

WAC 332-24-261 Dumping mill waste, forest debris—Creation of a fire hazard—Permits. (1) Forest debris or mill waste dumped in the following manner on or near forest land shall constitute a forest fire hazard and require a dumping permit:

- (a) Piles of fifty cubic yards or more; or
- (b) Two or more piles totaling fifty cubic yards or more, less than three hundred feet apart; or
- (c) A pile less than three hundred feet from a pile placed by another where such piles would total fifty cubic yards or more; or
- (d) When dumped adjacent to piles of fifty cubic yards or more which were in existence before August 9, 1971; or
- (e) When dumped in smaller quantities or greater distances than above when such dumpings are likely to support, intensify or further spread the fire, thereby threatening forest land and/or endangering life or property; however forest debris accumulated on forest land from logging or silvicultural activities on the land on which such activities took place, or activities regulated by RCW 76.04.650, shall not be subject to the permit requirement of this section, except when forest debris accumulated on land clearing or right of way projects subject to RCW 76.04.650 is taken away from such areas and dumped.

(2) No person shall dump or cause to be dumped a forest fire hazard on or threatening forest land without first obtaining a written permit from the department.

(a) Any person having legal authority to dump mill waste from forest products or forest debris, on the described property, shall make application to the department or authorized employees for a permit to do so. The application shall state and include:

- (i) The location;
- (ii) The approximate quantity to be dumped;
- (iii) A description of the material to be dumped;
- (iv) A map illustrating the proposed dump site;
- (v) The name of the person by whom the dumping is to be done.

(b) Upon receipt of an application, the department will inspect the area described in the application. The department, in issuing the permit, may impose conditions in such permit to prevent the creation of a forest fire hazard.

(c) In situations as outlined in subsection (1)(e) of this section, the department may notify the appropriate persons, and such person or persons shall be required to obtain a permit for the continued existence of the dumping of such fire hazard. This permit is required to ensure that such dumping does not create a forest fire hazard and outlines required terms and conditions to eliminate or abate any forest fire hazard that may be created by dumping.

(d) A dumping permit shall be effective only under the conditions and for the period stated therein. The department shall have the authority to rescind a permit upon failure to comply with any of the conditions or terms.

(3) Any person who dumps such mill waste or forest debris, without a permit or in violation of a permit, is guilty of a gross misdemeanor and subject to the penalties for a gross misdemeanor under RCW 9A.20.021 and may further be required to remove all materials dumped.

[Statutory Authority: RCW 76.04.015. WSR 87-11-005 (Order 504), § 332-24-261, filed 5/8/87.]