

RULE 306 OPEN BURNING OF NONINDUSTRIAL WOOD WASTE AT DESIGNATED DISPOSAL SITES

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100 GENERAL

101 PURPOSE: To control and monitor open burning of nonindustrial wood waste at designated disposal sites above 1500 feet elevation, mean sea level.

102 APPLICABILITY: Pursuant to California Health and Safety Code, Sections 41803 and 41804.5, this Rule authorizes the use of open outdoor fires for the burning of nonindustrial wood waste at designated disposal sites where such use has been permitted by the District and approved by the California Air Resources Board.

103 ELEVATION ABOVE 1500 FEET: Only city or county officials, in their official capacity, may apply for a burn permit to dispose of non-industrial wood waste at disposal sites located above 1500 feet, mean sea level.

104 EXEMPTIONS:

104.1 Rule Exemptions

104.1.1 Burning conducted pursuant to Rule 301, NONAGRICULTURAL BURNING SMOKE MANAGEMENT is exempt from this Rule.

104.1.2 Burning conducted pursuant to Rule 302, AGRICULTURAL WASTE BURNING SMOKE MANAGEMENT is exempt from this Rule.

104.1.3 Burning conducted pursuant to Rule 303, PRESCRIBED BURNING SMOKE MANAGEMENT is exempt from this Rule.

104.1.4 Burning conducted pursuant to Rule 304, LAND DEVELOPMENT BURNING SMOKE MANAGEMENT is exempt from this Rule.

104.1.5 Burning conducted pursuant to Rule 305, RESIDENTIAL ALLOWABLE BURNING is exempt from this Rule.

104.2 Exemption, Determination of Amount Burned Daily: Open burning of nonindustrial wood waste at designated disposal sites are exempt from burning that which can be reasonably expected to burn completely within the following 24 hours, once ignition occurs.

200 DEFINITIONS: (Unless otherwise defined below, the terms used in this Rule are as defined in Rule 102, DEFINITIONS or Rule 301, NONAGRICULTURAL BURNING SMOKE MANAGEMENT.)

201 DISALLOWED COMBUSTIBLES: Any waste or manufactured material, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; putrescible (rotten wastes) and non-putrescible solid, semisolid and liquid materials or wastes; tires; tar; tarpaper; non-natural wood waste; processed or treated wood and wood products; metals; motor vehicle bodies and parts; rubber; synthetics; plastics, including plastic film, twine and pipe; fiberglass; styrofoam; garbage; trash; refuse; rubbish; disposable diapers; ashes; glass; industrial wastes; manufactured products; equipment; instruments; utensils; appliances; furniture; cloth; rags; paper or paper products; cardboard; boxes; crates; excelsior; offal; swill; carcass of a dead animal; manure; human or animal parts or wastes, including blood; and fecal- and food-contaminated material.

202 NO-BURN DAY: Any day on which agricultural burning, including burning at a designated disposal site, is prohibited by the ARB or the APCO.

203 NONINDUSTRIAL WOOD WASTE: Vegetation consisting of trees, vines and brush, which has been brought to the designated disposal site.

300 STANDARDS

301 PROHIBITIONS ON OPEN BURNING: Except as provided in this Rule or Regulation 3, no person shall use an open outdoor fire for the purpose of disposal or burning of any disallowed combustibles.

302 ARB SITE APPROVAL: Open burning of nonindustrial wood waste shall not be permitted at a disposal site until the ARB has approved the use of open outdoor fires for disposing of nonindustrial wood waste at the site.

303 BURN PERMITS

303.1 A person shall not ignite or allow open outdoor burning without a valid burn permit from the District.

303.2 A separate burn permit may also be required from the fire protection agency that has jurisdiction in the area of the proposed burn project.

304 BURN PERMIT VALIDITY: No burn permit shall be construed to authorize open outdoor fires for any day during which:

304.1 It is a no-burn day.

304.2 Open burning is prohibited by a fire protection agency for fire control or prevention.

305 BURN DAYS: No person shall knowingly ignite, or allow ignition of allowable combustibles, on no burn days or when it is prohibited by a fire protection agency.

305.1 If burning begins on a permissive burn day and in the subsequent days, a no-burn day occurs, only that which is burning can continue to burn; no new or additional vegetation can be added.

