

HOUSE BILL REPORT

HB 2993

As Amended by the Senate

Title: An act relating to setting fires for fire fighter instruction.

Brief Description: Setting fires for fire fighter instruction.

Sponsors: Representatives G. Chandler and Cooper.

Brief History:

Committee Activity:

Local Government: 2/2/00 [DP].

Floor Activity:

Passed House: 2/9/00, 97-0.

Senate Amended.

Passed Senate: 3/2/00, 46-0.

Brief Summary of Bill

- Specifies training fires in structures located outside urban growth areas must conform to the Department of Labor and Industries' safety standards for fire fighters (instead of any required permits, licenses or approvals).
- Specifies the fire agency or district conducting the training fire is the entity responsible for the good faith asbestos inspection before setting fire to a structure.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Mulliken, Republican Co-Chair; Scott, Democratic Co-Chair; Doumit, Democratic Vice Chair; Mielke, Republican Vice Chair; Edwards; Ericksen and Fortunato.

Staff: Scott MacColl (786-7106).

Background:

Fire protection district fire fighters may, for instruction in methods of fire fighting, set fire to structures without a permit. These structures must be located outside the urban growth areas in counties that plan under the Growth Management Act, and outside any city with a population of 10,000 or more in all other counties. Fires may be set without a permit if:

- the fire conforms with any other permits, licenses, or approvals required;
- the fire is not located in an area that is declared to be in an air pollution episode or any stage of an impaired air quality;
- nuisance laws are applicable to the fire;
- notice of the fire is provided to owners of adjoining property to which the fire will occur, and any other persons who will potentially be impacted by the fire, or any additional persons as specifically requested by the local air pollution control agency or the Department of Ecology;
- each structure proposed to be set on fire is identified to be set on fire; and
- a good faith inspection is conducted to determine if materials containing asbestos are present, the inspection is documented in writing to the appropriate local air authority or the Department of Ecology, and any asbestos found is removed as required by law.

Summary of Bill:

The conditions that must be met by a fire protection district to set a training fire without a permit are clarified to require that:

- The training fire conforms with WAC 296-305-05501, as authorized in statute by RCW 49.17.010, which specify Department of Labor and Industries fire safety standards; and
- The good-faith inspection for asbestos required prior to setting a structure on fire be conducted by the fire agency or fire protection district conducting the training fire.

EFFECT OF SENATE AMENDMENT(S): Removes reference to training fires conforming with WAC 296-305-05501, and inserts the requirement that training fires consider prevailing air patterns, and that fires are unlikely to cause air pollution in sensitive areas downwind.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is an important bill for fire fighter training. The training meets the Department of Labor and Industries standards, and makes sure asbestos is removed prior. Fire fighters within urban areas support training in rural areas. The WAC is the vertical standard for fire fighters, and this will allow flexibility to allow urban districts to work with rural fire districts. As a side benefit, this also allows the rural districts to learn from urban ones. This bill would also expand the number of days that a fire district can burn, yet maintaining current safeguards. In 1994, legislation was passed in which burning fires for training was allowed without a permit. Fire districts are mandated by the Department of Labor and Industries to burn structure fires as part of training.

Testimony Against: None.

Testified: Representative Gary Chandler, co-prime sponsor; Representative Cooper, co-prime sponsor; Dave Bailey, Port of Moses Lake; Dwayne Marlow, Washington Association of Fire Chiefs; and Bruce Halloway, Spokane Fire District #3.