
HOUSE BILL 2980

State of Washington 64th Legislature 2016 Regular Session

By Representatives Kochmar, Hickel, and Manweller

Read first time 02/10/16. Referred to Committee on Environment.

1 AN ACT Relating to prohibiting the siting of certain new
2 facilities that would jeopardize air quality in areas that have
3 recently failed to meet air quality standards; adding a new section
4 to chapter 70.94 RCW; creating a new section; and declaring an
5 emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that the state of
8 Washington has devoted substantial regulatory attention and resources
9 towards ensuring that air quality in communities throughout the state
10 meet federal and state standards that are protective of human health
11 and the environment. Furthermore, in areas of the state that have
12 recently failed to meet air quality standards, the state has adopted
13 extensive and sometimes intrusive policies designed to protect air
14 quality, such as requiring people living in homes with old woodstoves
15 to proactively remove or disable the woodstoves. Therefore, in order
16 to ensure continued air quality improvement in areas where dramatic
17 measures have been enacted to ensure air quality meets state and
18 federal standards, it is the intent of the legislature to avoid
19 authorizing certain new facilities that would jeopardize local air
20 quality and have substantial impacts on the community.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.94
2 RCW to read as follows:

3 (1)(a) The department or a local air authority may not issue a
4 notice of construction permit under RCW 70.94.152 to any new source
5 that generates emissions of criteria pollutants from operations that
6 refine or convert natural gas, crude oil, or other fossil fuels into
7 other marketable products.

8 (b) For the purposes of this section "criteria pollutants" means
9 pollutants for which the United States environmental protection
10 agency has adopted ambient air quality standards under 40 C.F.R. Part
11 50, as of the effective date of this section.

12 (2) Subsection (1) of this section applies only to a new source
13 that is located in an area that has been designated by the United
14 States environmental protection agency as an area of nonattainment
15 for any criteria pollutant during the ten years prior to the receipt
16 of the notice of construction application by the department or air
17 authority.

18 (3) Nothing in this section prevents a department or air
19 authority from issuing a permit under RCW 70.94.152 for the
20 modification of a source or a new emissions unit at a facility that
21 had been permitted or authorized to operate under this chapter as of
22 January 1, 2015.

23 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of
25 the state government and its existing public institutions, and takes
26 effect immediately.

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