306 VEGETATION PREPARATION AND DRYING TIMES: To assure rapid and complete combustion with a minimum of smoke, and to lower the moisture content of the vegetation being burned, (from when the vegetation was cut and is to be burned), the following are drying times.

306.1 No vegetation shall be burned unless it is reasonably free of disallowed combustibles, dirt, soil, and surface moisture and shall be burned in a manner to prevent excessive smoke.

306.2 Vegetation stacked for burning shall not be burned unless it is stacked in such a manner to promote drying and ensure combustion with a minimum amount of smoke.

306.3 A minimum of 15 days of drying time for fine prunings or cuttings less than 3 inches in diameter, at the cut end.

306.4 A minimum of three (3) to six (6) weeks of drying time for prunings or brush or small branches 3 to 6 inches in diameter, at the cut end.

306.5 A minimum of six weeks of drying time for trees stumps, and large branches greater than 6 inches in diameter, at the cut end.

307 APPROVED IGNITION DEVICES: All open outdoor fires as authorized by this regulation shall be ignited only with approved ignition devices. The vegetation to be burned should be ignited as rapidly as practicable within applicable fire control restrictions.

308 WIND DIRECTION: Burning shall be curtailed when smoke is drifting into a nearby populated area or when it is or may become a nuisance or hazard.

309 INSPECTION: The APCO or his/her designee may require the inspection of the wood waste to be burned to verify that it is exclusively nonindustrial wood waste.

310 LAWFUL POSSESSION: The owner or person lawfully in possession of the land on which the disposal site is located shall file written approval of such burning with the District.

400 ADMINISTRATIVE REQUIREMENTS

401 BURN PERMIT REVIEW: The APCO or his/her designee shall review and sign all burn permits prior to authorizing burning.

401.1 The fire protection agency having jurisdiction over the area on which the designated disposal site is located shall also approve the burn permit.

402 BURN PERMIT APPLICATION INFORMATION:

402.1 Type of burning;

402.2 Name and/or Business Name and address of the permittee;

402.3 Location of the proposed burn;

402.4 Distance from the proposed burn to the nearest neighboring home or structure;;

402.5 The type of vegetation to be burned;

402.6 Acreage or estimated tonnage or size of pile of the vegetation to be burned;

402.7 Reason for burning;

402.8 Applicant's signature with date signed. The applicant signing the burn permit shall read and attest to the accuracy of the information provided.

402.9 Each burn permit issued shall bear a statement of warning containing the following words or words of like or similar import: "THIS BURN PERMIT IS VALID ONLY FOR THOSE DAYS ON WHICH THE STATE AIR RESOURCES BOARD DOES NOT PROHIBIT AGRICULTURAL BURNING PURSUANT TO SECTION 41855 OF THE HEALTH AND SAFETY CODE."

402.10 The applicant or representative shall have the burn permit available for inspection at the burn site during the burn.

403 REVOCATION OF A BURN PERMIT: The APCO, or his/her designee, may revoke a burn permit if it is found that the burn permit conditions, any state or federal laws, or the provisions of this Rule have been violated. The designated agency or the APCO shall

notify the burn permit holder in writing of the revocation and the reasons therefore, service of the notification of revocation may be made by personal delivery or certified mail. In the case of service by mail, service shall be deemed complete at the time of deposit of the notification in the United States Post Office, or a mail box, sub-Post Office, substation, or mail chute, or other like facility.

403.1 Within ten days after service of notice of revocation specified in Section 403 above, the burn permit holder may petition the Hearing Board in writing for a public hearing. The Hearing Board, after notice and a public hearing held within 30 days after filing the petition, may sustain or reverse the decision of the APCO or the designated agency.

404 BURN PERMIT FEES: Burn permits are valid only following receipt of fees specified in Rule 607, BURN PERMIT FEES.

500 MONITORING AND RECORDS

501 REPORTING: Notification shall be made to the District at least 72 hours prior to ignition.

502 POST-BURN INFORMATION: A post-burn report shall be submitted to the District, within 10 days following the completion of the burn.

502.1 Submitter's name and agency;

502.2 Location of burn;

502.3 Date of burn;

502.4 Burn day status, each day of burn;

502.5 Ignition date and time;

502.6 Completion date of burn;

502.7 Any smoke impacts including any reason for impacts;

502.8 Recommendations for future burns in the area to minimize impacts.