

2 2E2SHB 1354 - S AMD TO AE COMM AMD (S-4893.3/98) - 812
3 By Senators Swecker and Fraser

4 ADOPTED 3/3/98

5 On page 7, after line 6 of the amendment, insert the following:

6 "Sec. 8. RCW 70.94.473 and 1995 c 205 s 1 are each amended to read
7 as follows:

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

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

13 (b) Not burn wood in any solid fuel burning device except those
14 which are either Oregon department of environmental quality phase II or
15 United States environmental protection agency certified or certified by
16 the department under RCW 70.94.457(1) or a pellet stove either
17 certified or issued an exemption by the United States environmental
18 protection agency in accordance with Title 40, Part 60 of the code of
19 federal regulations, in the geographical area and for the period of
20 time that a first stage of impaired air quality has been determined, by
21 the department or any authority, for that area. A first stage of
22 impaired air quality is reached when particulates ten microns and
23 smaller in diameter are at an ambient level of (~~seventy-five~~) sixty
24 micrograms per cubic meter measured on a twenty-four hour average or
25 when carbon monoxide is at an ambient level of eight parts of
26 contaminant per million parts of air by volume measured on an eight-
27 hour average; and

28 (c) Not burn wood in any solid fuel burning device in a
29 geographical area and for the period of time that a second stage of
30 impaired air quality has been determined by the department or any
31 authority, for that area. A second stage of impaired air quality is
32 reached when particulates ten microns and smaller in diameter are at an
33 ambient level of one hundred five micrograms per cubic meter measured
34 on a twenty-four hour average.

35 (2) Actions of the department and local air pollution control
36 authorities under this section shall preempt actions of other state

1 agencies and local governments for the purposes of controlling air
2 pollution from solid fuel burning devices, except where authorized by
3 chapter 199, Laws of 1991."

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6 ADOPTED 3/3/98

7 On page 7, line 12 of the title amendment, after "70.120.170,"
8 strike "and 46.16.015" and insert "46.16.015, and 70.94.473"

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