

Southwest Clean Air Agency

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BURNING PERMIT APPLICATION

Indian Ceremonial Fire

This form is for Indian Ceremonial Fires as provided in RCW 70.94.6550 and SWCAA 425-060(2)(h).

APPLICANT

NAME: _____

ADDRESS: _____

TELEPHONE: _____ **E-mail:** _____

ARE YOU THE OWNER OF THE PROPERTY UNDER THIS APPLICATION? YES NO

IF NO, ENTER LEGAL NAME OF OWNER: _____

ADDRESS OF PROPERTY OWNER: _____

TELEPHONE No: _____ E-mail: _____

Do you have permission for a fire from the property owner? YES NO

Name of tribe – Tribal Affiliation: _____ **Do you have proof of affiliation?** YES NO

Contact person at fire and phone no: _____

Location of Fire: _____

Purpose/Description of fire: _____

Type, size and quantity of material to be burned: _____

Proposed duration and frequency of fire: _____

STANDARD PERMIT CONDITIONS:

1. No garbage or prohibited materials may be burned.
2. Only dry clean firewood may be burned.
3. The fire may only be used for ceremonial purposes.
4. The fire shall not cause any nuisance conditions.
5. This permit or a copy must be available at the burn location at all times.
6. A fire shall not be ignited or allowed to burn during an Ecology episode, a SWCAA Air Quality Burn Ban or a Fire Agency Fire Safety Burn Ban.
7. The permittee must call SWCAA each day at 360-574-3058 to confirm if it is a burn day.
8. The permittee must notify the local Fire Agency prior to burning each day.
9. For Clark County, a Fire Safety Burn Ban is generally in effect from July 15 to September 30.

Diagram of Parcel Showing Structures, Fences, Location of Fire and Distances to Structures, Fences and Property Lines or Provide a Google Earth /GIS Type Photo with Fire Location Identified

SIGNATURE: _____ **Date:** _____

SWCAA USE ONLY

Application/Permit No: _____

Date Received: _____

Application Fee: \$0

Date Stamp

For Information Purposes

SWCAA 425-050 Prohibitions/Requirements That Apply to All Outdoor Burning

(1) Prohibited materials.

The following materials may not be burned in any outdoor fire: Garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction/demolition debris, metal, or any substance (other than natural vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned, except that: [RCW 70.94.775(1) and Attorney General Opinion 1993 #17]

- (a) Firefighting instruction fires for aircraft crash rescue training fires approved and conducted in compliance with RCW 70.94.650(5) may contain uncontaminated petroleum products. [RCW 70.94.650(6)]
- (b) The Agency may allow the limited burning of prohibited materials for other firefighting instruction fires, including those that are exempt from permits under SWCAA 425-060 (2)(f), and other outdoor burning necessary to protect public health and safety. [RCW 70.94.650(7)]

(2) 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 SWCAA 425-040. Any outdoor burning of material hauled from areas where outdoor burning of the material is allowed requires an appropriate permit under SWCAA 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 WAC 173-304 (Minimum functional standards for solid waste handling) and WAC 173-400 (General regulations for air pollution sources). [RCW 70.94.745(6)]

(3) Curtailments.

- (a) No outdoor fire may be ignited in a geographical area where:
 - (i) Ecology has declared an air pollution episode; [RCW 70.94.775(2), 70.94.780]
 - (ii) Ecology or a local air authority has declared impaired air quality; or [RCW 70.94.775(2), 70.94.780]
 - (iii) The appropriate fire protection authority has declared a fire danger burn ban, unless that authority grants an exception.
- (b) The person responsible for the fire must contact the permitting agency and/or any other designated source for information on the burning conditions for each day.
- (c) The person responsible for an outdoor fire must extinguish the fire when an air pollution episode, impaired air quality condition, or fire danger burn ban that applies to the burning, is declared. In this regard:
 - (i) Smoke visible from all types of outdoor burning, except land clearing burning, after a time period of three hours has elapsed from the time an air pollution episode, impaired air quality condition, or fire danger burn ban is declared, will constitute prima facie evidence of unlawful outdoor burning; and
 - (ii) Smoke visible from land clearing burning after a time period of eight hours has elapsed from the time an air pollution episode, impaired air quality condition, or fire danger burn ban is declared, will constitute prima facie evidence of unlawful outdoor burning.

(4) 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.

(5) Burning in outdoor containers. Outdoor containers (such as burn barrels and other incinerators not regulated under SWCAA 400-070(1)) used for outdoor burning, must be constructed of concrete or masonry with a completely enclosed combustion chamber and equipped with a permanently attached spark arrester constructed of iron, heavy wire mesh, or other noncombustible material with openings not larger than one-half inch, and they may only be used in compliance with this rule.

(6) Other general requirements:

- (a) A person capable of extinguishing the fire must attend it at all times, and the fire must be extinguished before leaving it.
- (b) No fires are to be within fifty feet of structures.
- (c) Permission from a landowner, or the landowner's designated representative, must be obtained before starting an outdoor fire.

SWCAA 425-060(5) General Permit Conditions For Residential Permits

- (i) The person responsible for the fire must contact the permitting agency and/or any other designated source for information on the burning conditions for each day;
- (ii) A fire may not be ignited, and must be extinguished, if an air pollution episode, impaired air quality condition, or fire danger burn ban that applies to the burning, is declared for the area;
- (iii) The fire must not include garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction/demolition debris, metal, or any substance (other than natural vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned;
- (iv) The fire must not include materials hauled from another property;
- (v) If any emission from the fire is detrimental to the health, safety, or welfare of any person, if it causes damage to property or business, or if it causes a nuisance, the fire must be extinguished immediately;
- (vi) A person capable of extinguishing the fire must attend it at all times, and the fire must be extinguished before leaving it;
- (vii) No fires are to be within fifty feet of structures;
- (viii) Permission from a landowner, or owner's designated representative, must be obtained before starting an outdoor fire;
- (ix) Any burn pile must not be larger than four feet by four feet by three feet;
- (x) Only one pile at a time may be burned, and each pile must be extinguished before lighting another;
- (xi) If an outdoor container is used for burning, it must be constructed of concrete or masonry with a completely enclosed combustion chamber and equipped with a permanently attached spark arrester constructed of iron, heavy wire mesh, or other noncombustible material with openings not larger than one-half inch; and
- (xii) No fire is permitted within five hundred feet of forest slash.