

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 1454

52nd Legislature
1991 Regular Session

Passed by the House March 14, 1991
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 15, 1991
Yeas 47 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1454** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1454

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

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

Read first time March 5, 1991.

1 AN ACT Relating to underground storage tank law preemption; and
2 amending RCW 90.76.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.76.110 and 1989 c 346 s 12 are each amended to read
5 as follows:

6 (1) Except as provided in RCW 90.76.040 and subsections (2), (3),
7 (~~and~~) (4), and (5) of this section, the rules adopted under this
8 chapter supersede and preempt any state or local underground storage
9 tank law, ordinance, or resolution governing any aspect of regulation
10 covered by the rules adopted under this chapter.

11 (2) Provisions of the uniform fire code adopted under chapter 19.27
12 RCW, which are not more stringent than, and do not directly conflict
13 with, rules adopted under this chapter are not superseded or preempted.

1 (3) Local laws, ordinances, and resolutions pertaining to local
2 authority to take immediate action in response to a release of a
3 regulated substance are not superseded or preempted.

4 (~~(3)~~) (4) City, town, or county underground storage tank
5 ordinances that are more stringent than the federal regulations and the
6 uniform codes adopted under chapter 19.27 RCW and that are in effect on
7 November 1, 1988, are not superseded or preempted. A city, town, or
8 county with an ordinance that meets these criteria shall notify the
9 department of the existence of that ordinance by July 1, 1989.

10 (~~(4)~~) (5) Local laws, ordinances, and resolutions pertaining to
11 permits and fees for the use of underground storage tanks in street
12 right of ways that were in existence prior to July 1, 1990, are not
13 superseded or preempted.