

REGULATION VIII – AIRBORNE TOXIC CONTROL MEASURE

Rule 8.8 Airborne Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning

(a) Applicability.

- (1) Notwithstanding section 41806(a) of the Health and Safety Code, this rule shall apply to persons conducting outdoor burning of combustible or flammable waste generated from inside residences and from outdoor activities associated with a residence, for the purpose of disposing of the waste.
- (2) This rule shall apply to persons lighting fires that burn combustible or flammable waste, as defined, outdoors in enclosed or partially enclosed vessels, such as incinerators or burn barrels, or in an open outdoor fire, such as in pits or in piles on the ground. This rule shall not apply to persons lighting fires at the direction of a public officer in an emergency situation for public health or fire safety reasons, in accordance with section 41801 of the Health and Safety Code or other provisions of law.
- (3) Except as provided in (a)(1) and (a)(2) above, nothing in this rule shall affect the applicability of the provisions of article 2 and article 3, respectively, of chapter 3 of part 4 of division 26 of the Health and Safety Code. Additionally, nothing in this rule shall affect the applicability of the provisions of Rule 4.3 or Rule 7 et seq.

(b) Definitions.

Terms used shall have the same definitions as in Health and Safety Code section 39010 et seq., unless otherwise indicated. For purposes of this rule, the following additional definitions shall apply:

- (1) "Air Pollution Control District" (APCD), "Air Quality Management District" (AQMD), "air district," or "district" means an air pollution control district or an air quality management district created or continued in existence pursuant to Health and Safety Code section 40000 et seq.
- (2) "APCO" means the Air Pollution Control Officer or the chief executive officer of the respective local air pollution control district or local air quality management district where the property is located, or a designated representative.
- (3) "ARB" means the State of California Air Resources Board.

- (4) "Air Toxic" means toxic air contaminants as defined in section 39655 (a) of the Health and Safety Code.
- (5) "Allowable Combustibles" means clean wood waste and dry natural vegetation waste originating on the premises and reasonably free of dirt, soil and visible surface moisture.
- (6) "Approved ignition device" means an instrument or material that will ignite open fires without the production of black smoke by the ignition device, as approved by the APCO.
- (7) "Burn Barrel" means a metal container used to hold combustible or flammable waste materials so they can be ignited outdoors for the purpose of disposal.
- (8) "Census Block" means a geographic area bounded by visible and/or invisible features shown on a map prepared for the U.S. Census Bureau. A block is the smallest geographic entity for which the Census Bureau tabulates decennial census data. Census block boundaries are features that delimit a census block. The features may be visible (such as a street, road, stream, shoreline, powerline, etc.) or invisible (a county line, city limit, property line. Imaginary extension of a street or road, etc.). For data tabulation, the boundary of every legal and statistical entity recognized in the U.S. Census Bureau's standard data tabulations is a block boundary. Each census block is assigned a census block number. For the purposes of this rule, census block areas are referenced to the most recent national decennial census completed by the U.S. Census Bureau.
- (9) "Chief fire official" means the ranking officer in the authority having jurisdiction with responsibility for fire protection within a defined geographic region of an air district, or his or her designee. The chief fire official may be a federal, state, county or municipal employee, depending on the extent of the fire jurisdiction within the exemption area. In State or Federal Responsibility Areas for wildland protection, the state or federal official's determination overrides county authority with regard to burn permits and the use of burn barrels or incinerators in exemption areas.
- (10) "Clean Wood Waste" is dimensional lumber that has been air-dried or kiln-dried, with no preservatives, stains, metals or finishes added. Clean wood waste is not demolition debris, plywood, laminates or particleboard, which are prohibited to burn.
- (11) "Combustible" means any substance capable of burning or any substance that will readily burn.
- (12) "Disallowed Combustibles" means any waste or manufactured material, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; putrescible 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. For purposes of this rule, clean wood waste and dry natural vegetation waste from yard maintenance are not a disallowed combustible, if reasonably free of dirt, soil and surface moisture.

