

SENATE BILL REPORT

ESB 6409

AS PASSED SENATE, FEBRUARY 14, 1992

Brief Description: Revising the restrictions on outdoor burning.

SPONSORS: Senators Bauer and Barr

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Majority Report: Do pass as amended.

Signed by Senators Barr, Chairman; Anderson, Vice Chairman; Bailey, Conner, Hansen, and Newhouse.

Staff: John Stuhlmiller (786-7446)

Hearing Dates: February 4, 1992; February 7, 1992

BACKGROUND:

The passage of clean air legislation at both the state and federal level has aimed at restricting outdoor burning of all kinds.

Concern has been expressed regarding the prohibition of burning in areas exceeding the air quality standards for pollutants emitted by outdoor burning. Currently the only exemption is for silvicultural burning.

SUMMARY:

Outdoor burning is banned in areas exceeding the air quality standards for particulates for more than one day during the preceding twelve months. A day in which the standards were exceeded due to sources other than outdoor burning shall not be counted as a violation for the purposes of prohibiting burning. Burning may be resumed after twelve months in an area that has exceeded the quality standards for particulates if no violations are recorded in that twelve month period.

Local government regulation shall limit outdoor burning as to location in any urban growth area or city with a population greater than 20,000 where alternative disposal practices are available at reasonable cost. The current prohibition on burning after the year 2000 is eliminated.

Until urban growth areas are established, outdoor burning may be limited by local pollution control authorities only in areas that have been documented to have violated air quality standards due to outdoor burning.

Exemptions from the regulations on burning are broadened to include the burning of weeds, trees and branches felled by a

confirmed windstorm, diseased or pest-infested plant material, and agricultural residue if the practice is approved by a local soil conservation district. Also, for these additional exempt activities to take place, a burn permit must be issued by a local fire district.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This bill is needed to allow burning after the year 2000, and to allow outdoor burning in limited circumstances when the problem is not caused by outdoor burning but other sources of pollution. People need to be able to burn waste products such as agricultural wastes and tree limbs or the landfills will be filled up very quickly.

TESTIMONY AGAINST:

The Department of Ecology can address the concerns raised in the bill through rules, and the department is now working to address agriculture's needs. The bill would remove carbon monoxide from consideration in curtailment of outdoor burning.

TESTIFIED: Senator Albert Bauer, prime sponsor; Len Dozier, Washington State Farm Bureau (pro); Vinton Erickson, Washington State Farm Bureau (pro); Marcus Boldt, Washington State Farm Bureau (pro); Merril Firestone, Washington State Farm Bureau (pro); Andrew Wainer, Washington State Farm Bureau (pro); C. Calvin Hongel, Washington State Farm Bureau (pro); Joe Williams, Department of Ecology (con); Thomas Tabor, Southwest Washington Pollution Control Authority (con); Marlyta Deck, Washington State Cattlemen's Association (pro); Curtis Achziger, Citizen's View (pro); Rick Slunaker, Associated General Contractors of Washington (pro)