

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2414

Chapter 68, Laws of 1998

55th Legislature
1998 Regular Session

OUTDOOR BURNING--EXTENSION FOR URBAN GROWTH AREAS OF SMALLER
CITIES

EFFECTIVE DATE: 6/11/98

Passed by the House March 7, 1998
Yeas 95 Nays 1

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1998
Yeas 45 Nays 0

BRAD OWEN
President of the Senate

Approved March 20, 1998

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2414** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 20, 1998 - 4:52 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2414

AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

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 within the
18 urban growth areas for cities having a population of less than five
19 thousand people, that are neither within nor contiguous with any

1 nonattainment or maintenance area designated under the federal clean
2 air act, in no event shall such burning be allowed after December 31,
3 2006.

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

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

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

Passed the House March 7, 1998.

Passed the Senate March 4, 1998.

Approved by the Governor March 20, 1998.

Filed in Office of Secretary of State March 20, 1998.