- (13) "Flammable" means capable of catching fire easily, or combustible.
- (14) "Household Waste Burning Restriction Area" or "Restriction Areas" mean an aggregation of census blocks, as determined by the air pollution control officer, which may include but is not limited to an incorporated place, where the population density in the aggregation is greater than 10.0 persons per square mile.
- (15) "Household Waste Burning Restriction Exempt Area" or "Restriction Exempt Areas" mean an aggregation of census blocks, as determined by the air pollution control officer, which does not include an incorporated place, where the population density in the aggregation is less than or equal to 3.0 persons per square mile.
- (16) "Incinerator" means, for the purposes of this rule, any device constructed of nonflammable materials, including containers commonly known as burn barrels, for the purpose of burning therein trash, debris, and other flammable materials for volume reduction or destruction.
- (18) "Incorporated place" means the city, town, municipality or village reported to the U.S. Census Bureau as being legally in existence under California law at the time of the most recent national decennial census completed by the U.S. Census Bureau. For the purposes of calculating population density for this regulation, incorporated places include the FIPS Place Class Codes C1, C7 and C8, as defined by the U.S. Census Bureau in Technical Documentation, Summary File 1, October 2002.
- (19) "Natural vegetation" means all plants, including but not limited to grasses, forbs, trees, shrubs, flowers, or vines that grow in the wild or under cultivation. Natural vegetation excludes vegetative materials that have been processed, treated or preserved with chemicals for subsequent human or animal use, including but not limited to chemically-treated lumber, wood products or paper products.
- (20) "Open outdoor fire" means, for the purpose of this rule, the combustion of combustible material of any type outdoors in the open, whether or not

enclosed in a fire-proof container, where the products of combustion are not directed through a flue.

- (21) "Permissive burn day" or "burn day" means any day on which agricultural burning, including prescribed burning, is not prohibited by the ARB and agricultural and prescribed burning is authorized by the air district consistent with the Smoke Management Guidelines for Agricultural and Prescribed Burning, set forth in sections 80100-80330 of title 17 of the California Code of Regulations.
- (22) "Population density" means the number of people per square mile within an aggregation of census blocks as determined by the air pollution control officer. It is calculated as the number of people within an aggregation of census blocks divided by the area of the aggregation of the census blocks.
- (23) "Processed or treated wood and wood products" means wood that has been chemically treated to retard rot or decay or wood that has been modified with glues, laminates, stains, finishes, paints or glosses for use in furniture or for construction purposes, including but not limited to plywood, particle board, fencing or railroad ties. For the purposes of this regulation, dimensional lumber that has been air-dried or kiln-dried, with no preservatives or finishes added, is not considered processed or treated wood and is identified as "clean wood waste".
- (24) "Residence" means a single- or two-family dwelling unit and the land and ancillary structures surrounding it.
- (25) "Residential waste burning" means the disposal of the combustible or flammable waste from a single- or two-family dwelling unit or residence by burning outdoors. Residential waste burning is not agricultural, including prescribed burning.
- (26) "Waste" means all discarded putrescible and non-putrescible solid, semisolid, and liquid materials, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; tires; tar; tarpaper; 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; fecal- and food-contaminated material; felled trees; tree stumps; brush; plant cuttings and prunings; branches; garden waste; weeds; grass clippings, pine needles, leaves and other natural vegetation waste.

(c) Regulatory Map/Description of Enforceable Geographic Boundaries.

- (1) Siskiyou County Air Pollution District Regulatory Residential Burning/Burn Barrel Population Density Maps are incorporated into this rule as Appendix A and Appendix B. The methodology used to determine the population density of the aggregation of census blocks as determined by the APCO for the various restriction and restriction exempt areas in Siskiyou County is contained in the Staff Report adopted on August 5, 2003 by the Siskiyou County Air Pollution Control Board. For consistency, the District shall use the methodology contained in the Staff Report for all future amendments/changes to this rule.
- (2) As depicted on the maps, hash marks shall represent incorporated areas and areas of aggregations of census blocks that have calculated population densities as determined by the APCO of greater than ten (10.0) persons per square mile. These areas are designated as "Restriction Areas" that do not allow the use of burn barrels and the disposal of residential waste, including dry non-glossy paper and cardboard, through burning. Dotted areas shall represent areas of aggregations of census blocks that contain population densities as determined by the APCO of greater than three (3.0) but less than or equal to ten (10.0) persons per square mile. These areas may be exempt from the prohibition of this ATCM (dry non-glossy paper and cardboard may be allowed to be burned and the use of burn barrels may also be allowed) pursuant to the provisions of subsections (f)(4) and (f)(9) of this rule. Areas with neither hash nor dotted markings shall represent areas of aggregations of census blocks that have calculated population densities as determined by the APCO of less than or equal to three (3.0) persons per square mile. These areas of aggregations of census blocks are designated as "Restriction Exempt Areas" and allow the use of burn barrels and the disposal of residential waste comprised of dry non-glossy paper and cardboard through burning. Clean wood waste and, if in compliance with subsections (d)(3) and (d)(6) of this rule, dry, natural vegetation waste originating on the premises from yard maintenance is allowed to be disposed of through burning in all areas of Siskiyou County, if reasonably free of dirt, soil and surface moisture. **NOTE:** The use of burn barrels to dispose of clean wood waste and natural vegetation originating on the premises is prohibited in all "Restriction Areas".
- (3) Descriptions of Enforceable Geographic Boundary - All Household Waste Burning Restriction Areas and Household Waste Burning Restriction Exempt Areas referenced herein reside wholly within the State of California and the County of Siskiyou. The U. S. Census Bureau code for the State of California is '06' and the code for the County of Siskiyou is '093', although the codes could change with future mappings and population change. **NOTE:** The area maps are for reference purposes only. They have been created from numerous sources and scales. No guarantee is implied as to their accuracy. All maps in Appendix B are 1:32,000 scale with the exception of Map 48, which is 1:16,000 scale. All maps serve as guides to the enforceable

