

**SPOKANE REGIONAL CLEAN AIR AGENCY  
REGULATION I, ARTICLE VI, SECTION 6.01 OUTDOOR BURNING**

A. Purpose.

This Section establishes controls for outdoor burning in Spokane County in order to:

1. Minimize outdoor burning to the greatest extent practicable, consistent with the laws and regulations of the State of Washington.
2. Minimize the impact of emissions from outdoor burning by burning only when weather and ventilation conditions are favorable.
3. Define conditions under which outdoor burning may be conducted.
4. Encourage the development and specify the use of reasonable alternatives to outdoor burning.
5. Geographically limit outdoor burning in order to assure continued attainment of the National Ambient Air Quality Standards for carbon monoxide and fine particulate matter (PM<sub>2.5</sub>).

B. Applicability.

This Section applies to outdoor burning in all areas of Spokane County. This Section does not apply to Silvicultural Burning (see Chapter 332-24 WAC) or Agricultural Burning (see Section 6.11).

1. The provisions of Chapter 173-425 WAC (Outdoor Burning) are herein incorporated by reference. It shall be unlawful for any person to not comply with Chapter 173-425 WAC, this Section, and applicable permit conditions.
2. The provisions of this Section are severable. If any phrase, sentence, paragraph, or provision is held invalid, the application of such phrase, sentence, paragraph, or provision to other circumstances and the remainder of this Section shall not be affected.
3. Nothing contained in this Section shall apply to burning of combustible material in a multiple-chambered unit, such as in a multiple-chambered incinerator, as long as the unit is registered with the Agency pursuant to Article IV or the operator possesses a valid Notice of Construction approval issued pursuant to Article V and the unit complies with all applicable regulations.
4. Nothing contained in this Section shall relieve any person from obtaining permits required by any state or local fire protection agency or from compliance with the Uniform Fire Code.

C. Definitions.

Words and phrases used in this Section shall have the meaning defined in Chapter 173-425 WAC, unless a different meaning is clearly required by context or is otherwise defined in this Section.

1. Agricultural Burning means burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, necessary to destroy weeds or crop residue along farm fence rows, irrigation ditches, or farm drainage ditches, or where identified as a best management practice by

the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

2. Permitting Agency means the Spokane Regional Clean Air Agency (Spokane Clean Air), or one or more of the following entities, whenever the Agency and an entity have signed an agreement regarding a permitting program or the Agency has delegated administration of the permitting program, pursuant to RCW 70.94.654, to one or more of the referenced entities, provided such delegation of authority has not been withdrawn: Spokane County, any fire protection agency within Spokane County, Department of Natural Resources, or the Spokane County Conservation District.
3. Person means any individual(s), firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency. It includes any person who has applied for and received a permit for outdoor burning; any person allowing, igniting or attending an outdoor fire; or any person who owns or controls property on which an outdoor fire occurs.
4. Silvicultural Burning means burning on unimproved land the Department of Natural Resources protects pursuant to RCW 70.94.030(20), 70.94.660, and 70.94.690, and pursuant to Chapter 76.04 RCW.

D. Areas Where Outdoor Burning is Prohibited.

The permitting agency shall not permit/allow any outdoor burning if it determines that the proposed burning will cause or is likely to cause a nuisance. Except for recreational fires and other outdoor burning (as defined in Chapter 173-425 WAC and when authorized by Spokane Clean Air), outdoor burning shall not be allowed in the following areas:

1. Within the No Burn Area as defined by Resolution of the Board of Directors of Spokane Clean Air.
2. Within any Urban Growth Area or any area completely surrounded by any Urban Growth Area (e.g., "islands" of land within Urban Growth Areas).
3. Within any area where outdoor burning is otherwise prohibited by ordinance, regulation, or law.

E. Outdoor Burning Permitted by Others.

Outdoor burning permitted by permitting agencies other than Spokane Clean Air is limited to the following:

1. Fire hazard abatement burning. A written permit is required.
2. Residential (yard and garden) burning. A verbal, electronic, written, or general permit established by rule may be used (Chapter 173-425 WAC).
3. Weed abatement fires for noxious weed control. A written permit is required.

F. Outdoor Burning Permitted by Spokane Clean Air.

Outdoor burning permitted by Spokane Clean Air includes, but is not limited to, the following:

1. Land clearing burning (limited to residential land clearing burning). Residential land clearing burning may be allowed prior to January 1, 2011, provided the fire consists of natural vegetation cleared from less than one acre of forested land on a five acre or larger parcel of land in non-commercial ownership. A written permit is required.

2. Recreational fires (including those for social events) with a total fuel area greater than 3 feet in diameter and/or greater than 2 feet in height. A written permit is required.
3. Storm or flood debris burning. A written permit is required.

