



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# **Rule Implementation Plan**

## **Agricultural Burning**

### **Chapter 173-430 WAC**

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## Publication and Contact Information

This report is available on the Department of Ecology's website at <http://www.ecy.wa.gov/biblio/1002021.html> .

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

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## **Purpose**

Ecology provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

## **Introduction**

The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-430 WAC, Agricultural Burning about how the Department of Ecology (Ecology) intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

## **Implementation and Enforcement**

The agricultural burning program has existed for more than 10 years. Other than the new fee schedule, the rule amendments make no major changes to the daily operation of the program. Ecology will start charging the new fee Jan.1, 2011. Staff at Ecology's eastern regional office will administer the process in Chapter 173-430-042 WAC to review the fees at least every two years. The role of enforcement in the burn program will remain the same.

## **Informing and Educating Persons Affected by the Rule**

Ecology will inform and educate permit holders and other people affected by the rule in the following ways:

- Maintain several web pages with information about the rule-making process, opportunities for public participation, and proposed changes to the rule.
- Design and publish publications about the fee changes for distribution at permitting offices.
- Run ads in and contribute articles to farming publications such as *Wheatlife* and *Good Fruit Grower*.
- Attend and present at annual grower meetings.
- Mail information to permit holders.

## **Promoting and Assisting Voluntary Compliance**

Ecology will use education and outreach, as described above, as the primary means of obtaining compliance. The permitting program requires the payment of fees. Applicants will not receive a permit without paying the correct fee.

## Evaluating the Rule

The primary purpose of the new rule is to increase the agricultural burning fees, as directed by the Agricultural Burning Practices and Research Task Force. Increased fees will bring Ecology's and local air quality agencies' revenue closer in line with program costs. This will allow the agency to maintain the current level of service without increasing other fees or taxes. The agency will compare program costs to revenue each year to evaluate to what degree the changes have achieved this goal.

## Training and Informing Ecology Staff

Ecology uses a web-based database for permitting. The database automatically generates fees and refunds based on the number of acres or tons permitted. Ecology will need to program the new permit fees into the database before January 1, 2011. If the Agricultural Burning Practices and Research Task Force decides to adjust the fees for subsequent years, Ecology will need to program the changes into the database before January 1 of the following year.

## List of Supporting Documents that May Need to be Written or Revised

Ecology will need to update the following documents before January 1, 2011:

- The Best Management Practices (BMPs) for agricultural burning.
- Agricultural burn permit applications.
- Delegated permitting agreement with the local permitting offices.

Additionally, the Agricultural Burning Practices and Research Task Force will need to update their governance to include some of the details of the process to review and adjust agricultural burning fees in Chapter 173-430-042 WAC.

## More Information

For more information, visit the following websites:

- **Rule-making Documents:**  
<http://www.ecy.wa.gov/laws-rules/wac173430/1005.html>
- **Rule-making Activity:** <http://www.ecy.wa.gov/programs/air/rules/agburnrule.html>
- **Information about Agricultural Burning:**  
[http://www.ecy.wa.gov/programs/air/aginfo/agricultural\\_homepage.htm](http://www.ecy.wa.gov/programs/air/aginfo/agricultural_homepage.htm)

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