

WAC 173-425-030 Definitions. The definitions of terms contained in chapter 173-400 WAC are incorporated by reference. Unless a different meaning is clearly required by context, the following words and phrases as used in this chapter shall have the following meanings:

(1) "**Agricultural burning**" means outdoor burning regulated under chapter 173-430 WAC, including, but not limited to, any incidental agricultural burning or agricultural burning for pest or disease control.

(2) "**Air pollution episode**" means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as stated in chapter 173-435 WAC.

(3) "**Construction/demolition debris**" means all material resulting from the construction, renovation, or demolition of buildings, roads, and other man-made structures.

(4) "**Ecology**" means the Washington state department of ecology.

(5) "**Firefighting instruction fires**" means fires for instruction in methods of firefighting, including, but not limited to, training to fight structural fires, aircraft crash rescue fires, and forest fires.

(6) "**Firewood**" means bare untreated wood used as fuel in a solid fuel burning device, Indian ceremonial fire, or recreational fire.

(7) "**Impaired air quality**" means a first or second stage impaired air quality condition declared by ecology or a local air authority in accordance with WAC 173-433-140.

(8) "**Indian ceremonial fires**" means fires necessary for Native American ceremonies (i.e., conducted by and for Native Americans) if part of a religious ritual.

(9) "**Land clearing burning**" means outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused). (RCW 70.94.750(2))

(10) "**Local air authority**" means an air pollution control authority activated under chapter 70.94 RCW that has jurisdiction over the subject source.

(11) "**Natural vegetation**" means unprocessed plant material from herbs, shrubbery, and trees, including grass, weeds, leaves, clippings, prunings, brush, branches, roots, stumps, and trunk wood.

(12) "**Nonattainment area**" means a clearly delineated geographic area which has been designated by the Environmental Protection Agency because it does not meet (or it contributes to ambient air quality in a nearby area that does not meet) a national ambient air quality standard or standards for one or more of the criteria pollutants, which include carbon monoxide, particulate matter (PM-10 and PM2.5), sulfur dioxide, nitrogen dioxide, lead, and ozone.

(13) "**Nonurban areas**" means unincorporated areas within a county that are not designated as an urban growth area. (RCW 70.94.745(8))

(14) "**Nuisance**" means an emission of smoke or any other air contaminant that unreasonably interferes with the use and enjoyment of the property upon which it is deposited. (RCW 70.94.030(2))

(15) "**Other outdoor burning**" means any type of outdoor burning not specified in WAC 173-425-020 (1) or (2)(a) through (i), including, but not limited to, any outdoor burning necessary to protect public health and safety. (RCW 70.94.650(7) and 70.94.765)

(16) "**Outdoor burning**" means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion. For the purposes of this rule, "outdoor burning" means all types

of outdoor burning except agricultural burning and silvicultural burning. (RCW 70.94.743(2))

(17) **"Permitting agency"** means the agency responsible for issuing permits (including adopting a general permit) for, and/or enforcing all requirements of this chapter that apply to, a particular type of burning in a given area (unless another agency agrees to be responsible for certain enforcement activities in accordance with WAC 173-425-060 (1)(a) and (6)).

(18) **"Pollutants emitted by outdoor burning"** means carbon monoxide, carbon dioxide, particulate matter, sulfur dioxide, nitrogen oxides, lead, and various volatile organic compounds and toxic substances.

(19) **"Rare and endangered plant regeneration fires"** means fires necessary to promote the regeneration of rare and endangered plants found within natural area preserves as identified in chapter 79.70 RCW.

(20) **"Reasonable alternative"** means a method for disposing of organic refuse (such as natural vegetation) that is available, reasonably economical, and less harmful to the environment than burning.

(21) **"Recreational fire"** means cooking fires, campfires, and bonfires using charcoal or firewood that occur in designated areas or on private property for cooking, pleasure, or ceremonial purposes. Fires used for debris disposal purposes are not considered recreational fires.

(22) **"Residential burning"** means the outdoor burning of leaves, clippings, prunings and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a human dwelling and burned on such lands by the property owner or his or her designee. (RCW 70.94.750(1))

(23) **"Silvicultural burning"** means outdoor burning relating to the following activities for the protection of life or property and/or the public health, safety, and welfare:

(a) Abating a forest fire hazard;

(b) Prevention of a forest fire hazard;

(c) Instruction of public officials in methods of forest fire-fighting;

(d) Any silvicultural operation to improve the forest lands of the state; and

(e) Silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas. (RCW 70.94.660(1))

(24) **"Storm or flood debris burning"** means fires consisting of natural vegetation deposited on lands by storms or floods that have occurred in the previous two years and resulted in an emergency being declared or proclaimed in the area by the city, county, or state government and burned on such lands by the property owner or his or her designee. (RCW 70.94.743 (1)(c))

(25) **"Tumbleweed burning"** means outdoor burning to dispose of dry plants (typically Russian Thistle and Tumbleweed Mustard plants) that have been broken off, and rolled about, by the wind.

(26) **"Urban growth area"** means land, generally including and associated with an incorporated city, designated by a county for urban growth under RCW 36.70A.030.

(27) **"Weed abatement fires"** means any outdoor burning to dispose of weeds that is not regulated under chapter 173-430 WAC, which applies to agricultural burning.

[Statutory Authority: RCW 70.94.700, [70.94.]755 and Governor's Executive Order 97-02. WSR 00-07-066 (Order 97-39), § 173-425-030, filed 3/13/00, effective 4/13/00. Statutory Authority: Chapter 70.94 RCW. WSR 92-24-077 (Order 91-57), § 173-425-030, filed 12/1/92, effective 1/1/93. Statutory Authority: RCW 70.94.331. WSR 90-19-062 (Order 90-10), § 173-425-030, filed 9/17/90, effective 10/18/90. Statutory Authority: Chapters 70.94 and 43.21A RCW. WSR 89-02-055 (Order 88-39), § 173-425-030, filed 1/3/89; Order DE 77-19, § 173-425-030, filed 10/24/77. Formerly WAC 18-12-030.]