G. Requirements for Written Outdoor Burning Permits.

In addition to the prohibitions/requirements in WAC 173-425-050 that apply to all outdoor burning, outdoor burning requiring a written permit is subject to the following requirements:

1. It shall be unlawful for any person to cause or allow an outdoor fire unless an application for a written permit, including the required nonrefundable fee specified by the permitting agency and any additional information requested by the permitting agency, has been submitted to the permitting agency on approved forms, in accordance with the advance application period as specified by the permitting agency.
2. The permitting agency may deny an application or revoke a previously issued permit if it is determined by the permitting agency that the application contained inaccurate information, or failed to contain pertinent information, which information is deemed by the permitting agency to be significant enough to have a bearing on the permitting agency's decision to grant a permit.
3. No permit for outdoor burning shall be granted on the basis of a previous permit history.
4. A copy of the permit must be kept at the permitted burn site during the permitted burn, and made available for review upon request of the permitting agency.
5. Unless otherwise approved by the permitting agency, applications will be accepted no more than 180 days prior to the first proposed burn date; and written permits shall expire 29 consecutive calendar days after the first proposed burn date indicated on the permit.
6. A separate application must be completed and submitted to the appropriate permitting agency for each outdoor burn permit requested.

H. Fire Extinguisher Training.

Fire extinguisher training fires of short-duration for instruction on the proper use of hand-held fire extinguishers may be conducted provided all of the following requirements are met:

1. Training shall not occur during any stage of an air pollution episode or period of impaired air quality.
2. Flammable or combustible materials used during the fire extinguisher training shall be limited to:
  - a. Less than 2 gallons of clean kerosene or diesel fuel oil per training exercise, provided that gasoline or gasoline mixed with diesel or kerosene may be used only by local fire departments, fire protection agencies, fire marshals, or fire districts;
  - b. As much gaseous fuel (propane or natural gas) as required for the training exercise; or
  - c. Less than 0.5 cubic yards of clean, solid combustible materials per training exercise. Examples of solid combustible materials are seasoned wood, untreated scrap lumber and unused paper.

3. All training must be conducted by local fire officials or a qualified instructor. Instructor qualifications and a training plan must be made available to Spokane Clean Air upon request.
4. Prior to the training, the person(s) conducting the exercise must notify the local fire department, fire marshal, or fire district and meet all applicable local ordinances and permitting requirements.
5. Person(s) conducting hand-held fire extinguisher training shall be responsible for responding to citizen inquiries and resolving citizen complaints caused by the training activity.
6. The permitting agency shall not permit/allow burning if it determines that the proposed burning will cause or is likely to cause a nuisance.

I. Fire Fighting Instruction Fires.

1. A fire protection agency may conduct structural fire training provided all of the following requirements are met:
  - a. Fire training shall not occur during any stage of an air pollution episode or period of impaired air quality.
  - b. The owner and fire protection agency must meet the requirements in SRCAA Regulation I, Article IX and Section 10.09 prior to conducting the training.
  - c. The fire protection agency conducting the fire training must have a fire-training plan available to Spokane Clean Air upon request, and the purpose of the structural fire must be to train fire fighters.
  - d. Composition roofing, asphalt roofing shingles, asphalt siding materials, miscellaneous debris from inside the structure, carpet, linoleum, and floor tile, shall not be burned unless such materials are identified by the fire protection agency as being an essential part of the fire training exercise and are described as such in the fire-training plan. Materials removed from the structure(s) must be disposed of in a lawful manner prior to the training exercise.
  - e. The fire protection agency conducting the training fire shall obtain any permits, licenses, or other approvals required by any entity for such training fires. All permits, licenses, and approvals must be kept on-site and available for inspection.
  - f. Structural fire training shall be performed in accordance with RCW 52.12.150.
  - g. The permitting agency shall not permit burning if it determines that the proposed burning will cause or is likely to cause a nuisance.
  - h. Nuisance complaints or citizen inquiries relating to any training fire shall be resolved by the fire protection agency conducting the fire training.
2. A fire protection agency may conduct aircraft crash rescue training fires if performed in accordance with RCW 70.94.650(5).

**SPOKANE REGIONAL CLEAN AIR AGENCY  
REGULATION I, ARTICLE VI, SECTION 10.13 OUTDOOR BURNING PERMIT FEES**

For outdoor burning permit applications, submitted to the Authority pursuant to Section 6.01 of this Regulation, a nonrefundable fee shall accompany the application. Fees shall be paid without regard to whether the associated request(s) are approved or denied. The applicant shall pay a fee at the time of application (except for hourly fees, which will result in a billing invoice being sent to the applicant from the Agency) pursuant to the fee schedule as indicated in the table below and shall submit a complete application pursuant to the advance application period indicated in the table below.

<b>Type of Outdoor Burning</b>	<b>Advance Application Period</b>	<b>Fee</b>
Residential Land Clearing	10 working days	\$200
Recreational (>3' in diameter or >2' in height)	3 working days	\$50
Storm or Flood Debris	5 working days	\$200
Other Outdoor Burning as defined in Chapter 173-425 WAC	10 working days	\$65/hr

Effective May 1, 2009