

**RCW 70A.355.100 Preemption.** (1) Except as provided in RCW 70A.355.030 and subsections (2), (3), (4), and (5) of this section, the rules adopted under this chapter supersede and preempt any state or local underground storage tank law, ordinance, or resolution governing any aspect of regulation covered by the rules adopted under this chapter.

(2) Provisions of the international fire code adopted under chapter 19.27 RCW, which are not more stringent than, and do not directly conflict with, rules adopted under this chapter are not superseded or preempted.

(3) Local laws, ordinances, and resolutions pertaining to local authority to take immediate action in response to a release of a regulated substance are not superseded or preempted.

(4) City, town, or county underground storage tank ordinances that are more stringent than the federal regulations and the uniform codes adopted under chapter 19.27 RCW and that were in effect on or before November 1, 1988, are not superseded or preempted.

(5) Local laws, ordinances, and resolutions pertaining to permits and fees for the use of underground storage tanks in street right-of-ways [rights-of-way] that were in existence prior to July 1, 1990, are not superseded or preempted. [2020 c 20 s 1515; 2007 c 147 s 8; 1991 c 83 s 1; 1989 c 346 s 12. Formerly RCW 90.76.110.]

**Sunset Act application:** See note following chapter digest.