DEPARTMENT OF ECOLOGY
State of Washington

Flame Cap Kilns and Air Curtain Incinerators Rulemaking Public Hearing

Chapters 173-425, -430, -400 WAC

January 6, 2026

Ecology Staff Introductions

- Melanie Forster, Public Hearing Officer
- Caitlyn Roehmholdt, Air Quality Program Rule Lead
- Bill Flagg, Technical Host
- Lynnette Haller, Environmental Engineer
- Caitlin Cannon, Air Quality Rules and Planning Unit Interim Supervisor

Agenda

1. Meeting logistics
2. Rulemaking overview
3. Flame cap kilns rule language
4. Air curtain incinerators rule language
5. Technical questions and how to comment
6. Contact information and next steps

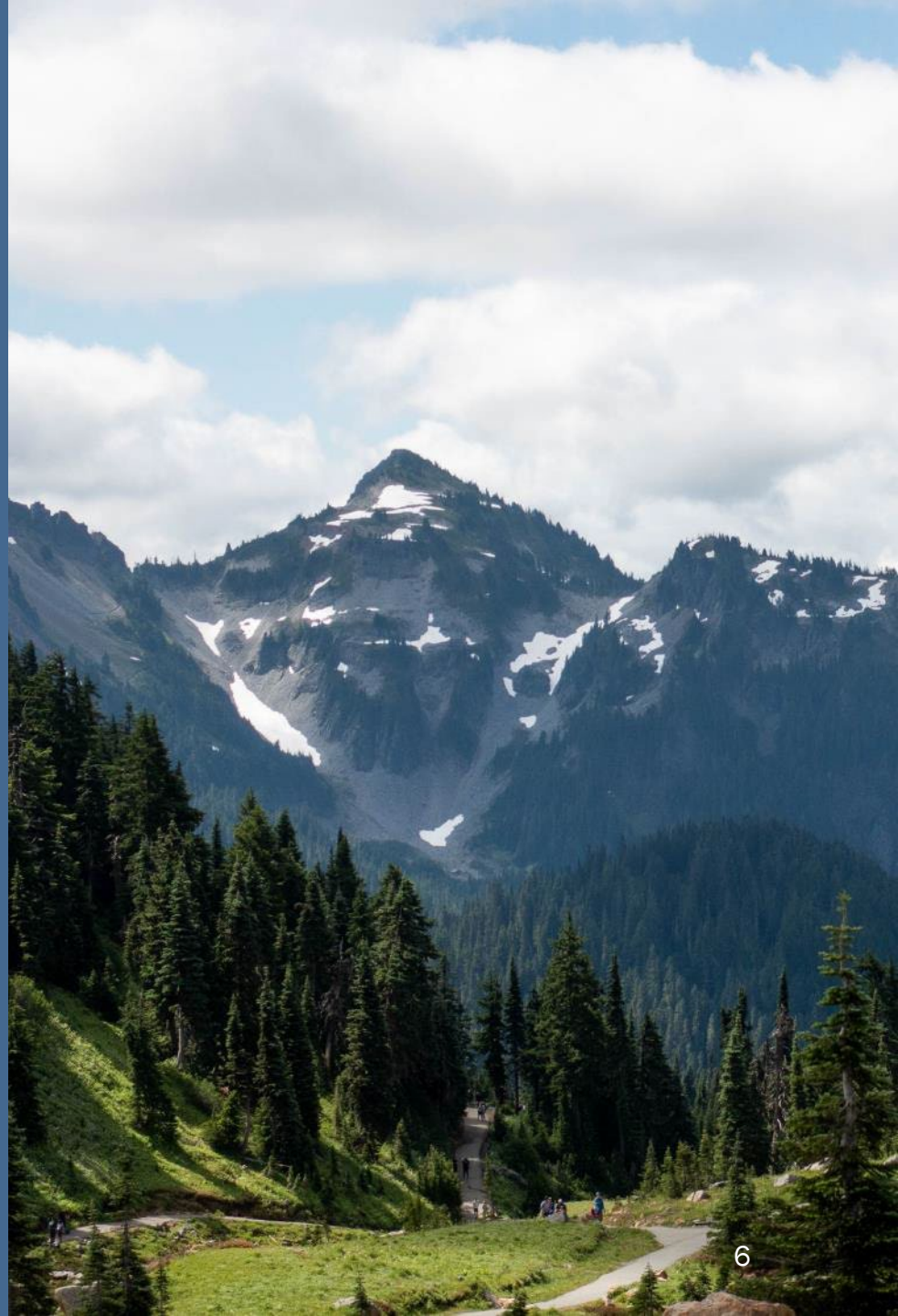
Meeting Logistics

- The hearing officer makes sure that:
  - Everyone who wants to is able to ask questions and provide testimony.
  - We have a clear recording.
- We will record the public hearing portion of the meeting.
- Your screen name and chat conversations during the hearing will also be recorded.
- If you have questions, please use the “raise your hand” button. If you are calling in, press *9 to raise your hand.

Meeting Rules

- Please summarize lengthy or repetitive comments.
- Please wait until you are called on to ask a question or provide testimony.
- Comment time is 3 minutes.
- **Written comments receive the same consideration as testimony:**
  - Online: Must be received by January 20, 2026, at 11:59 p.m.
  - Mail: Must be postmarked by January 20, 2026.

