

# **RULE 305 RESIDENTIAL ALLOWABLE BURNING**

Adopted 02-10-11

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### **400 ADMINISTRATIVE REQUIREMENTS (None)**

### **500 MONITORING AND RECORDS (None)**

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**100 GENERAL**

**101 PURPOSE:** To reduce emissions of toxic air contaminants from smoke from allowed outdoor burning of residential allowable burn materials originating on the premises where burned.

**102 APPLICABILITY**

102.1 This rule shall apply to persons conducting outdoor burning of allowable combustibles associated with a residence.

102.2 Title 17 of the California Code of Regulations for the Airborne Toxic Control Measure (ATCM) to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning.

**103 EXEMPTIONS**

103.1 Rule Exemptions

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

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

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

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

103.1.5 Burning conducted pursuant to Rule 306, OF OPEN BURNING OF NONINDUSTRIAL WOOD WASTE AT DESIGNATED DISPOSAL SITES is exempt from this Rule.

103.2 Exempt Areas: Effective January 1, 2004, on burn days only, fires for the disposal of dry, non-glossy paper and cardboard originating from, and being burned on the premises of a residence may only be burned if an exemption has been approved by the District Board of Directors that meets all the following subsections 103.2.1 through 103.2.4.

103.2.1 The residence is not in an incorporated place; and

103.2.2 The residence lies within the boundaries of a census zip code or census zip code sub-area, within the district where the population density is equal to or less than 10.0 persons, as calculated from the last decennial United States Census Data; and

103.2.3 The residence is in an area not served on a weekly basis by an organized waste disposal service; and

103.2.4 The residence does not lie within the boundary of a jurisdiction which prohibits the burning of dry, non-glossy paper and cardboard as of January 4, 2002, or thereafter.

103.2.5 Within the boundaries of the census zip code or zip code sub-area, if the population density remains equal to or below 10.0 persons the air district may renew the exemption every ten years pursuant to Section 93113(e), Title 17 of the California Code of Regulations.

February 10, 2011

**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**    **ALLOWABLE COMBUSTIBLES:** Vegetation waste originating on the premises and reasonably free of dirt, soil, and visible surface moisture.

**202**    **BURN BARREL:** A metal container used to hold combustible or flammable waste materials, so that they can be ignited outdoors for purpose of disposal.

**203**    **COMBUSTIBLE:** Any substance capable of burning or any substance that will readily burn.

**204**    **DISALLOWED COMBUSTIBLES:** Any waste or manufactured material, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; putrescible and non-putrescible solid, semisolid and liquid materials, 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.

**205**    **OPEN BURNING OR OPEN OUTDOOR:** Combustion of any combustible waste of any type, outdoors in the open air, where the products of combustion are not directed through a flue.

**206**    **PERMISSIVE BURN DAY OR BURN DAY:** Any day on which agricultural burning including prescribed burning, is not prohibited by the ARB and the APCO.

**207**    **RESIDENCE:** A single or two-family dwelling unit and the land and ancillary surrounding (nonresidential) structures.

**208**    **RESIDENTIAL BURNING:** The disposal of allowable combustibles from a residence by burning outdoors.

**209**    **RESIDENTIAL ALLOWABLE BURN MATERIALS:** Materials originating from a residence, limited to the following natural vegetation: dry trees and trimmings, dry brush/shrubs, dry leaves, pine needles, grasses and forbs, dry plants and flowers, dry weeds, and dry vines. The burning of lawn clippings is prohibited.

**300**    **STANDARDS**

**301**    **PROHIBITIONS ON OPEN BURNING:** Except as provided in Regulation 3, no person shall use open outdoor fires (including the use of a burn barrel) for the purpose of disposal or burning of any disallowable combustibles.

**302**    **ALLOWABLE RESIDENTIAL BURNING:** Only residential allowable burn materials, originating at a residence, and free of disallowable combustibles, dirt, soil, and visible surface moisture, may be burned in an open outdoor burn pile. Burning in a burn barrel is prohibited.

**303**    **BURN DAYS:** No person shall knowingly ignite, or allow ignition, allowable combustibles, on days when it is prohibited by the ARB or the APCO or when it is prohibited by a fire protection agency.

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

304.1 No material shall be burned unless it is free of disallowable combustibles, dirt, soil, and surface moisture and then shall be burned in a manner to prevent excessive smoke. Excessive smoke is that which causes a nuisance.

304.2 Material 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.

304.3 Unwanted trees shall be felled and dried prior to the burn.

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

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

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

304.7 Stumps, greater than 12 inches in diameter, at the cut shall not be included in the burn unless they are split in half and free of dirt.

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

**306 WIND DIRECTION:** Burning shall be curtailed when smoke is drifting into a nearby populated area or creating a public nuisance or hazard.

**307 DETERMINATION OF AMOUNT BURNED DAILY:** Only that amount of material that can be reasonably expected to burn completely within the following 24 hours shall be ignited in any one day.

**400 ADMINISTRATIVE REQUIREMENTS** (None)

**500 MONITORING AND RECORDS** (None)

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