
HOUSE BILL 1136

State of Washington

56th Legislature

1999 Regular Session

By Representatives Delvin, Pennington, Schoesler, G. Chandler, Mielke, Carlson and Mulliken

Read first time 01/15/1999. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to outdoor burning; amending RCW 70.94.743;
2 providing an effective date; and declaring an emergency.

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

4 **Sec. 1.** RCW 70.94.743 and 1998 c 68 s 1 are each amended to read
5 as follows:

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

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

11 (b) Outdoor burning shall not be allowed in any urban growth area
12 as defined by RCW 36.70A.030, or any city of the state having a
13 population greater than ten thousand people if such cities are
14 threatened to exceed state or federal air quality standards, and
15 alternative disposal practices consistent with good solid waste
16 management are reasonably available or practices eliminating production
17 of organic refuse are reasonably available. (~~In no event shall such~~
18 ~~burning be allowed after December 31, 2000, except that within the~~
19 ~~urban growth areas for cities having a population of less than five~~

1 ~~thousand people, that are neither within nor contiguous with any~~
2 ~~nonattainment or maintenance area designated under the federal clean~~
3 ~~air act, in no event shall such burning be allowed after December 31,~~
4 ~~2006-.)~~

5 (c) Notwithstanding any other provision of this section, outdoor
6 burning may be allowed for the exclusive purpose of managing storm or
7 flood-related debris. The decision to allow burning shall be made by
8 the entity with permitting jurisdiction as determined under RCW
9 70.94.660 or 70.94.755. If outdoor burning is allowed in areas subject
10 to (a) or (b) of this subsection, a permit shall be required, and a fee
11 may be collected to cover the expenses of administering and enforcing
12 the permit. All conditions and restrictions pursuant to RCW
13 70.94.750(1) and 70.94.775 apply to outdoor burning allowed under this
14 section.

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

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

22 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and takes effect
25 July 1, 1999.

--- END ---