Rulemaking Overview



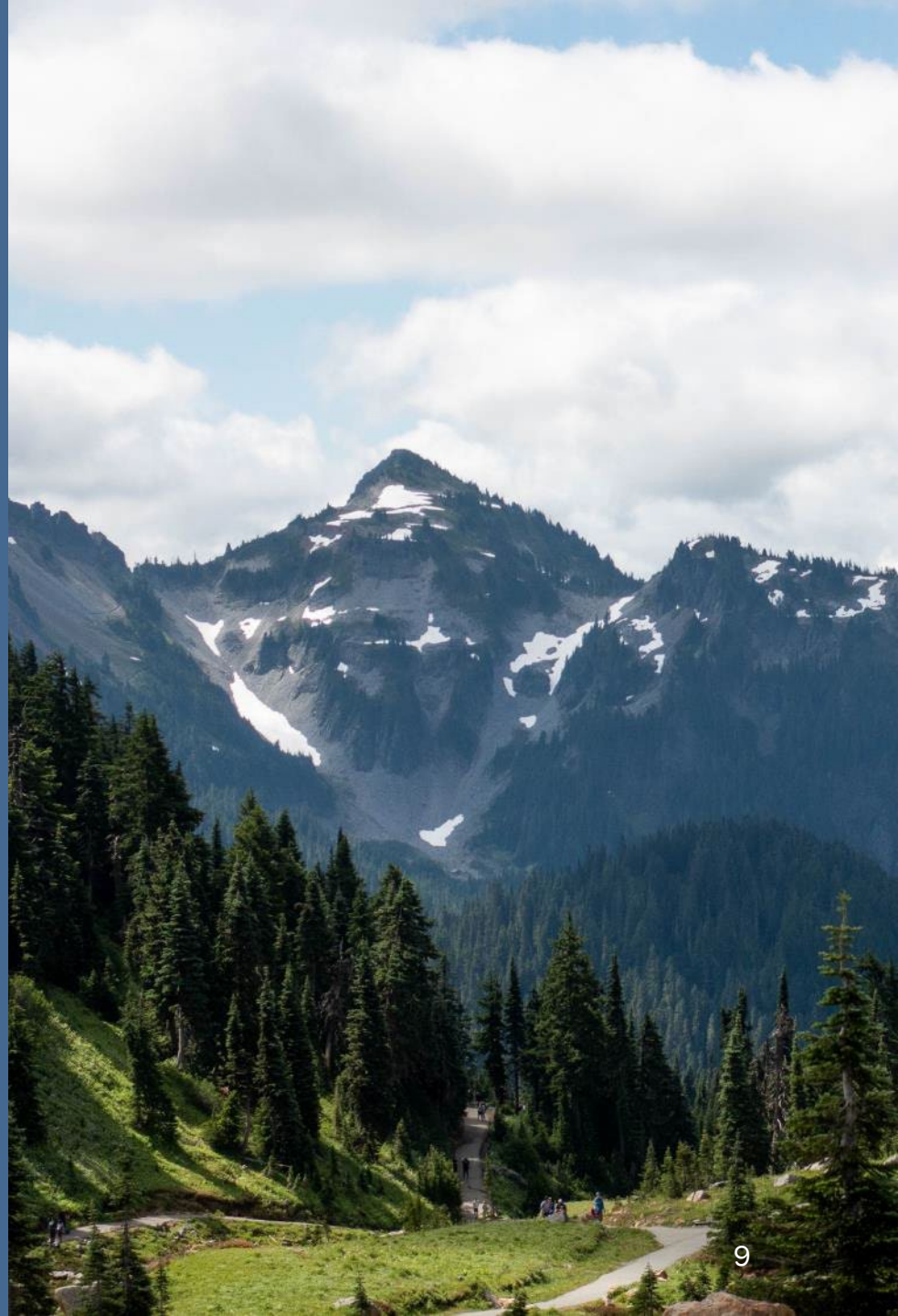
Proposed Updates

- We propose to update three rules:
  - Chapter 173-425 WAC, Outdoor burning
  - Chapter 173-430 WAC, Agricultural burning
  - Chapter 173-400-050 WAC, Emission standards for combustion and incineration units

Proposed updates, continued

- With this rulemaking, we propose to:
  - Add the definition of flame cap kilns. A flame cap kiln is an outdoor container used to burn natural vegetation from forestry or agricultural activities.
  - Make sure flame cap kilns are only used for burning that is already legal in Washington.
  - Permit the use of air curtain incinerators. An air curtain incinerator is a portable container used to burn woody debris (slash) from forestry operations.
  - Make the process for getting a permit to use an air curtain incinerator easier for both applicants and staff.

Flame Cap Kilns Rule Language



Chapter 173-425 WAC
Outdoor burning

(5) **Burning in outdoor containers.** Outdoor containers (such as burn barrels and other incinerators not regulated under WAC 173-400-070(1)) used for outdoor burning, must be constructed of concrete or masonry [...]. Any use of flame cap kilns is regulated under chapter 173-430 WAC.

Chapter 173-430 WAC
Agricultural burning

DEPARTMENT OF ECOLOGY
State of Washington

WAC 173-430-030 Definition of Terms. [...]

(9) "Flame cap kiln" means an outdoor container used for the combustion of natural vegetation from silvicultural or agricultural activities that meets the following requirements:

