
Environment & Energy Committee

HB 1057

Brief Description: Clarifying the meaning of the term "enjoyment of life and property" within the clean air act.

Sponsors: Representatives Pollet, Valdez, Fitzgibbon, Ryu, Ramel and Duerr.

Brief Summary of Bill

- Provides that, within the Clean Air Act's definition of "air pollutant," the term "enjoyment of life and property" may include a person's use or enjoyment of a public park, public recreational facility or trail, or publicly owned commons of any municipal government or state agency.

Hearing Date: 1/12/21

Staff: Robert Hatfield (786-7117).

Background:

The Washington Clean Air Act.

The Washington Clean Air Act (Act) regulates outdoor air pollution. The Act defines "air pollution" as the "presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property."

Air pollution control regulations address emissions of air contaminants that injure health or unreasonably interfere with enjoyment of life and property. Enforcement authority for the Act is handled either by the Department of Ecology or by one of the seven regional clean air agencies

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within Washington, depending on the county in which the source is located.

A person may file a complaint about an odor via a regional clean air agency or via the Department of Ecology, depending on the county in which the odor is located.

Some activities, such as certain agricultural activities and particular forms of silvicultural burning, are exempt from certain provisions of the Act, provided they satisfy criteria set forth in the Act.

Summary of Bill:

The Clean Air Act's (Act) definition of "air pollution" is amended to provide that, for purposes of the Act, "enjoyment of life and property" may include a person's use or enjoyment of a public park, public recreational facility or trail, or publicly owned commons of any municipal government or state agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.