
SENATE BILL 5821

State of Washington 52nd Legislature 1991 Regular Session

By Senators Craswell, Owen and Oke.

Read first time February 22, 1991. Referred to Committee on
Environment & Natural Resources.

1 AN ACT Relating to the creation of air pollution control
2 authorities; reenacting and amending RCW 70.94.053; and adding a new
3 section to chapter 70.94 RCW.

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

5 **Sec. 1.** RCW 70.94.053 and 1987 c 505 s 60 and 1987 c 109 s 34 are
6 each reenacted and amended to read as follows:

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

13 (2) Except as provided in section 2 of this act, all authorities
14 which are presently or may hereafter be within counties of the first
15 class, class A or class AA, are hereby designated as activated

1 authorities and shall carry out the duties and exercise the powers
2 provided in this chapter. Those authorities hereby activated which
3 encompass contiguous counties located in one or the other of the two
4 major areas determined in RCW 70.94.011 are declared to be and directed
5 to function as a multicounty authority.

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

8 (4) The boards of those authorities designated as activated
9 authorities by this chapter shall be comprised of such appointees
10 and/or county commissioners or other officers as is provided in RCW
11 70.94.100. The first meeting of the boards of those authorities
12 designated as activated authorities by this chapter shall be on or
13 before sixty days after June 8, 1967.

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

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

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

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

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.94 RCW
24 to read as follows:

25 (1) Any county of the first class in which seventy-five percent or
26 more of its boundary lies on water and not land, and that is a part of
27 a multicounty authority pursuant to RCW 70.94.053, shall be subject to
28 the requirements of this section. After January 1, 1992, any such
29 county shall operate an individual county air pollution control

1 authority under this chapter, unless prior to such date, the
2 legislative authority of such county determines to take one of the
3 following actions:

4 (a) To continue its participation in an existing multicounty
5 authority;

6 (b) To join another existing multicounty authority by consent of
7 the governing board of such authority; or

8 (c) To join with one or more contiguous counties to operate as a
9 new multicounty authority, pursuant to the procedures of RCW 70.94.057.

10 (2) Prior to making a determination under subsection (1) of this
11 section the county shall obtain public comment through hearings and
12 written comments.

13 (3) Where a county subject to the requirements of this section does
14 not elect to participate in a multicounty authority after January 1,
15 1992, the rules adopted by a multicounty authority in effect within
16 such county shall remain in effect until superseded by the adoption of
17 rules, resolutions, or ordinances by the county acting as an individual
18 county authority under this chapter, but in no event shall such rules
19 remain in effect after July 1, 1992.