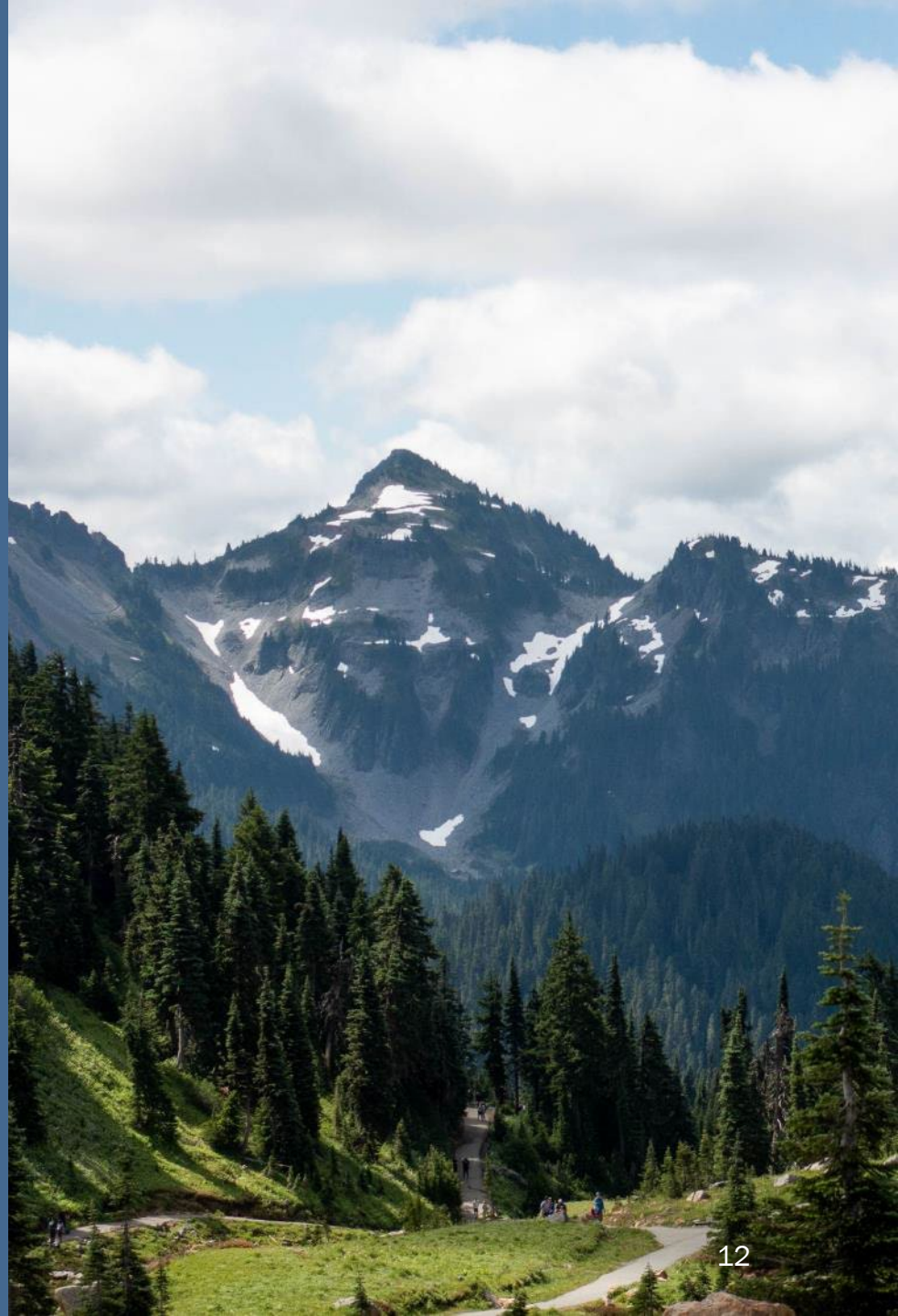
(a) Has a solid or sealed bottom including, but not limited to, mineral soils, so that all air for combustion comes from above;

(b) Is completely open on top with no restrictions;

(c) Is a shallow container where the width is greater than the height; and

(d) Has a volume of 10 cubic meters or less.