geographic boundaries of the Household Waste Burning Restriction Areas, which are described in detail below:

- (A) Household Waste Burning Restriction Area 1 including the community of Happy Camp and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000500; Census Blocks 1165, 1166, 1168, 1169, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1634, 1635, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 3050, 3051, 3052, 3053, 3054, 3056, 3057, 3058, 3059, and 3061. See Appendix B; Map 1.

- (B) Household Waste Burning Restriction Area 2 including the incorporated city of Fort Jones and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000701; Census Block 2176; In Census Tract 000600; Census Blocks 1327, 1329, 1330, 1332, 1333, 1340, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1432, 1433, 1434, and 1484. See Appendix B; Map 2, Map 3, and Map 4.

- (C) Household Waste Burning Restriction Area 3 including the community of Greenview, the community of Mugginsville and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000600; Census Blocks 1300, 1301, 1302, 1303, 1304, 1305, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1321, 1335, 1336, 1337, 1338, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, and 1465; In Census Tract 000800; Census Blocks 1056, 1057, 1058, 1059, 1070, 1071, and 1447. See Appendix B; Map 5, Map 6, Map 7, and Map 8.

- (D) Household Waste Burning Restriction Area 4 including Kellems Lane and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000800; Census Blocks 1241, 1242, 1243, 1244, 1246, 1250, and 1251. See Appendix B; Map 9.

- (E) Household Waste Burning Restriction Area 5 including the incorporated city of Etna and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000800; Census Blocks 1349, 1350, 1351, 1354, 1355, 1356, 1358, 1359, 1360, 1361,

1364, 1365, 1366, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 3085, 3086, 3089, 3090, 3091, 3092, and 3093. See Appendix B; Map 10.

- (F) Household Waste Burning Restriction Area 6 including the community of Callahan and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000800; Census Blocks 1439, 1440, 1441, 1442, 3062, 3063, 3064, 3065, 3066, 3067, 3289, and 3290. See Appendix B; Map 11.

- (G) Household Waste Burning Restriction Area 7 including the community of Gazelle and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000701; Census Blocks 4046, 4049, 4050, 4051, 4052, 4059, 4060, 4061, 4070, 4071, 4072, 4074, 4075, 4076, 4077, 4078, 4080, 4081, 4082, 4083, 4084, 4085, and 4086. See Appendix B; Map 12, Map 13, and Map 14.

- (H) Household Waste Burning Restriction Area 8 including the community of Grenada and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000701; Census Blocks 3042, 3043, 3044, 3045, 3046, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4033, 4034, 4045, 4087, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, and 4030. See Appendix B; Map 14 and Map 15.

- (I) Household Waste Burning Restriction Area 9 including the incorporated city of Yreka and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000300; Census Blocks 2062, 2063, 2064, 2114, and 2115; In Census Tract 000701; Census Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2097, 2098, 2099, 2100, 2101, 2102, 2104, 2106, 2107, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2193, 2194, 2195, 2196, 2197, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3049, 3050, 3051, 3052, 3053, 3056, 3065, 3068, 3076, 3077, and 3078; In Census Tract 000702; Census Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020,

1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2998, and 2999; In Census Tract 000703; Census Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, and 3024. See Appendix B; Map 15, Map 16, Map 17, Map 18, Map 19, Map 20, Map 21, Map 22, Map 23, and Map 24.

