

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1033

Chapter 410, Laws of 1997

55th Legislature
1997 Regular Session

REQUIREMENTS FOR GRAIN FACILITIES UNDER THE WASHINGTON CLEAN AIR
ACT

EFFECTIVE DATE: 7/27/97

Passed by the House April 17, 1997
Yeas 89 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1997
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved May 19, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1033** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 19, 1997 - 7:19 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1033

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Schoesler, Honeyford, Sheahan, Grant and Chandler)

Read first time 01/29/97.

1 AN ACT Relating to requirements for grain facilities under the
2 Washington clean air act; and amending RCW 70.94.151.

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

4 **Sec. 1.** RCW 70.94.151 and 1993 c 252 s 3 are each amended to read
5 as follows:

6 (1) The board of any activated authority or the department, may
7 classify air contaminant sources, by ordinance, resolution, rule or
8 regulation, which in its judgment may cause or contribute to air
9 pollution, according to levels and types of emissions and other
10 characteristics which cause or contribute to air pollution, and may
11 require registration or reporting or both for any such class or
12 classes. Classifications made pursuant to this section may be for
13 application to the area of jurisdiction of such authority, or the state
14 as a whole or to any designated area within the jurisdiction, and shall
15 be made with special reference to effects on health, economic and
16 social factors, and physical effects on property.

17 (2) Except as provided in subsection (3) of this section, any
18 person operating or responsible for the operation of air contaminant
19 sources of any class for which the ordinances, resolutions, rules or

1 regulations of the department or board of the authority, require
2 registration and reporting shall register therewith and make reports
3 containing information as may be required by such department or board
4 concerning location, size and height of contaminant outlets, processes
5 employed, nature of the contaminant emission and such other information
6 as is relevant to air pollution and available or reasonably capable of
7 being assembled. The department or board may require that such
8 registration be accompanied by a fee and may determine the amount of
9 such fee for such class or classes: PROVIDED, That the amount of the
10 fee shall only be to compensate for the costs of administering such
11 registration program which shall be defined as initial registration and
12 annual or other periodic reports from the source owner providing
13 information directly related to air pollution registration, on-site
14 inspections necessary to verify compliance with registration
15 requirements, data storage and retrieval systems necessary for support
16 of the registration program, emission inventory reports and emission
17 reduction credits computed from information provided by sources
18 pursuant to registration program requirements, staff review, including
19 engineering analysis for accuracy and currentness, of information
20 provided by sources pursuant to registration program requirements,
21 clerical and other office support provided in direct furtherance of the
22 registration program, and administrative support provided in directly
23 carrying out the registration program: PROVIDED FURTHER, That any such
24 registration made with either the board or the department shall
25 preclude a further registration with any other board or the department.

26 All registration program fees collected by the department shall be
27 deposited in the air pollution control account. All registration
28 program fees collected by the local air authorities shall be deposited
29 in their respective treasuries.

30 (3) If a registration or report has been filed for a grain
31 warehouse or grain elevator as required under this section,
32 registration, reporting, or a registration program fee shall not, after
33 January 1, 1997, again be required under this section for the warehouse
34 or elevator unless the capacity of the warehouse or elevator as listed
35 as part of the license issued for the facility has been increased since
36 the date the registration or reporting was last made. If the capacity
37 of the warehouse or elevator listed as part of the license is
38 increased, any registration or reporting required for the warehouse or
39 elevator under this section must be made by the date the warehouse or

1 elevator receives grain from the first harvest season that occurs after
2 the increase in its capacity is listed in the license.

3 For the purposes of this subsection, a "grain warehouse" or "grain
4 elevator" is an establishment classified in standard industrial
5 classification (SIC) code 5153 for wholesale trade; and a "license" is
6 a license issued by the department of agriculture licensing a facility
7 as a grain warehouse or grain elevator under chapter 22.09 RCW or a
8 license issued by the federal government licensing a facility as a
9 grain warehouse or grain elevator for purposes similar to those of
10 licensure for the facility under chapter 22.09 RCW.

11 This subsection does not apply to a grain warehouse or grain
12 elevator if the warehouse or elevator handles more than ten million
13 bushels of grain annually.

Passed the House April 17, 1997.

Passed the Senate April 14, 1997.

Approved by the Governor May 19, 1997.

Filed in Office of Secretary of State May 19, 1997.