Air Curtain Incinerators Rule Language



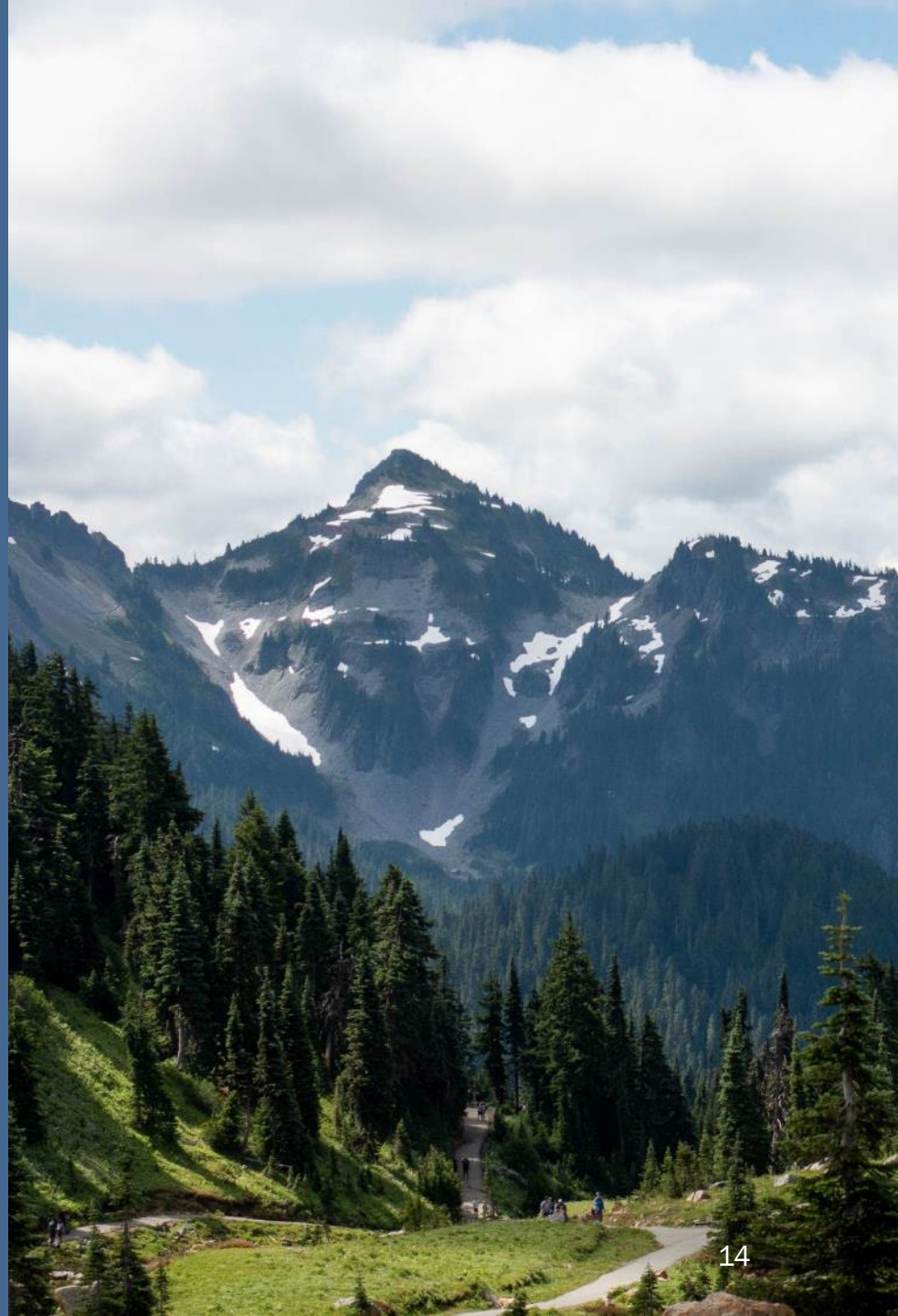
Chapter 173-400-050 WAC
Emission standards for combustion and incineration units

(1) Combustion and incineration emissions units must meet all requirements [...]

