

# HOUSE BILL REPORT

## SHB 2261

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### As Amended by the Senate

**Title:** An act relating to an evaluation of the state wood smoke reduction program.

**Brief Description:** Providing for the evaluation of additional measures to reduce wood smoke emissions.

**Sponsors:** By House Committee on Select Committee on Environmental Health (originally sponsored by Representatives Campbell, Hudgins, Morrell, Hunt and Ormsby).

**Brief History:**

**Committee Activity:**

Select Committee on Environmental Health: 2/22/07, 2/27/07 [DPS].

**Floor Activity:**

Passed House: 3/14/07, 64-31.

Senate Amended.

Passed Senate: 4/5/07, 36-12.

### Brief Summary of Substitute Bill

- Establishes a work group to study the impacts of wood smoke from solid fuel burning devices and make recommendations to the Legislature on strategies to reduce public health threats from exposure to wood smoke.

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### HOUSE SELECT COMMITTEE ON ENVIRONMENTAL HEALTH

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Campbell, Chair; Hudgins, Vice Chair; Newhouse, Ranking Minority Member; Chase, Hunt, Morrell and Wood.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Sump, Assistant Ranking Minority Member and Hailey.

**Staff:** Brad Avy (786-7289).

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Nearly half of Washington's households have wood burning devices. During the past 20 to 25 years, the number of wood stoves, fireplaces, pellet stoves, and fireplace inserts in Washington has grown rapidly. Wood burning units can emit hundreds of times more pollution than other forms of heat such as natural gas, electricity, or oil.

Washington's wood heat regulation implements the 1991 Legislature's Clean Air Washington Act. This legislation restricts indoor burning, tightens emission standards for new wood stoves and other solid fuel burning devices, and emphasizes education and enforcement to control wood stove pollution.

Since 1997, all fireplaces offered for sale in Washington must meet certification standards comparable to wood stove standards. Masonry fireplaces must also meet design standards that achieve similar emission reductions. The State Building Code Council devised fireplace construction standards and testing methods to meet this emission requirement.

There are communities in the state which exceed the national ambient air quality standards for particulate matter 2.5, primarily due to wood smoke emissions. The current strategies are not sufficient to reduce wood smoke emissions to levels which comply with the federal standards.

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### **Summary of Substitute Bill:**

The Legislature finds that it is in the state's interest and to the benefit of the people of the state to evaluate additional measures to reduce wood smoke emissions to comply with federal standards or protect public health.

Until June 30, 2009, the Spokane Clean Air Authority is allowed to determine by rule alternative trigger levels for impaired air quality.

The Department of Ecology (DOE) must convene and chair a work group to study the impacts of wood smoke from solid fuel burning devices and make recommendations to the Legislature on strategies to reduce public health threats from exposure to wood smoke. Members of the wood smoke reduction work group must be appointed by the Director of the DOE and include representatives of:

- the DOE;
- the Department of Health;
- regional air quality agencies;
- local health departments;
- related industry representatives; and
- nongovernmental health organizations.

Recommendations may include statutory or regulatory changes, incentives, and other strategies that will reduce particulate matter to levels sufficient to protect public health, and should be presented to the Governor and the Legislature by December 1, 2007.

The work group may make at least the following considerations:

- communities in the state that have elevated levels of particulate matter 2.5 pollution;

- the contribution of pollution from solid fuel burning devices to potential violations of federal air quality standards;
- strategies used in other states, regions, or cities to reduce wood smoke pollution levels and the effectiveness of these strategies;
- state laws, rules, tariffs, and policies that impact the ability to reduce emissions from solid fuel burning devices or encourage the use of cleaner burning devices; and
- potential financial incentives and sources of funding to change out older solid fuel burning devices to cleaner burning devices.

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**EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment broadens the scope of work group recommendations on opportunities to reduce exposure to wood smoke by deleting specific reference to public health threats. The work group is directed to make recommendations on opportunities to reduce exposure to wood smoke to meet the new national air quality standards for fine particulates in Washington state. The amendment makes various technical changes.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) Washington's current wood smoke control program has significantly reduced concentrations of fine particle pollution. The Environmental Protection Agency recently adopted more stringent standards for fine particles, and Washington now does not meet the new standards in numerous cities in the state. Residential wood burning is the primary source of fine particle pollution in these areas that violate the new standard. Uncertified wood stoves are a big source of wood smoke pollution, particularly in times of cold weather. The purpose of this bill is to assess effectiveness of current and new strategies to reduce wood smoke in light of these new standards. Assessment must include an accurate inventory of the numbers and types of solid fuel burning devices, especially in areas where there are elevated levels of fine particle pollution. We need to understand the source of the wood smoke, so that solutions can be targeted. Particle pollution can adversely affect the health of people, especially those with asthma or heart disease.

(Opposed) None.

**Persons Testifying:** Marcia Fromhold, Puget Sound Clean Air; Marshal Taylor, Department of Ecology; and Gregg Grunfelder, Department of Health.

**Persons Signed In To Testify But Not Testifying:** None.