- (J) Household Waste Burning Restriction Area 10 including the incorporated city of Montague, the community of KRCE and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000300; Census Blocks 1073, 1074, 1075, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1134, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1377, 1378, 1379, 1380, 1381, 1382, 1384, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1987, 1988, 1989, 2000, 2002, 2003, 2004, 2005, 2006, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2070, 2071, 2072, 2077, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 3049, 3050, 3051, 3052, 3053, 3054, and 3055; In Census Tract 000400; Census Blocks 1395, 1396, 1402, 1403, 1405, 1407, 1408, 1430, 1431, 1432, 1433, 1434, 1993, 1994, 1995, and 1996. See Appendix B; Map 25, Map 26, Map 27, Map 28, and Map 29.

- (K) Household Waste Burning Restriction Area 11 including the community of Hornbrook and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000400; Census Blocks 1374, 1375, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, and 1454. See Appendix B; Map 30.

(L) Household Waste Burning Restriction Area 12 including the community of Copco and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000300; Census Blocks 1028, 1029, 1030, 1031, 1032, 1033, 1052, 1482, 1483, 1484, 1485, 1486, and 1487. See Appendix B; Map 31.

(M) Household Waste Burning Restriction Area 13 including the community of Big Springs and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000300; Census Blocks 3213, 3215, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3240, 3241, 3242, 3243, 3244, and 3267; In Census Tract 000900; Census Blocks 4210, 4276, 4277, 4278, 4279, 4280, 4281, 4282, 4283, 4284, 4285, 4286, 4287, 4288, 4289, 4290, 4291, 4292, 4293, 4295, 4296, 4297, 4298, and 4299. See Appendix B; Map 32 and Map 33.

(N) Household Waste Burning Restriction Area 14 including the community of Mount Shasta Vista and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4079, 4082, 4083, 4084, 4085, 4086, 4087, 4088, 4089, 4090, 4091, 4092, 4093, 4094, 4095, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4106, 4107, 4108, 4109, 4110, 4111, 4112, 4113, 4114, 4115, 4116, 4117, 4118, 4119, 4121, 4122, 4123, 4124, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4139, 4140, 4141, 4142, and 4143. See Appendix B; Map 34.

(O) Household Waste Burning Restriction Area 15 including the community of Rancho Hills and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 4205, 4253, 4254, 4255, 4256, 4257, 4258, 4300, 4301, 4302, 4303, 4304, 4305, and 4306. See Appendix B; Map 35.

(P) Household Waste Burning Restriction Area 16 including the community of Lake Shastina and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 4059, 4060, 4061, 4179, 4180, 4181, 4182, 4183, 4184, 4185, 4186, 4187, 4188, 4189, 4190, 4191, 4192, 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4261, 4262, 4263, 4264, 4265, 4266, 4308, 4309, 4310, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4319, 4320, 4321, 4322, 4323, 4324, 4325, 4326, 4327, 4328, 4329, 4330, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4338, 4339, 4340, 4341, 4342, 4343, 4344, 4345, 4346, 4347, 4354, 4355, 4356, 4358, 4359, 4360, 4361, 4362, 4363, 4364, 4365, 4414, 4415, 4416, 4417, 4418, 4419, 4421, and 4997. See Appendix B; Map 35 and Map 36.

(Q) Household Waste Burning Restriction Area 17 including the community of Edgewood and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 2004, 2005, 2006, 2007, 2008, 2091, 2092, 2093, and 2094. See Appendix B; Map 37.

(R) Household Waste Burning Restriction Area 18 including the incorporated city of Weed and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 1001, 1002, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 2088, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2189, 2207, 2210, 2211, 2212, 2213, 2214, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2236, 2237, 2238, 2239, 2996, 2997, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 4171, 4420, 4422, 4423, 4424, 4425, 4426, 4427, 4428, 4429, 4431, 4438, 4439, 4440, 4441, 4442, 4443, 4444, 4445, 4446, 4447, 4448, 4449, 4450, 4451, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 6003, 6004, 6005, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6019, 6020, 6021, 6022, 6023, 6024, 6025, 6032, and 6033; In Census Tract 001000; Census Blocks 5000, 5001, and 5002. See Appendix B; Map 38, Map 39, and Map 40.