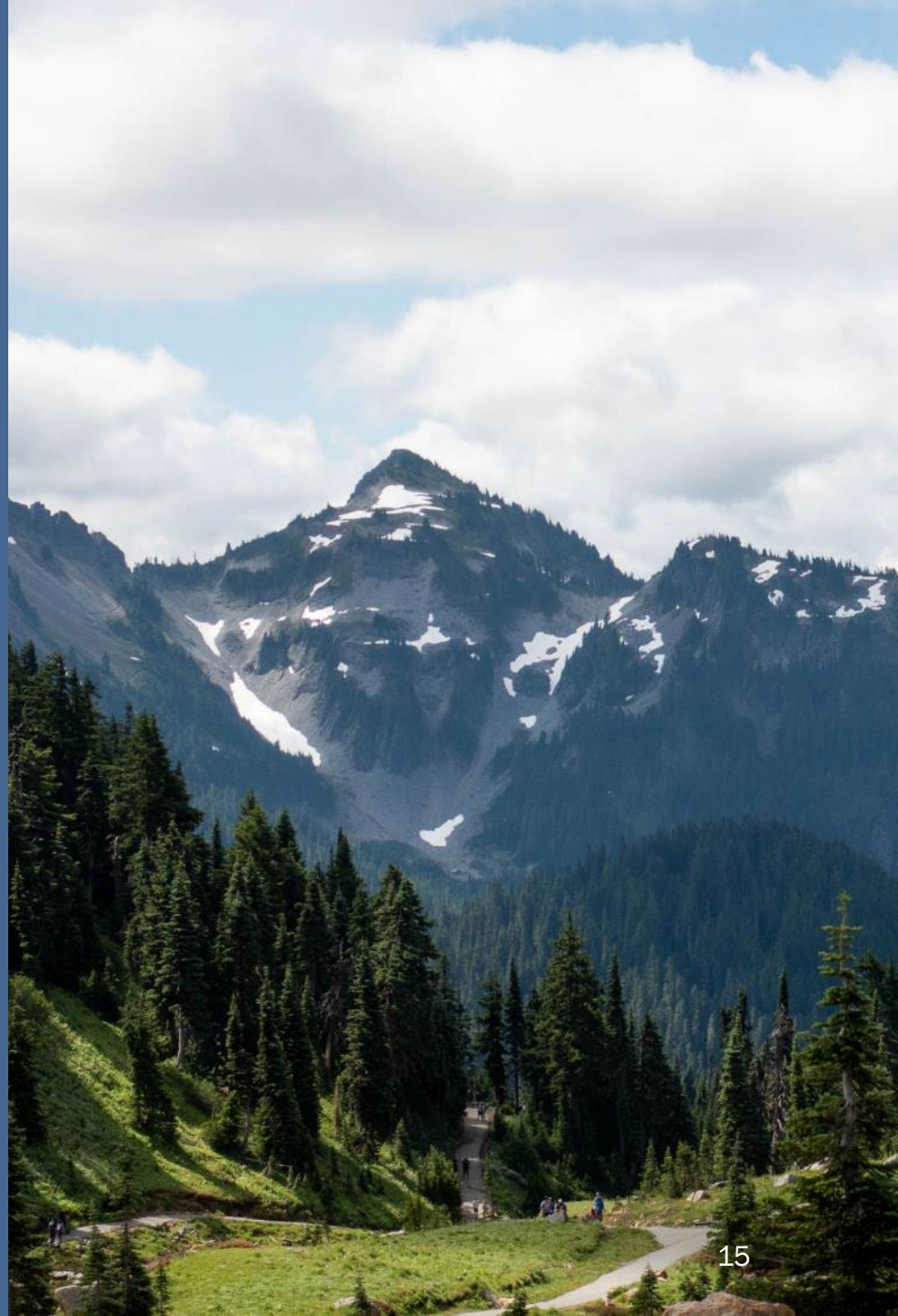
(a) An emissions unit [...]

(b) An air curtain incinerator, not located in an area identified in WAC 173-425-040, disposing of waste wood that would otherwise be legal for silvicultural, agricultural, or open burning. No person that allow the emission of particulate matter in excess [...] including the use of emissions units described in (a) and (b) of this subsection.

Technical Questions



Formal Hearing and Public Testimony



Start Recording

We will begin recording at this time.

Questions and How to Comment

- If you have comments about the proposed rule language or a comment about the rulemaking, **please submit a formal comment:**
  - Online: https://aq.ecology.commentinput.com/?id=EbS36DgB9
  - Mail: Caitlyn Roehmholdt
    Department of Ecology
    Air Quality Program
    P.O. Box 47600
    Olympia, WA 98504-7600

More Information

Visit the rulemaking webpage for more information:

https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-425-430-400

Email Caitlyn Roehmholdt: caitlyn.roehmholdt@ecy.wa.gov

Thank you

Caitlyn Roehmholdt, Rule Lead
caitlyn.roehmholdt@ecy.wa.gov

ADA Accessibility

- The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.
- To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY, call 711 or 877-833-6341. Visit ecology.wa.gov/ADA for more information.