

	EAST JEFFERSON FIRE RESCUE	
	POLICY	
	Title of Policy: Land Clearing and Burning	
	Policy Number: 4007	
	Date of Implementation: 6/26/19	
	Replaces: Policy 904, 4007 (2018)	
Signature of Approval:		Date:

SECTION 1.0 POLICY

It is the policy of East Jefferson Fire Rescue (EJFR) to minimize air contaminant emissions in a safe manner and support best practices to reduce the risk of property loss and personal injury that is consistent with state law and associated regulations. EJFR shall establish outdoor burning guidelines in accordance with the Washington State Department of Ecology, Olympic Regional Clean Air Authority (ORCAA) per R.C.W. 70-94, WAC 173-425 and the International Fire Code (IFC).

SECTION 2.0 DEFINITIONS

- 2.1 AGRICULTURAL BURNING** - means outdoor burning regulated under chapter [173-430](#) WAC, including, but not limited to, any incidental agricultural burning or agricultural burning for pest or disease control.
- 2.2 AIR POLLUTION EPISODE** - means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as stated in chapter 173-435 WAC.
- 2.3 BONFIRE** - (IFC Chapter 2 Definitions Bonfire). An outdoor fire utilized for ceremonial purposes.
- 2.4 CONSTRUCTION/DEMOLITION DEBRIS** - means all material resulting from the construction, renovation, or demolition of buildings, roads, and other man-made structures.
- 2.5 FIREFIGHTING INSTRUCTION FIRES** - means fires for instruction in methods of firefighting, including, but not limited to, training to fight structural fires, aircraft crash rescue fires, and forest fires.
- 2.6 FIREWOOD** - means bare untreated wood used as fuel in a solid fuel burning device, Indian ceremonial fire, or recreational fire.
- 2.7 HAULED MATERIAL** - No outdoor fire may contain material (other than firewood) that has been hauled from an area where outdoor burning of the material is prohibited under WAC [173-425-040](#). Any outdoor burning of material hauled from areas where outdoor burning of the material is allowed requires an appropriate permit under WAC [173-425-060](#)(2). and any use of property for this purpose on an on-going basis, must be limited to the types of burning listed in WAC [173-351-200](#) (5)(b) (criteria for municipal solid waste landfills) and approved in accordance with other laws, including chapter [173-304](#) WAC (Minimum functional standards for solid waste handling) and chapter [173-400](#) WAC (General regulations for air pollution sources). (RCW [70.94.745](#)(6))

