large grain warehouses and grain elevators are considered to be sources of air pollutants, and accordingly are subject to these requirements. Small grain warehouses and elevators (those annually handling less than 10 million bushels of grain) are exempt from these requirements. It has been suggested that this exemption be clarified to expressly include facilities storing or cleaning grains, peas, and beans.

Summary of Bill: The exemption from air pollutant registration, reporting and fee requirements for grain warehouses and elevators is clarified to include licensed facilities storing or cleaning grain. The term "grain" is defined to include a grain or a pulse; the latter term includes peas, lentils and beans.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill clarifies a 1997 law exempting some facilities from filing information with the Department of Ecology that is already available from the Department of Agriculture. Current law must be clarified because it is unclear that the exemption applies to facilities that handle commodities other than grain, including garbanzo beans. The bill reduces regulatory burdens on facilities, including grain elevators run by cooperatives.

Testimony Against: None.

Who Testified: PRO: Sen. Schoesler; Dan Coyne, Washington State Council of Farmer Cooperatives.