
ENGROSSED HOUSE BILL 2414

State of Washington

55th Legislature

1998 Regular Session

By Representatives Pennington, Mielke, Alexander, Carlson, Honeyford, Chandler, Buck, Hatfield and Doumit

Read first time 01/13/98. Referred to Committee on Agriculture & Ecology.

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 1997 c 225 s 1 are each amended to read
4 as follows:

5 (1) Consistent with the policy of the state to reduce outdoor
6 burning to the greatest extent practical:

7 (a) Outdoor burning shall not be allowed in any area of the state
8 where federal or state ambient air quality standards are exceeded for
9 pollutants emitted by outdoor burning.

10 (b) Outdoor burning shall not be allowed in any urban growth area
11 as defined by RCW 36.70A.030, or any city of the state having a
12 population greater than ten thousand people if such cities are
13 threatened to exceed state or federal air quality standards, and
14 alternative disposal practices consistent with good solid waste
15 management are reasonably available or practices eliminating production
16 of organic refuse are reasonably available. In no event shall such
17 burning be allowed after December 31, 2000, except that for cities less
18 than five thousand population neither within nor contiguous with any
19 nonattainment or maintenance area designated under the federal clean

1 air act, in no event shall such burning be allowed after December 31,
2 2006.

3 (c) Notwithstanding any other provision of this section, outdoor
4 burning may be allowed for the exclusive purpose of managing storm or
5 flood-related debris. The decision to allow burning shall be made by
6 the entity with permitting jurisdiction as determined under RCW
7 70.94.660 or 70.94.755. If outdoor burning is allowed in areas subject
8 to (a) or (b) of this subsection, a permit shall be required, and a fee
9 may be collected to cover the expenses of administering and enforcing
10 the permit. All conditions and restrictions pursuant to RCW
11 70.94.750(1) and 70.94.775 apply to outdoor burning allowed under this
12 section.

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

16 (3) This section shall not apply to silvicultural burning used to
17 improve or maintain fire dependent ecosystems for rare plants or
18 animals within state, federal, and private natural area preserves,
19 natural resource conservation areas, parks, and other wildlife areas.

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