



## Outdoor Burning Facts Sheet

# SPECIAL CATEGORY BURNING

Benton Clean Air Agency, 526 S. Clodfelter Road, Kennewick, WA 99336  
Phone: 509.783.1304 Website: [www.bentoncleanair.org](http://www.bentoncleanair.org)

### What is “Special Category Burning”?

Please find following examples of “Special Category Burning” as defined in the Washington Clean Air Act (RCW 70.94) and implementing regulation entitled, “Outdoor Burning” (WAC 173-425).

- **FIRE FIGHTING INSTRUCTION FIRES**
- **INDIAN CEREMONIAL FIRES**
- **OTHER FIRES** *{See definition below for details}*
- **RARE AND ENDANGERED PLANT REGENERATION FIRES**
- **STORM OR FLOOD DEBRIS BURNING**

### DEFINITIONS:

The following are exact quotes of the definitions of these special category burning types found in Washington Administrative Code (WAC) 173-425 revised as of April 2000.

- **“Fire fighting instruction fires”** means fires for instruction in methods of fire fighting, including, but not limited to, training to fight structural fires, aircraft crash rescue fires, and forest fires.
- **“Indian ceremonial fires”** means fires necessary for Native American ceremonies (i.e., conducted by and for Native Americans) if part of a religious ritual.
- **“Other outdoor burning”** means any type of burning not specified in WAC 173-425-020 (1) or (2) {a} through (l), including, but not limited to, any outdoor burning necessary to protect public health and safety. (RCW 70.94.650(7) and RCW 70.94.765).
- **“Storm or flood debris burning”** means fires consisting of natural vegetation deposited on lands by storms or floods that have occurred in the previous

two years and resulted in an emergency being declared or proclaimed in the area by the city, county, or state government and burned on such lands by the property owner or his designee. (RCW 70.94.743 (1) {c})

- **“Rare and endangered plant regeneration fires”** means fires necessary to promote the regeneration of rare and endangered found within natural area preserves as identified in chapter 79.70 RCW.

### PERMIT REQUIRED

The guiding principle of burn permits is to minimize burning and allowing burning only under conditions that minimizes public exposure to air pollutants and contaminates.

**Storm or flood debris burning** requires a permit from Benton Clean Air Agency (BCAA). Each situation will be evaluated on a case-by-case basis with respect to granting a permit and the amount of the fee. Factors considered are:

- Total amount of material.
- Content of prohibited materials.
- Content of soil and sediments, which relates to how well the pile will burn and potential for prolonged smoldering that increases production of air pollutants and exposure of people to air contaminates.
- Availability of reasonably economical alternatives to burning that is less harmful to the environment than burning. Examples of alternatives could include on-site burial or landfill disposal.
- Because of the nature of these types of debris and the circumstances fee determination will take into consideration hardship and emergency aspects of the cleanup.
- In extreme emergencies such as widespread and extensive windstorm limb breakage and blown down trees or deposition of vegetative flood debris variances to specified prohibitions may be granted in accordance with WAC 173-425-070
- BCAA will cooperate with other governmental agencies such as cities and counties or any others involved in cleanup and recovery from storm or flood

effects. Permits are required for Fire Fighting Instructional Fires.

#### Permits for Fire Fighting Instructional Fires:

- A permit is required for training to fight structural fires in urban growth areas. Structural fire training outside urban growth areas does not require a permit but does require a good faith asbestos survey and notification of BCAA. (See RCW 52.12.150).
- Fire training for aircraft crash rescue fires do not require a permit but are subject to a number of statutory restrictions in accordance with RCW 70.94.650(5)
- Forest fire training does not require a permit. (See RCW 70.94.650(1) {b}).
- All other fire-training fires require a permit.

**Rare and Endangered Plant Regeneration Fires Permit:** a permit is required for natural area preserves as identified in RCW 79.70.

**Indian Ceremonial Fires** require a permit except on lands within the exterior boundaries of Indian reservations unless provided for by intergovernmental agreement.

**Other Outdoor Burning** requires a permit and will be evaluated and issued on a case-by-case basis.

#### GENERAL BURNING RULES FOR SPECIAL CATEGORY BURNING

The following rules are not uniformly applicable to all special categories of burning. Applicability will be determined and taken into consideration at the time permits are issued.

- The fire must not include any prohibited materials. (See **PROHIBITED MATERIALS** section).
- The fire must not include vegetative materials (except firewood) hauled from another property in an area where burning is prohibited.
- No fire may be ignited during an emergency burn ban in a geographical area where:
  - ◆ *Washington State Dept. of Ecology or BCAA has declared a period of impaired air quality; or*
  - ◆ *Appropriate fire protection authorities have declared a ban because of high fire danger.*
- Fires are considered unlawful outdoor burning if they cause any or all of the following effects:
  - ◆ *Causes damage to property or business.*
  - ◆ *Causes a nuisance.*
  - ◆ *Detrimental to the health, safety, or welfare of any person.*
- If an **outdoor container** (e.g. burn barrels) is used for burning vegetation, it must:
  - ◆ *Be constructed of concrete or masonry.*
  - ◆ *Have a completely enclosed combustion chamber.*

- ◆ *Be equipped with a permanently attached spark arrester constructed of iron, heavy wire mesh, or other noncombustible material with openings not larger than ½ inch.*

- A **person capable of extinguishing** the fire must be in attendance at all times, and must completely extinguish the fire before leaving.
- Fires must be **fifty feet (50)** of any flammable structures.
- **Permission from a landowner**, or owner's designated representative, must be obtained before starting an outdoor fire on someone else's property.
- The **person responsible for the fire** should contact BCAA's Burn Line at 509-783-6198 for information regarding burning condition prior to starting any fire. Burning will only be allowed on a burn day.
- **Restrict pile size** to that which will burn efficiently with a minimum amount of smoke and will be completely consumed and extinguished within the specified burn hours.

#### PROHIBITED MATERIALS

Only vegetative material may be burned in any outdoor fire. The following materials may **not allowed** in any outdoor fire: *dead animals, asphalt, cardboard, construction/demolition debris metal, garbage, paper (other than what is necessary to start the fire), paints, petroleum products, plastics, rubber products, treated wood or any substance that normally releases dense smoke, obnoxious odors or toxic emissions when burned.*

#### ALTERNATIVES TO BURNING

Fire fighting instruction, rare and endangered plant regeneration, and Indian ceremonial fires are inherently dependent on the presence of fire and therefore have no viable alternatives.

Storm or flood debris and certain types of other outdoor burning could have alternatives available on a case-by-case basis. Following are possible alternatives to these types of burning:

- Composting of vegetative material.
- On-site burial
- On-site chipping or transport to another location for chipping. Chips can be used for mulching, pathways, roadways, or feedstock for composting.
- Using garbage service or hauling vegetative waste to an approved landfill.

#### FOR MORE INFORMATION PLEASE CONTACT:

**Benton Clean Air Agency**  
**526 Clodfelter Road**  
**Kennewick, WA 99336**

Phone: 509.783.1304

Fax: 509.783.6562