

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6012**

Chapter 12, Laws of 2001

57th Legislature  
2001 First Special Session

OUTDOOR BURNING--URBAN GROWTH AREAS

EFFECTIVE DATE: 8/23/01

Passed by the Senate May 16, 2001  
YEAS 47 NAYS 0

BRAD OWEN  
**President of the Senate**

Passed by the House May 24, 2001  
YEAS 96 NAYS 0

FRANK CHOPP  
**Speaker of the  
House of Representatives**

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

Approved June 11, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6012** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

FILED

June 11, 2001 - 3:12 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6012**

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Passed Legislature - 2001 Regular Session

**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Environment, Energy & Water (originally sponsored by Senators Honeyford, Rasmussen, Hochstatter, Hale and Carlson)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to customary agricultural practices in the urban  
2 growth area; and amending RCW 70.94.743.

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 (d) Outdoor burning that is normal, necessary, and customary to  
16 ongoing agricultural activities, that is consistent with agricultural  
17 burning authorized under RCW 70.94.650 and 70.94.656, is allowed within  
18 the urban growth area as defined in (b) of this subsection if the  
19 burning is not conducted during air quality episodes, or where a  
20 determination of impaired air quality has been made as provided in RCW  
21 70.94.473, and the agricultural activities preceded the designation as  
22 an urban growth area.

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

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

Passed the Senate May 16, 2001.

Passed the House May 24, 2001.

Approved by the Governor June 11, 2001.

Filed in Office of Secretary of State June 11, 2001.