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SENATE BILL 5891

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State of Washington

52nd Legislature

1991 Regular Session

By Senators Oke, Snyder, Metcalf, Patterson, McMullen, Owen, Rasmussen, Anderson, Matson, Bauer, Nelson, Conner, Bailey, McCaslin, Hansen, Craswell and Amondson.

Read first time March 1, 1991. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to the exemption of seniors from fireplace and  
2 woodstove burning bans; and amending RCW 70.94.473.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.94.473 and 1990 c 128 s 2 are each amended to read  
5 as follows:

6 (1) Any person in a residence or commercial establishment which has  
7 an adequate source of heat without burning wood shall:

8 (a) Not burn wood in any solid fuel burning device whenever the  
9 department has determined under RCW 70.94.715 that any air pollution  
10 episode exists in that area;

11 (b) Not burn wood in any solid fuel burning device except those  
12 which meet the standards set forth in RCW 70.94.457, or a pellet stove  
13 either certified or issued an exemption certificate by the United  
14 States environmental protection agency in accordance with Title 40,  
15 Part 60 of the code of federal regulations, in the geographical area

1 and for the period of time that a first stage of impaired air quality  
2 has been determined, by the department or any authority, for that area.  
3 A first stage of impaired air quality is reached when particulates ten  
4 microns and smaller in diameter are at an ambient level of seventy-five  
5 micrograms per cubic meter measured on a twenty-four hour average or  
6 when carbon monoxide is at an ambient level of eight parts of  
7 contaminant per million parts of air by volume measured on an eight-  
8 hour average; and

9 (c) Not burn wood in any solid fuel burning device, including those  
10 which meet the standards set forth in RCW 70.94.457, in a geographical  
11 area and for the period of time that a second stage of impaired air  
12 quality has been determined by the department or any authority, for  
13 that area. A second stage of impaired air quality is reached when  
14 particulates ten microns and smaller in diameter are at an ambient  
15 level of one hundred five micrograms per cubic meter measured on a  
16 twenty-four hour average.

17 (2) (~~When~~) If a local air authority exercises the limitation on  
18 solid fuel burning devices specified under RCW 70.94.477(2), a single  
19 stage of impaired air quality applies in the geographical area defined  
20 by the authority in accordance with RCW 70.94.477(2) and is reached  
21 when particulates ten microns and smaller in diameter are at an ambient  
22 level of ninety micrograms per cubic meter measured on a twenty-four  
23 hour average or when carbon monoxide is at an ambient level of eight  
24 parts of contaminant per million parts of air by volume measured on an  
25 eight-hour average.

26 (~~When~~) If this single stage of impaired air quality is reached,  
27 no person in a residence or commercial establishment (~~which~~) that has  
28 an adequate source of heat without burning wood shall burn wood in any  
29 solid fuel burning device, including those which meet the standards set  
30 forth in RCW 70.94.457.

1       (3) The provisions of subsections (1)(a) and (c) and (2) of this  
2 section shall not apply to any person who burns wood as a source of  
3 heat in a residence where a person over the age of sixty-two resides.