

SENATE BILL REPORT

SB 6103

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, FEBRUARY 4, 1994

Brief Description: Providing for burning permits for fire fighting instruction.

SPONSORS: Senators Snyder, McCaslin, Loveland, Vognild, Hargrove, Owen, M. Rasmussen, Roach and Oke

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 6103 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Deccio, Moore, Morton, Sutherland and Talmadge.

Staff: Kari Guy (786-7464)

Hearing Dates: February 2, 1994; February 4, 1994

BACKGROUND:

Permits for fires for fire fighting instruction are issued by the local air pollution control agency, or the Department of Ecology in areas where there is no local air pollution control agency. The Department of Ecology is developing a policy to provide local air authorities guidelines on writing permits for fire training fires, with input from the Washington State Control Officer's Association, and the State Associations of Fire Chiefs, Fire Commissioners, and Fire Marshals.

The draft policy outlines general permit conditions and specific conditions for obtaining a permit, including notification to adjoining property owners, compliance with nuisance laws, and a good faith inspection for asbestos. Local air agencies may have more restrictive policies. Local fire agencies have raised concerns that these requirements will prevent proper training of fire fighters.

SUMMARY:

Permits for fire fighting instruction purposes must be issued by the local air pollution control agency or the Department of Ecology if three conditions are met: the fire must have some training value; the local fire agency agrees to make an effort to ensure that all asbestos hazards have been removed; and the fire will not occur during a stage of impaired air quality.

EFFECT OF PROPOSED SUBSTITUTE:

Fire districts may set fire to structures located outside of urban growth areas in counties planning under the Growth Management Act, and outside cities of 10,000 or more in other

counties, without obtaining a permit from the local air pollution control authority if certain conditions are met.

Conditions added include: the fire must conform with other permits; nuisance laws are applicable to the fire; notice must be provided to adjoining property owners; each structure to be set on fire must be marked; and a good faith inspection for asbestos must be conducted.

Appropriation: none

Revenue: none

Fiscal Note: requested January 12, 1994

TESTIMONY FOR:

Fire training needs to be realistic, and all volunteers must be trained with a live fire. The air pollution control agencies should not be trying to determine whether the training is necessary.

TESTIMONY AGAINST:

Not having an inspection for asbestos would violate federal law. Only a few agencies have denied permits, and the air agencies could develop more consistent practices through the Association of Air Pollution Control Agencies.

TESTIFIED: Joe Williams, Department of Ecology; Arthur Davidson, Puget Sound Air Pollution Control Authority (con); Mel Low, Thurston County Fire District #6 (pro); Otto Jensen, WSAFC (pro)