

RCW 70A.15.5140 Burning permits for abating or prevention of forest fire hazards, management of ecosystems, instruction or silvicultural operations—Conditions for issuance and use of permits—Air quality standards to be met—Alternate methods to lessen forest debris. (1) The department of natural resources, in granting burning permits for fires for the purposes set forth in RCW 70A.15.5120, shall condition the issuance and use of such permits to comply to the extent feasible with air quality standards established by the department of ecology. Such burning shall not cause the state air quality standards to be exceeded in the ambient air up to two thousand feet above ground level over critical areas designated by the department of ecology, otherwise subject to air pollution from other sources. Air quality standards shall be established and published by the department of ecology which shall also establish a procedure for advising the department of natural resources when and where air contaminant levels exceed or threaten to exceed the ambient air standards over such critical areas. The air quality shall be quantitatively measured by the department of ecology or the appropriate local air pollution control authority at established monitoring stations over such designated areas. Further, such permitted burning shall not cause damage to public health or the environment. All permits issued under this section shall be subject to all applicable fees, permitting, penalty, and enforcement provisions of this chapter. The department of natural resources shall set forth smoke dispersal objectives designed consistent with this section to minimize any air pollution from such burning and the procedures necessary to meet those objectives.

(2) (a) The department of natural resources shall encourage more intense utilization in logging and alternative silviculture practices to reduce the need for burning. The department of natural resources shall, whenever practical, encourage landowners to develop and use alternative acceptable disposal methods subject to the following priorities:

- (i) Slash production minimization;
- (ii) Slash utilization;
- (iii) Nonburning disposal;
- (iv) Silvicultural burning; and
- (v) Use of portable flame cap kilns.

(b) Such alternative methods shall be evaluated as to the relative impact on air, water, and land pollution, public health, and their financial feasibility.

(3) The department of natural resources shall not issue burning permits and shall revoke previously issued permits at any time in any area where the department of ecology or local board has declared a stage of impaired air quality as defined in RCW 70A.15.3580. [2024 c 280 s 5; 2020 c 20 s 1144; 2019 c 305 s 7; 2009 c 118 s 502; 1991 c 199 s 405; 1971 ex.s. c 232 s 3. Formerly RCW 70.94.6538, 70.94.670.]

Purpose—2009 c 118: See note following RCW 70A.15.5000.

Finding—1991 c 199: See note following RCW 70A.15.1005.