

FINAL BILL REPORT

SHB 1454

C 83 L 91

Synopsis As Enacted

Brief Description: Pertaining to the applicability of the uniform fire code to underground storage tank laws.

By House Committee on Environmental Affairs (originally sponsored by Representatives Rust, Horn, Betrozoff and Nealey; by request of Department of Ecology).

House Committee on Environmental Affairs
Senate Committee on Environment & Natural Resources

Background: In the last few years both the state legislature and the federal government have enacted laws governing underground tanks used to store oil, gasoline, hazardous substances, and other products that may pose a risk to health and safety and to the environment. With some exceptions, the rules adopted by the Department of Ecology preempt local ordinances which regulate the same activity. The exceptions are for: 1) local ordinances relating to emergency response; 2) local underground tank ordinances adopted prior to November 1, 1988, which are more stringent than federal law or the uniform codes adopted by the state; and 3) local ordinances adopted prior to July 1, 1990 relating to permits and fees for tanks in street rights of way.

Summary: In addition to the other exceptions to the general state preemption of local underground tank ordinances, local government amendments to the Uniform Fire Code are not preempted if they are adopted pursuant to state law, and are not more stringent than and do not directly conflict with the rules adopted by the Department of Ecology.

Votes on Final Passage:

House	96	0	
Senate	47	1	(Senate amended)
House			(House refused to concur)
Senate	39	0	(Senate receded)

Effective: July 28, 1991