
ENGROSSED SENATE BILL 6409

State of Washington

52nd Legislature

1992 Regular Session

By Senators Bauer and Barr

Read first time 01/29/92. Referred to Committee on Agriculture & Water Resources.

1 AN ACT Relating to outdoor burning; and amending RCW 70.94.743.

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

3 **Sec. 1.** RCW 70.94.743 and 1991 c 199 s 402 are each amended to
4 read as follows:

5 (1) Consistent with the policy of the state to reduce outdoor
6 burning to the greatest extent (~~(practical)~~) that will significantly
7 improve air quality:

8 (a) Except for subsection (3) of this section, outdoor burning
9 shall not be allowed in any area of the state where federal or state
10 ambient air quality standards (~~(are exceeded for pollutants emitted by~~
11 outdoor)) for particulates were violated for more than one day during
12 the preceding twelve months. A day in which the standards were
13 exceeded due to sources other than outdoor burning shall not be counted
14 as a violation for the purpose of prohibiting burning.

1 (b) Outdoor burning shall ~~((not be allowed))~~ be limited in location
2 through regulation by the local government in any urban growth area as
3 defined by RCW 36.70A.030, or any city of the state having a population
4 greater than ~~((ten))~~ twenty thousand people if such cities are
5 threatened to exceed state or federal air quality standards, and where
6 alternative disposal practices consistent with good solid waste
7 management ~~((are reasonably available))~~ or practices eliminating
8 production of organic refuse are ~~((reasonably))~~ available at reasonable
9 cost.

10 Prior to the establishment of urban growth areas, outdoor burning
11 may be limited within boundaries established by local air pollution
12 control authorities in areas documented to have violated federal or
13 state ambient air quality standards for particulates for more than one
14 day during the preceding twelve months, if the primary source of the
15 violation is outdoor burning. ~~((In no event shall such burning be~~
16 allowed after December 31, 2000.))

17 (2) "Outdoor burning" means the combustion of material of any type
18 in an open fire or in an outdoor container without providing for the
19 control of combustion or the control of emissions from the combustion.

20 (3) This section shall not apply to: (a) Silvicultural burning
21 used to improve or maintain fire dependent ecosystems for rare plants
22 or animals within state, federal, and private natural area preserves,
23 natural resource conservation areas, parks, and other wildlife areas or
24 (b) if a burn permit is issued by a local fire district, the burning of
25 weeds, trees and branches felled by a windstorm that is confirmed by an
26 official weather station, agricultural residue if approved by a local
27 soil conservation district, or diseased or pest-infested plant
28 material.