

## Chapter 173-430 WAC, Agricultural Burning

The Department of Ecology is proposing amendments to Chapter 173-430 WAC, Agricultural Burning. The Washington State Register will publish the proposal on August 4, 2010.

The proposed rule amendments make the following changes:

- Adjust the 2011 field burning fee to cover the costs of administering and enforcing the permit programs.
- Change the pile burning fee to a per ton fee rather than a per acre fee.
- Adopt a process to adjust agricultural burning fees in the future.
- Address the finding in *Ted Rasmussen Farms, LLC v. State of Washington, Department of Ecology*, Docket # 22989-1-III (*Rasmussen v. Ecology*).
- Make minor changes for consistency.

Ecology has issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act, a Small Business Economic Impact Statement (SBEIS), and a preliminary cost-benefit analysis. These documents are available for review and comment until September 9, 2010. You can find them at the web site shown in the box to the right.

### Public hearing schedule

Thursday August 26, 2010	Thursday September 2, 2010
7pm Columbia County Rural Library District 111 S 3 <sup>rd</sup> St. Dayton, WA	6pm Wenatchee Public Library 310 Douglas Street Wenatchee, WA

### MORE INFORMATION

#### Why it matters

Smoke from outdoor and agricultural burning contains air pollutants that can harm health. Ecology manages agricultural burning to minimize the effects of smoke on Washington's citizens. Adjusting the burning fees helps pay for the cost of burn permit programs that manage smoke from agricultural burning.

#### Online:

<http://www.ecy.wa.gov/laws-rules/wac173430/1005.html>

#### Contact information:

Richelle Pérez  
(360) 407-7528  
[Richelle.Perez@ecy.wa.gov](mailto:Richelle.Perez@ecy.wa.gov)

Sign-up to receive email updates at

<http://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-AGRICULTURAL-BURN-RULE>

#### Special accommodations:

If you need special accommodations, call the Air Quality Program at 360-407-6800. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

## How to submit your comments

The comment period ends on September 9, 2010. You can give us your official comments in the following ways:

1. Testify at public hearings.
2. Email comments to [Richelle.Perez@ecy.wa.gov](mailto:Richelle.Perez@ecy.wa.gov).
3. Fax comments to (360) 407-7534.
4. Mail comments to:

Department of Ecology  
 Richelle Pérez  
 PO Box 47600  
 Olympia, WA 98504-7600

## Ecology's response to your comments

All of the comments we receive will become part of the official record and included in a document called a Concise Explanatory Statement. The Concise Explanatory Statement is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will be able to find your name listed in the document with a reference to where, in the document, Ecology responded to your comments.

## Expected adoption date

Ecology expects to adopt this rule November 10, 2010.

## Proposed Fee Schedule (Starts January 1, 2011)

	Minimum Fee	Variable Fee
Field Burning	\$30 for the first 10 acres	\$3.00 for each additional acre
Spot Burn	\$30 for 10 acres or less	N/A
Pile Burning	\$80 for the first 100 tons	\$0.50 for each additional ton