

# HOUSE BILL REPORT

## EHB 2414

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### As Amended by the Senate

**Title:** An act relating to outdoor burning.

**Brief Description:** Extending the time in which to comply with outdoor burning prohibitions.

**Sponsors:** Representatives Pennington, Mielke, Alexander, Carlson, Honeyford, Chandler, Buck, Hatfield and Doumit.

**Brief History:**

**Committee Activity:**

Agriculture & Ecology: 1/29/98, 2/2/98 [DPA].

**Floor Activity:**

Passed House: 2/11/98, 93-2.

Senate Amended.

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### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 8 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Delvin; Koster; Mastin and Regala.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Anderson, Assistant Ranking Minority Member; and Cooper.

**Staff:** Carole Richmond (786-7114).

**Background:** Consistent with the Washington Clean Air Act, it is the policy of the State of Washington to reduce outdoor burning to the greatest extent practical. Outdoor burning is defined as "the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion." Outdoor burning without a permit is prohibited in certain areas of the state, including:

- any area where state or federal ambient air quality standards are exceeded for pollutants emitted by outdoor burning;

- any urban growth area as designated by counties pursuant to the Growth Management Act, or any city of more than 10,000 people if such cities threaten to exceed state or federal air quality standards and alternative disposal methods are reasonably available.

Outdoor burning permits are available for a variety of activities, including weed abatement, certain kinds of fire fighting instruction, certain agricultural activities, and the disposal of organic refuse from land clearing. Certain outdoor burning activities are exempted from permit requirements.

Under current law, outdoor burning in urban growth areas or in cities of over 10,000 would be entirely prohibited after December 31, 2000.

**Summary of Bill:** Cities of over 5,000 population must comply with the prohibition on all outdoor burning after December 31, 2000, but cities below that population level that are not close to air quality nonattainment or maintenance areas have until December 31, 2006, to eliminate all outdoor burning.

**EFFECT OF SENATE AMENDMENT(S):** The outdoor burning deadline is extended for cities with a population of less than 5,000, as well as the associated urban growth area.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Many isolated small towns and cities do not have reasonable alternatives to outdoor burning and need more time to develop these alternatives before the prohibition on outdoor burning goes into effect. Outdoor burning should not be allowed in air quality non-attainment areas.

**Testimony Against:** None.

**Testified:** Representative John Pennington; John Penberth, Mayor of Pe Ell; Stu Clark, Manager of Air Quality Program for the Department of Ecology; and Nick Federici, American Lung Association.