

**RCW 70A.15.5110 Open burning of grasses grown for seed—  
Alternatives—Studies—Deposit of permit fees in special grass seed  
burning account—Procedures—Limitations—Report.** It is hereby  
declared to be the policy of this state that strong efforts should be  
made to minimize adverse effects on air quality from the open burning  
of field and turf grasses grown for seed. To such end this section is  
intended to promote the development of economical and practical  
alternate agricultural practices to such burning, and to provide for  
interim regulation of such burning until practical alternates are  
found.

(1) The department shall approve of a study or studies for the  
exploration and identification of economical and practical alternate  
agricultural practices to the open burning of field and turf grasses  
grown for seed. Any study conducted pursuant to this section shall be  
conducted by Washington State University. The university may not  
charge more than eight percent for administrative overhead. Prior to  
the issuance of any permit for such burning under RCW 70A.15.5090,  
there shall be collected a fee not to exceed one dollar per acre of  
crop to be burned. Any such fees received by any authority shall be  
transferred to the department of ecology. The department of ecology  
shall deposit all such acreage fees in the general fund.

(2) The department shall allocate moneys annually for the support  
of any approved study or studies as provided for in subsection (1) of  
this section. The fee collected under subsection (1) of this section  
shall constitute the research portion of fees required under RCW  
70A.15.5090 for open burning of grass grown for seed.

(3) Whenever on the basis of information available to it, the  
department after public hearings have been conducted wherein testimony  
will be received and considered from interested parties wishing to  
testify shall conclude that any procedure, program, technique, or  
device constitutes a practical alternate agricultural practice to the  
open burning of field or turf grasses grown for seed, the department  
shall, by order, certify approval of such alternate. Thereafter, in  
any case which any such approved alternate is reasonably available,  
the open burning of field and turf grasses grown for seed shall be  
disallowed and no permit shall issue therefor.

(4) Until approved alternates become available, the department or  
the authority may limit the number of acres on a pro rata basis among  
those affected for which permits to burn will be issued in order to  
effectively control emissions from this source.

(5) Permits issued for burning of field and turf grasses may be  
conditioned to minimize emissions insofar as practical, including  
denial of permission to burn during periods of adverse meteorological  
conditions.

(6) Every two years until grass seed burning is prohibited,  
Washington State University may prepare a brief report assessing the  
potential of the university's research to result in economical and  
practical alternatives to grass seed burning. [2020 c 20 § 1142; 2012  
c 198 § 1; 2009 c 118 § 403; 1998 c 245 § 130; 1995 c 261 § 1; 1991  
sp.s. c 13 § 28; 1991 c 199 § 413; 1990 c 113 § 1; 1985 c 57 § 69;  
1973 1st ex.s. c 193 § 7. Formerly RCW 70.94.6532, 70.94.656.]

**Effective date—2012 c 198:** "This act takes effect July 1, 2012."  
[2012 c 198 § 29.]

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

**Effective dates—Severability—1991 sp.s. c 13:** See notes following RCW 18.08.240.

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

**Effective date—1985 c 57:** See note following RCW 18.04.105.

*Grass burning research advisory committee: Chapter 43.21E RCW.*