

---

**Select Committee on  
Environmental Health**

---

**SSB 6081**

**Brief Description:** Regarding outdoor burning in small cities.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Poulsen, Honeyford and Rasmussen).

**Brief Summary of Substitute Bill**

- Allows outdoor burning until July 1, 2008, within urban growth areas for cities having a population of less than 2,500 under certain conditions.

**Hearing Date:** 3/29/07

**Staff:** Brad Avy (786-7289).

**Background:**

Under the Washington Clean Air Act, outdoor burning is not allowed in any area of the state where federal or state ambient air quality standards are exceeded for pollutants emitted by outdoor burning. "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.

Since January 2007, outdoor burning has not been allowed in any urban growth area of the state with the following exceptions under certain conditions:

- outdoor burning may be allowed for the exclusive purpose of managing storm or flood-related debris;
- outdoor burning that is normal, necessary, and customary to ongoing agricultural activities is allowed; and
- outdoor burning of cultivated orchard trees, whether or not agricultural crops will be replanted on the land is allowed as an ongoing agricultural activity.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Restrictions on outdoor burning do not apply to silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals.

**Summary of Bill:**

Outdoor burning in a city may continue to be allowed within urban growth areas until July 1, 2008, if:

- the county does not contain any nonattainment or maintenance areas designated under the Federal Clean Air Act for pollutants emitted by outdoor burning;
- the population of the city is less than 2,500; and
- the city legislative authority, after public hearing and due public involvement process, through majority vote, decides to allow burning to continue.

If a city decides to allow burning to continue:

- the city must submit a vegetative waste management plan to the Department of Ecology by June 30, 2008;
- the plan must identify adopted alternative practices to burning; and
- implementation of alternative practices must begin by July 1, 2008.

If additional funding for alternatives to burning is provided through the coordinated prevention grant program in the 2007-2009 biennium grant cycle, those cities not electing to continue burning must receive highest priority for available grant dollars.

The Department of Ecology must convene a work group with representatives of affected stakeholders to assess opportunities (other than burning) to manage vegetative solid waste. The work group must recommend best management practices, consistent with good solid waste management practices that work for smaller communities.

The work group recommendations must be completed by December 31, 2007.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.