- 2.8 IMPAIRED AIR QUALITY** - means a first or second stage impaired air quality condition declared by ecology or a local air authority in accordance with WAC [173-433-140](#).
- 2.9 LAND CLEARING BURNING** - means outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused). (RCW [70.94.750](#)(2))
- 2.10 NATURAL VEGETATION** - means unprocessed plant material from herbs, shrubbery, and trees, including grass, weeds, leaves, clippings, prunings, brush, branches, roots, stumps, and trunk wood.
- 2.11 NUISANCE** - means, an emission of smoke or any other air contaminant that unreasonably interferes with the use and enjoyment of the property upon which it is deposited. (RCW [70.94.030](#)(2))
- 2.12 OTHER OUTDOOR BURNING** - means any type of outdoor burning not specified in WAC [173-425-020](#) (1) or (2)(a) through (i), including, but not limited to, any outdoor burning necessary to protect public health and safety. (RCW [70.94.650](#)(7) and [70.94.765](#))
- 2.13 OUTDOOR BURNING** - means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion. For the purposes of this rule, "outdoor burning" means all types of outdoor burning except agricultural burning and silvicultural burning. (RCW [70.94.743](#)(2))
- 2.14 OPEN BURNING** - (*IFC Section 105 Permits, 105.6.32 Open Burning*) An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Exception: Recreational Fires.
- 2.15 PERMITTING AGENCY** - means the agency responsible for issuing permits (including adopting a general permit) for, and/or enforcing all requirements of this chapter that apply to, a particular type of burning in a given area (unless another agency agrees to be responsible for certain enforcement activities in accordance with WAC [173-425-060](#) (1)(a) and (6)).
- 2.16 POLLUTANTS EMITTED BY OUTDOOR BURNING** - means carbon monoxide, carbon dioxide, particulate matter, sulfur dioxide, nitrogen oxides, lead, and various volatile organic compounds and toxic substances.
- 2.17 PORTABLE OUTDOOR FIREPLACES** - (*IFC Definitions Portable Outdoor Fire Places*). A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay, or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top. Outdoor or portable fireplaces shall be used in accordance with the manufactures instructions and in accordance with SOG 4007A Land Clearing and Burning Guidelines.
- 2.18 REASONABLE ALTERNATIVE** - means a method for disposing of organic refuse (such as natural vegetation) that is available, reasonably economical, and less harmful to the environment than burning.
- 2.19 RECREATIONAL FIRE** - means cooking fires, campfires, and bonfires using charcoal or firewood that occur in designated areas or on private property for cooking, pleasure, or ceremonial purposes. Fires used for debris disposal purposes are not considered recreational fires.
- 2.20 RECREATIONAL FIRE** - (*IFC Chapter 2 Definitions Recreational Fire*). An outdoor fire, burning materials other than rubbish, where the fuel being burned is not contained in an incinerator, outdoor fire place, portable outdoor fire place, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purpose. Examples: cooking fires, campfires, beach fires and bonfires. Recreational fires do not require a permit.

2.21 RESIDENTIAL BURNING - means the outdoor burning of leaves, clippings, prunings and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a human dwelling and burned on such lands by the property owner or his or her designee. (RCW [70.94.750\(1\)](#)) Only one residential burning pile which has a total fuel area of 3 feet or less in diameter and 2 feet or less in height, is allowed at any one time and does not require a permit.

2.22 RUBBISH (*IFC Definitions Rubbish – Trash*). Combustible and noncombustible waste material, including residue from burning of coal, wood, or other combustible material, paper, rags, cartons, tin cans, metals, mineral matter, glass crockery, dust and discarded refrigerators, and heating, cooking or incinerator type appliances.

2.23 SILVICULTURAL BURNING - means outdoor burning relating to the following activities for the protection of life or property and/or the public health, safety, and welfare:

- a. Abating a forest fire hazard;
- b. Prevention of a forest fire hazard;
- c. Instruction of public officials in methods of forest firefighting;
- d. Any silvicultural operation to improve the forest lands of the state; and
- e. Silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas. (RCW [70.94.660\(1\)](#))

2.24 UNLAWFUL OUTDOOR BURNING - It is unlawful for any person to cause or allow outdoor burning that causes an emission of smoke or any other air contaminant that is detrimental to the health, safety, or welfare of any person, that causes damage to property or business, or that causes a nuisance. (RCW [70.94.040](#), [70.94.650\(1\)](#), and [70.94.780](#))

- a. Any person affected by outdoor burning may file a complaint with the permitting agency or other designated enforcing agency.
- b. Any agency responding to an outdoor burning complaint should attempt to determine if the burning on any particular property is unlawful. This may include, but is not limited to, considering whether the burning has caused an emission of smoke or any other air contaminant in sufficient quantity to be unlawful.
- c. Any person responsible for such unlawful outdoor burning must immediately extinguish the fire.

2.25 URBAN GOWTH AREA - means land, generally including and associated with an incorporated city, designated by a county for urban growth under RCW [36.70A.030](#).

SECTION 3.0 RELATED SOG's & REFERENCE

- SOG 4007a Land Clearing and Burning Guidelines for specific guidelines and permit process.
- R.C.W. 70-94 WASHINGTON CLEAN AIR ACT
- WAC 173-425 OUTDOOR BURNING
- International Fire Code 2018 (IFC)