(S) Household Waste Burning Restriction Area 19 including the incorporated city of Mount Shasta and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000900; Census Blocks 2122, 2123, and 2124; In Census Tract 001000; Census Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 4065, 4066, 4096, 4097, 4099, 4100, 4103, 4104, 4108, 4109, 4110, 4111, 4112, 4113, 4114, 4115, 4116, 4117, 4118, 4119, 4120, 4121, 4122, 4123, 4124, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4143, 4188, 4189, 4190, 4192, 4193, 4194, 4195, 4196, 4197, 4198,

4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, 4209, 4210, 4211, 4212, 4213, 4214, 4215, 4217, 4218, 4219, 4234, 4235, 4236, 4298, 4299, 4300, 4301, 4302, 4303, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4319, 4320, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5056, 5064, 5065, and 5066. See Appendix B; Map 41, Map 42, Map 43, and Map 44.

- (T) Household Waste Burning Restriction Area 20 including the incorporated city of Dunsmuir and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 001100; Census Blocks 1018, 1019, 1044, 1045, 1046, 1054, 1055, 1056, 1057, 1058, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1226, 1227, 1228, 1229, 1231, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, and 3059. See Appendix B; Map 45 and Map 46.

- (U) Household Waste Burning Restriction Area 21 including the community of McCloud and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 001200; Census Blocks 1864, 1865, 1866, 1867, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1899, 1900, 1901, and 1902. See Appendix B; Map 47.

- (V) Household Waste Burning Restriction Area 22 including the community of Tennant and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 001200; Census Blocks 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, and 1087. See Appendix B; Map 48.

- (W) Household Waste Burning Restriction Area 23 including the community of Mount Hebron and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000200; Census Blocks 1476, 1477, 1478, 1479, 1480, and 1481. See Appendix B; Map 49.

(X) Household Waste Burning Restriction Area 24 including the community of Macdoel and surrounding areas described as:

This area is an aggregation of census blocks as follows: In Census Tract 000200; Census Blocks 1356, 1357, 1358, 1359, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, and 1379. See Appendix B; Map 50.

(Y) Household Waste Burning Restriction Area 25 is the incorporated city of Dorris:

This area is an aggregation of census blocks as follows: In Census Tract 000200; Census Blocks 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1119, 1169, and 1170. See Appendix B; Map 51.

(Z) Household Waste Burning Restriction Area 26 is the incorporated city of Tulelake:

This area is an aggregation of census blocks as follows: In Census Tract 000100; Census Blocks 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1348, and 1349. See Appendix B; Map 52.

(d) Prohibitions.

- (1) No person shall burn disallowed combustibles from any property for the purpose of disposing of waste material outdoors at a residence, except as provided under subsections (c) and (f),
- (2) No person shall dispose of allowable combustibles from any property by burning them in a burn barrel or incinerator outdoors, except as provided under subsections (c) and (f),
- (3) No person shall dispose of dry, natural vegetation waste originating on the premises from yard maintenance, if reasonably free of dirt, soil and surface moisture from any property by burning unless the following minimum drying periods are met:
 - (A) Prunings and small branches: 3 weeks
 - (B) Grass clippings: 3 weeks with turning once per week
 - (C) Large branches (6 inches and larger) and trees: 8 weeks
 - (D) Unwanted trees: 3 months.
 - (E) All unwanted trees over six (6) inches in diameter shall be felled and dried prior to the burn.

NOTE: Items identified in (C), (D) and (E) may be considered non-agricultural or agricultural burning, which require a District permit pursuant to Rules 4.3 or 7.3.

- (4) No person shall ignite, or allow to become ignited, allowable combustibles unless using an approved ignition device.
- (5) No person shall ignite, or allow to become ignited, allowable combustibles unless it is a permissive burn day in the District.
- (6) No person shall conduct residential waste burning in piles unless the following conditions are met:
 - (A) Piles are no larger than four feet in diameter
 - (B) The material to be burned is dry.
 - (C) The material to be burned originated on the premises.

Fires not meeting the size limitations are considered non-agricultural or agricultural burning, which require a District permit pursuant to Rules 4.3 or 7.3.

(e) Compliance Schedule.

- (1) This ATCM becomes effective when adopted, however the prohibitions set forth in subsection (c) and (d), above, become effective on January 1, 2004.
- (2) The District, in conjunction with ARB and in coordination with other local, state and federal agencies, shall conduct a public education and outreach program with respect to this rule, the public health impacts of residential waste burning, and available alternatives to burning. The District will distribute educational materials with agricultural and non-agricultural burning permits: through departmental mailings: through other agencies, both public and private: through periodic public notifications in local newspapers and through any other means the District may determine to be economically feasible. The Staff Report adopted by the Siskiyou County Air Pollution Control Board on August 5, 2003 and all other future staff reports for rule adoption and amendment shall include a more detailed description of the education and outreach program, including the goals and objectives of the education program.

