

# SENATE BILL REPORT

## SB 6553

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As Reported By Senate Committee On:  
Agriculture & Environment, February 3, 1998

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

**Brief Description:** Allowing a county fire protection agency to issue a permit to burn storm and flood-related debris.

**Sponsors:** Senators Johnson, Rasmussen, Swecker, Goings, Winsley, Anderson, Hale and Oke.

**Brief History:**

**Committee Activity:** Agriculture & Environment: 1/29/98, 2/3/98 [DPS, DNP].

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Majority Report:** That Substitute Senate Bill No. 6553 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Newhouse, Oke and Rasmussen.

**Minority Report:** Do not pass.

Signed by Senators Fraser and McAuliffe.

**Staff:** Kari Guy (786-7437)

**Background:** The local air pollution control authority, or the Department of Ecology in an area where there is no air pollution control authority, must implement the limited outdoor burning program of the Washington Clean Air Act. Outdoor burning is currently prohibited in areas where federal or state ambient air quality standards are exceeded for particulate matter or carbon monoxide. Outdoor burning is also to be phased out in urban growth areas and in any city with a population of greater than 10,000 by December 31, 2000. In other areas, outdoor burning may be permitted by a fire protection agency, county, or conservation district.

In 1997, legislation was passed to allow open burning for the purpose of managing storm or flood-related debris. The decision to allow open burning is made by the entity with permitting jurisdiction, either the Department of Ecology or the local air pollution control agency. If outdoor burning is allowed in areas where burning is currently prohibited, a permit is required.

**Summary of Bill:** A permit for the purpose of burning storm or flood-related debris may be issued by the appropriate fire protection agency for any lands within the jurisdiction of the fire protection agency. The fire district must consult with the appropriate air pollution control agency.

**Substitute Bill Compared to Original Bill:** Fire districts are required to consult with the appropriate air pollution control agency prior to issuing permits.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Rural areas need flexibility in dealing with storm debris. Fire districts have a better understanding of local needs and local issues.

**Testimony Against:** The purpose of outdoor burn ban is to protect public health. This bill will lead to more burning and more nuisance complaints and may threaten attainment of federal air quality standards. Fire districts do not have the expertise to determine the right meteorological conditions when burning should be allowed.

**Testified:** PRO: Timothy Lemon, Maple Valley Fire Dept.; CON: Joe Williams, Ecology; Mike Ryherd, PSAPCA; Nick Federici, Lung Association.