
Environmental Health Committee

HB 1265

Brief Description: Authorizing limited outdoor burning.

Sponsors: Representatives Warnick, Hinkle, Short, Ross, McCune, Johnson, Blake, Newhouse, Kretz and Condotta.

Brief Summary of Bill

- Allows burning of organic debris on the first and third Saturdays in November in an urban growth area unless prohibited by the county or prevented because of air quality conditions.

Hearing Date: 2/19/09

Staff: Pam Madson (786-7111)

Background:

Under the Washington Clean Air Act, outdoor burning is not allowed in any area of the state where federal or state air quality standards are exceeded for pollutants from outdoor burning. "Outdoor burning" means the burning of material in an open fire or in an outdoor container that does not control the emissions.

Since January 2007, outdoor burning has not been allowed in any urban growth area of the state except for the following:

- outdoor burning may be allowed for the exclusive purpose of managing storm or flood-related debris;
- outdoor burning is allowed that is normal, necessary, and customary to ongoing agricultural activities; 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.

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

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.

Summary of Bill:

Outdoor burning of organic debris is allowed within urban growth areas on the first and third Saturdays in November.

Burning may not occur under the following conditions:

- County legislative authorities that designate urban growth areas may prohibit outdoor burning in their jurisdictions for these two designated Saturdays.
- Outdoor burning may be prohibited within urban growth areas that are subject to an air pollution episode.
- Outdoor burning may be prohibited for solid fuel burning devices by the Department of Ecology or a local air authority under a determination of impaired air quality within an urban growth area.

If burning is prohibited because of an air pollution episode or a determination of impaired air quality, burning may be rescheduled on the first Saturday that air quality is improved to allow burning. Saturdays that are cancelled may be rescheduled on the next available Saturday.

Appropriation: None.

Fiscal Note: Not requested.

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