

2 **SB 5821** - H COMM AMD **ADOPTED AS AMENDED BY 625 4-19-91**
3 By Committee on Environmental Affairs

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 70.94.053 and 1987 c 505 s 60 and 1987 c 109 s 34 are
8 each reenacted and amended to read as follows:

9 (1) In each county of the state there is hereby created an air
10 pollution control authority, which shall bear the name of the county
11 within which it is located. The boundaries of each authority shall be
12 coextensive with the boundaries of the county within which it is
13 located. An authority shall include all incorporated and
14 unincorporated areas of the county within which it is located.

15 (2) Except as provided in section 2 of this act, all authorities
16 which are presently or may hereafter be within counties of the first
17 class, class A or class AA, are hereby designated as activated
18 authorities and shall carry out the duties and exercise the powers
19 provided in this chapter. Those authorities hereby activated which
20 encompass contiguous counties located in one or the other of the two
21 major areas determined in RCW 70.94.011 are declared to be and directed
22 to function as a multicounty authority.

23 (3) Except as provided in RCW 70.94.232, all other air pollution
24 control authorities are hereby designated as inactive authorities.

25 (4) The boards of those authorities designated as activated
26 authorities by this chapter shall be comprised of such appointees
27 and/or county commissioners or other officers as is provided in RCW
28 70.94.100. The first meeting of the boards of those authorities

1 designated as activated authorities by this chapter shall be on or
2 before sixty days after June 8, 1967.

3 (5) The department is directed to conduct the necessary evaluations
4 and delineate appropriate air pollution regions throughout the state,
5 taking into consideration:

6 (a) The natural climatic and topographic features affecting the
7 potential for buildup of air contaminant concentrations.

8 (b) The degree of urbanization and industrialization and the
9 existence of activities which are likely to cause air pollution.

10 (c) The county boundaries as related to the air pollution regions
11 and the practicality of administering air pollution control programs."

12 "NEW SECTION. **Sec. 2.** A new section is added to chapter 70.94 RCW
13 to read as follows:

14 (1) Any county that is part of a multicounty authority, pursuant to
15 RCW 70.94.053, may withdraw from the multicounty authority after
16 January 1, 1992, if the county wishes to provide for air quality
17 protection and regulation by an alternate air quality authority. The
18 county shall:

19 (a) Create its own single county authority;

20 (b) Join another existing multicounty authority with which its
21 boundaries are contiguous;

22 (c) Join with one or more contiguous inactive authorities to
23 operate as a new multicounty authority; or

24 (d) Become an inactive authority and subject to regulation by the
25 department of ecology.

26 (2) In order to withdraw from an existing multicounty authority,
27 the county shall comply with the following:

1 (a) The majority consent of the governing body of the withdrawing
2 county and the existing multicounty authority and any other counties or
3 authorities that are to be joined is necessary; and

4 (b) Make arrangements for payment at fair market value to the
5 multicounty authority it is withdrawing from, for all in-place assets,
6 monitors, equipment, and property, and pay all indebtedness thereto,
7 and release any and all interest in and to the real and personal
8 property of the multicounty authority.

9 (3) In order to effectuate any of the alternate arrangements in
10 subsection (1) of this section, the procedures of this chapter to
11 create an air pollution control authority shall be met and the actions
12 must be taken at least six months prior to the effective date of
13 withdrawal. The rules of the original multicounty authority shall
14 continue in force for the withdrawing county until such time as all
15 conditions to create an air pollution control authority have been met
16 and payment for the equipment and property and all indebtedness has
17 been made.

18 (4) At the effective date of the county's withdrawal, the remaining
19 counties shall reorganize and reconstitute the legislative authority
20 pursuant to this chapter. The air pollution control regulations of the
21 existing multicounty authority shall remain in force and effect after
22 the reorganization.

23 (5) If a county elects to withdraw from an existing multicounty
24 authority, the air pollution control regulations shall remain in effect
25 for the withdrawing county until suspended by the adoption of rules,
26 regulations, or ordinances adopted under one of the alternatives of
27 subsection (1) of this section."

1 **SB 5821** - H COMM AMD

2 By Committee on Environmental Affairs

3

4 On page 1, line 2 of the title, after "authorities;" strike the
5 remainder of the title and insert "reenacting and amending RCW
6 70.94.053; and adding a new section to chapter 70.94 RCW."