

SENATE BILL REPORT

SB 5821

AS PASSED SENATE, MARCH 13, 1991

Brief Description: Modifying provisions relating to the creation of air pollution control authorities.

SPONSORS: Senators Craswell, Owen and Oke.

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: Do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Conner, and Snyder

Staff: Atsushi Kiuchi (786-7708)

Hearing Dates: February 28, 1991

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

BACKGROUND:

There are nine local air pollution control authorities (agencies) in the state, covering 25 of the 39 counties. Fourteen counties do not have local authorities and their air quality programs are administered by the Department of Ecology.

The state Clean Air Act permits the formation of single and multi-county and/or regional air pollution control authorities.

The act establishes procedures for forming as well as annexing into or withdrawing from existing agencies. Upon withdrawal, a first class, class A or class AA county has several options including forming its own agency or joining with another county.

Four counties have elected to have their own single county authority -- Spokane, Yakima, Douglas and Grant counties.

SUMMARY:

Any first class county in which 75 percent or more of its boundary lies on water and not on land and is currently a member of multi-county air authority shall operate as a single county air pollution control authority after January 1, 1992 unless prior to this date, the county selects another alternative.

The alternatives include: continue participation in an existing multi-county authority; join another existing multi-county authority; or form a new multi-county authority.

The county shall hold public hearings and obtain public comments on the alternatives before making a determination.

If the county does not elect to participate in a multi-county authority after January 1, 1992, the rules adopted by the existing multi-county authority shall remain in effect until superceded by the county acting as an individual air authority. After July 1, 1992, no multi-county authority passed rule shall remain in effect.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The weather conditions vary within a multi-county air pollution control authority's jurisdictional boundary and results in inequality of enforcement and management activities. Local control would provide better and more response service to residents.

TESTIMONY AGAINST:

A multi-county jurisdiction provides more services to local residents at lower costs. A single county air authority would be required to carry on state and federally mandated programs and would not exempt them from meeting these standards.

TESTIFIED: Senator Craswell (pro); L.V. Jenson (pro); Richard Mitchumsun, Mayor of Poulsbo (pro); Lloyd A. Parkhurst (pro); Mike Ryherd, Puget Sound Air Pollution Control Authority (con)

HOUSE AMENDMENT(S):

Counties described in the bill are allowed the discretion, after January 1, 1992, to withdraw from a multicounty air authority. The county may create its own authority, join or form another multicounty authority or elect to become inactive and delegate the responsibility to the Department of Ecology.

Provisions are made for division of liabilities and assets. If the county withdraws, existing regulations of the multicounty authority are to remain in effect until superseded by new rules.