(f) Exemptions.

- (1) No exemption from the prohibitions set forth in subsections (d)(1) and (d)(2) is available for residences located in Household Waste Burning Restriction Areas and all incorporated places in Siskiyou County.
- (2) At residences where the population density of the unincorporated area is less than or equal to 3.0 persons per square mile within the boundaries of any aggregation of census blocks as determined by the APCO within the District, the following exemptions apply:
 - (A) Dry non-glossy paper and cardboard may be burned outdoors; and
 - (B) Burn barrels and/or incinerators may be used.

- (C) Households must abide by the California Department of Forestry and Fire Protection (CDF) residential burn restrictions when fire season is declared by CDF.
- (3) At residences where the population density of the unincorporated area is greater than 3.0 but less than or equal to 10.0 persons per square mile within the boundaries of any aggregation of census blocks as determined by the air pollution control officer, the District may file a Request for Exemption to allow the burning of dry non-glossy paper and cardboard, or the use of burn barrels or incinerators, or both, subject to the provisions of subsections (f)(4) and (f)(9).
 - (4) As part of any Request for Exemption submitted under subsection (f)(3), the District may determine areas based on aggregations of census blocks where the prohibitions set forth in subsections (d)(1) and (d)(2) shall still apply, subject to the provisions of (f)(9).
 - (5) The prohibition contained in subsection (d)(2) of this rule shall not apply in any jurisdiction where a local ordinance or other enforceable mechanism is in effect on January 4, 2002 requiring the use of a burn barrel or incinerator to burn allowable combustibles, unless the local ordinance or other enforceable mechanism is subsequently rescinded or revoked.
 - (6) This rule does not supercede pre-existing rules or ordinances within a geographic area where the use of a burn barrel or incinerator or the burning of residential waste, including dry non-glossy paper and cardboard, is prohibited by a local ordinance or other enforceable mechanism in effect January 4, 2002, or thereafter. No exemption from subsection (d)(1) or (d)(2) shall be available for these areas.
 - (7) On or before May 1, 2003, and every ten years thereafter, the ARB shall provide the air districts with a listing of all incorporated places and the population density within the boundaries of each census zip code contained within each air district.
 - (8) The District shall re-evaluate the aggregation of census blocks of the Restriction Exempt Areas located within Siskiyou County every ten years beginning on or before May 1, 2013 and every 10 years thereafter to determine population densities. The maps included as Appendices A and B and the lists of census blocks described in section (c) shall be analyzed, re-evaluated, re-mapped and re-listed by August 1st of the same year to show any areas based on the aggregation of census blocks as determined by the APCO where the population density has increased to the next threshold. Restriction Areas and Restriction Exempt Areas designated by the re-mapping and re-listing become effective every 10 years after January 1, 2004. In order to maintain the public health protections imposed by this ATCM, once an aggregation of census blocks, as determined by the air pollution control officer, is designated as a Residential Household Waste

Burning Restriction Area as described in section (c), its designation cannot be reversed and the prohibitions of subsections (d)(1) and (d)(2) always apply.

- (9) Any Request for Exemption as described in subsection (f)(4) by the District shall be submitted in writing to the ARB on or before August 1, 2003, and every ten years thereafter. The Request for Exemption must address the items contained in subsection (e)(10) through (e)(13) of section 93113 of Title 17 of the California Code of Regulations. Additionally, as described in subsection (f)(8), the revisions to the maps included as Appendices A and B and the lists of census blocks in section (c) constitute a rule amendment and shall be submitted to ARB for review by August 1st of the respective revision year. The rule amendment shall be supported by a staff report, which shall address all applicable items contained in subsection (e)(10) through (e)(13) of section 93113 of Title 17 of the California Code of Regulations.
- (10) By January 1, 2004, and every ten years thereafter, the ARB shall make available a listing of all census blocks, census zip codes and census zip code sub-areas within Siskiyou County that are in Restriction Areas and Restriction Exempt Areas as evidence of rule approval by ARB.
- (11) All exemptions shall terminate on December 31, 2013, unless renewed by the District for an additional ten years, pursuant to the procedures set forth in section (c) and section (f) of this rule.

NOTE: Authority cited: Sections 39600, 39601, 39659, 39666 and 40725 *et seq.*, Health and Safety Code. Reference: Sections 39020, 39044, 39650 through 39669, 39701, 41700 and 41806, Health and Safety Code.