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**Agriculture & Natural Resources  
Committee**

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**HB 1646**

**Brief Description:** Adding the department of natural resources' civil enforcement decisions under RCW 76.04.205 to appeals that may be heard by the pollution control hearings board.

**Sponsors:** Representatives Ormsby, Orcutt and Tharinger; by request of Department of Natural Resources.

**Brief Summary of Bill**

- Authorizes the Pollution Control Hearings Board to hear appeals of Department of Natural Resources (DNR) actions relating to burning permits and silvicultural burning.

**Hearing Date:** 2/11/25

**Staff:** Lily Smith (786-7175).

**Background:**

The State Clean Air Act.

The state Clean Air Act (CAA) regulates outdoor air pollution. Any person who violates any of the provisions of the CAA may incur a civil penalty in an amount not to exceed \$10,000 per day for each violation.

Department of Natural Resources Burn Permits.

The DNR regulates burning activities on DNR-protected land and silvicultural burning under the CAA through the issuance of permits, which may include conditions for the protection of life,

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property, or air quality, and may be suspended or revoked. A person who violates the requirements to have a valid, written burning permit obtained from the DNR may incur a civil penalty under the Clean Air Act.

#### Pollution Control Hearings Board.

The Pollution Control Hearings Board (PCHB) is an administrative body that has jurisdiction to hear appeals covering a wide range of environmental permits and enforcement actions.

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

The PCHB jurisdiction is expanded to include appeals of:

- civil penalties issued by the DNR for violations of burning permits or silvicultural burning activities under the CAA; and
- DNR decisions regarding the issuance or revocation of a burning permit.

**Appropriation:** None.

**Fiscal Note:** Available.

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