

Rule 202 Burn Hours and Notice of Ignition
(Adopted and Re-codified July 18, 2003; Revised December 16, 2004)

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1.0 GENERAL BURN HOURS AND NOTICE OF IGNITION. Every Coordinated Burn Authorization Permit shall specify the burning hours for ignition of fires, and no person shall burn, allow any burning or knowingly ignite any waste otherwise authorized pursuant to this Regulation, or permit the ignition of such waste under the person's ownership, control, on land under the person's control or by the person's employees or agent(s) or other persons under the person's control, except during these hours.

1.1 Forest Management and Wild land Vegetation Management. Unless otherwise specifically authorized, no ignition of Forest Management or Wild land Vegetation Management fuels shall commence before 8:00A.M., and shall not continue after one (1) hour before sunset in any one (1) day, unless such burning is performed with a valid Coordinated Burn Authorization Permit and approved Smoke Management Plan. A Burn Authorization Number must be obtained daily from the AQMD Prior to burning. Trees, stumps and branches greater than six (6) inches in diameter may be ignited even though they cannot reasonably be expected to completely burn within such period. Notwithstanding any burn authorization permit issued, burning of vegetation greater than six (6) inches in diameter beyond the designated burn hours does not relieve the permittee from smoke impact liability or nuisance liability.

1.2 Field Crop Waste and Agricultural Burning: Unless otherwise specifically authorized, agricultural burning or no burning of field crop waste shall commence before 8:00 A.M. and shall not continue after one (1) hour before subset in any one (1) day. All burn projects must obtain daily a Burn Authorization Number from the AQMD prior to burning.

1.3 Non-Agricultural and Residential Wastes: No Non-Agricultural, commercial, property development, or large pile (greater than 4 feet by 4 feet), burning on residential properties shall commence before 7:45 a.m. and shall not continue after one (1) hour before sunset in any one (1) day.

1.4 Residential Wastes in Humboldt and Del Norte County. No residential burning shall commence before 6:00 a.m. and shall not continue after 12:00 Noon in Humboldt and Del Norte County.

1.5 Residential Wastes in Trinity County. No residential burning shall commence before 6:00 a.m. and shall not continue after one (1) hour before sunset during the period from the end of the declared fire season until May 1st of each year. Beginning May 1st of each year and continuing through the end of the declared fire season, all residential burning shall be confined to permissive burn days and to the hours of 6:00 a.m. until 12:00 Noon.

1.6 Exceptions to Burn Hours: Notwithstanding Sections 1.1, 1.2 and 1.3 of this Rule, the Air Pollution Control Officer may approve on a case by case basis, burning during other hours to address a known or suspected emergency and where significant economic loss either will occur or is imminent, or where the chief fire official requests authorization to burn during other hours for the purpose of reducing fire risk and where such exceptions are consistent with protecting air quality.

2.0 NOTICE OF INTENT TO IGNITE

2.1 Prior to ignition of waste pursuant to a Coordinated Burn Authorization Permit issued in accordance with these Rules, the permittees performing nonresidential burning shall give notice of intent to ignite to the District no sooner than 48 hours before any ignition.

2.2 Notwithstanding Section 2.1 of this Rule, when exempted in writing in the consolidated burn authorization permit and approved by the APCO, notice of intent to ignite for burning is not required for any contiguous burning site of less than one (1) acre.

3.0 NOTICE OF ESCAPE BURN

3.1 It is a violation of these Rules and Regulations to allow significant amounts of fuel to be consumed outside of the proposed burn area. Areas that are outside of the proposed burn area and that are greater than $\frac{1}{4}$ acre in size are assumed to add a significant amount of fuel to the ignition that is permitted on the Coordinated Burn Authorization Permit.

3.2 If, through act of intent, negligence or nature, any burn escapes beyond $\frac{1}{4}$ acre in size, the responsible party shall immediately notify the local, State or federal fire protection agency having jurisdiction over the burn. The responsible party shall notify the District within one hour following control of the escape or by the next business day, whichever is sooner.