

SENATE BILL REPORT

SB 6304

AS REPORTED BY COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES,
FEBRUARY 6, 1992

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

SPONSORS: 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.

The local air pollution control authority or the Department of Ecology, when applicable, shall administer the burning permit program if a fire protection agency, county or conservation district elect not to do so in rural areas that are outside designated urban growth areas.

EFFECT OF PROPOSED SUBSTITUTE:

A fire protection district, county or conservation district located in a rural area outside an urban growth area may, as an alternative to issuing burning permits, elect not to abate nuisance fires caused by permitted outdoor burning. In these areas, the responsibility will belong to the local air pollution control authority or the Department of Ecology in areas where there is no active air authority.

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)