

**SENATE BILL REPORT**

**ESSB 6304**

**AS PASSED SENATE, FEBRUARY 18, 1992**

**Brief Description:** Modifying the administration of the outdoor burning control program in rural areas.

**SPONSORS:** Senate Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Metcalf, Bauer and Craswell)

**SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES**

**Majority Report:** That Substitute Senate Bill No. 6304 be substituted therefor, and the substitute bill do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Conner, Owen, Sellar, Snyder, and Sutherland.

**Staff:** Ats Kiuchi (786-7708)

**Hearing Dates:** February 6, 1992

**BACKGROUND:**

Recent surveys conducted by the Department of Ecology indicate that outdoor burning contributes to about 10 percent of the air pollution problems in the state. Outdoor burning includes forest slash, agricultural, construction debris and backyard (garden) debris burning.

The 1991 state Clean Air Act amendments prohibit outdoor burning in urban areas by year 2001 and sooner if alternatives are available. The outdoor burning bans are applicable in county-designated urban growth areas and in cities of more than 10,000 people where federal air quality standards are threatened.

Outdoor burning is permitted by the issuance of permits by local and state authorities. Some local air pollution control authorities have imposed outdoor burning bans.

**SUMMARY:**

Permit requirements for burning of yard and garden debris in nonurbanized areas by the property owner or his/her designee shall not apply to fires containing combustible materials of four feet or less in diameter.

A burning permit issuing agency may elect to exempt fires in nonurbanized areas containing combustible materials between four feet and ten feet in diameter.

Nonurbanized areas are outside an urban growth area as designated by local governments.

A fire protection agency, county, or conservation district may elect not to administer the burning permit program. In these areas, the local air pollution control authority, or the Department of Ecology if there is no activated local authority, shall administer the program.

As an alternative to administering the burning permit program, a fire protection agency, county, or conservation district may elect not to abate permitted nuisance fires. In these areas, the local air pollution control authority, or the Department of Ecology if there is no activated local authority, shall administer the program.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 28, 1992

**TESTIMONY FOR:**

Smaller fire districts, especially those staffed by volunteers, are faced with an increased workload of issuing and enforcing outdoor burning permits. The legislation would enable these districts to make a choice of whether or not to carry on these activities.

**TESTIMONY AGAINST:**

All fires, regardless of size, pose health threats to people and should not be exempt from permit requirements. Local fire districts would lose contact and control of the people they serve. This issue is the subject of current study by the Clean Air Act of 1991 implementation committee.

**TESTIFIED:** Roger Ferris, Washington Fire Commissioners Assn. (pro); Mike Gibson, Mason County Commissioner (pro); Mike Longan, Mason County Fire Commission (pro); Al Brotche, Mason County Fire District 11 (pro); Nancy Bagley, American Lung Assn. (con); Stu Clark, Dept. of Ecology (con); Bruce Wishart, Sierra Club (con); Jim Nolan, Puget Sound Air Pollution Control Authority (con); Peter Spiller, Washington Fire Commissioners (pro); Drew Wingard, Port Orchard (pro); Mike Reyherd, Puget Sound Air Pollution Control Authority (pro)