

# **Script #5 - Open Burning of Brush in Municipal Landfills, Municipal Transfer Stations, and Municipal Recycling Centers**

## **Slide 1 - Front DEEP Page**

## **Slide 2 - Title Page**

## **Slide 3 - Module Outline**

This module will outline the process in which a municipality may apply for a permit from the State of Connecticut's Department of Energy and Environmental Protection to burn brush at municipal landfills, transfer stations, and municipal recycling centers.

The module will cover the following:

- The Law
- The Parties – the applicant and the regulator.
- Who can burn? Where can the burn be conducted? What material can and cannot be burned?
- The Application and Permit Process
- The Site visit investigation of the proposed activity
- The Permit has been granted – next steps.
- The Permit has been granted but the Burn was not conducted within the time period window as shown on the Permit.
- The Application has been denied and the reasons for denial.
- Considerations regarding the management of brush that is generated as a result of a Natural Hazard.
- State level enforcement actions that may occur as a result of a violation of the State's open burning laws and/or the issued permit
- Take Aways
- Acknowledgements

## **Slide 4 - The Law**

Chapter 446c, entitled Air Pollution Control, of the Connecticut General Statutes, Section 22a-174(f) provides the framework under which open burning can be conducted in the state.

Within this Statute it states that the Commissioner of the State of Connecticut's Department of Energy and Environmental Protection, referred to as the State Agency, shall allow for the open burning of brush at municipal landfills, municipal transfer stations or municipal recycling centers. This type of open burning can only be conducted when a permit for such burning is obtained by the fire marshal of the municipality where the facility is located.

## Slide 5 - The Law

Chapter 449, entitled Fire Wardens, of the Connecticut General Statutes 23-49a includes subsection (a) which provides for the declaration of a burning ban by the State Fire Warden under certain conditions.

This Section of the Statutes prohibits open burning when the forest fire danger is high, very high or extreme. Connecticut General Statutes Section 22a-174(f) prohibits burning when the forest fire danger is extreme. To address these two inconsistent conditions, the State of Connecticut's Department of Energy and Environmental Protection's Bureau of Air Management's Open Burning Program uses as a Condition Applicable to all Permits that no open burning shall occur when the Forest Fire Danger Level is high, very high, or extreme.

## Slide 6 - The Parties: The State and the Municipality

There are two parties in the permitting process for the open burning of brush at municipal landfills, municipal transfer stations, or municipal recycling centers. The State is the regulator and the Municipality is the applicant/permittee.

For this type of permit, the applicant is the municipality's Fire Marshal with jurisdiction for the municipality. In many municipalities, the Fire Marshal also serves as the municipality's local Open Burning Official.

The regulator is the State of Connecticut's Department of Energy and Environmental Protection. Within this Agency, the Bureau of Air Management's Open Burning Program is responsible for program oversight. The Agency makes available to the municipalities a form entitled "Open Burning Application and Permit to Burn Brush at Municipal Landfill, Municipal Transfer Station and Municipal Recycling Center".

The Statute requires that the Fire Marshal, with the signature sign-off of the Chief Elected Official of the municipality in which the municipal landfill, municipal transfer station or municipal recycling center is located, to complete and submit the application to the State Agency for their review and consideration. The Agency will approve or disapprove the application.

The Agency will then notify the Fire Marshal within a reasonable timeframe with regards to their decision of either approving or disapproving the application. If approved, a permit is issued. The Fire Marshal is now referred to as the "Permittee".

"Written" permits are legally required documentation granting permission to the permittee to conduct the burning of brush in the open air. Verbal permits are not permissible under any circumstances.

## Slide 7 - Who Can Conduct the Burn? Where can the Burn be Conducted?

Once the permit has been granted, the Fire Marshal is now the Permittee and is responsible for ensuring compliance with all permit conditions.

The Fire Marshal or his designees can conduct the burn. The designees could be municipal employees in the public works department, a certified solid waste operator at the solid waste facility, members of the fire department, and/or a municipal contractor.

For this type of permitted activity, open burning can only be conducted at the following locations: Municipal landfills, municipal transfer station, and/or municipal recycling center. The open burning of brush by a municipality for volume reduction purposes is *prohibited* at any other locations.

## Slide 8 - What Material can and cannot be Burned?

This type of permit allows for the burning of brush only. Brush is defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point.

In some municipalities, residents are afforded the opportunity to either bring their brush to their municipal landfill, municipal transfer station or municipal recycling center or have it picked up as part of a municipal collection system.

The municipality's various departments, for example public works and parks and recreation, may also bring brush to these facilities. Brush may be generated from day-to-day operations and/or may be generated as a result of a natural hazard event. Regardless, only brush with a diameter of which is not greater than three inches at its widest point can be burned.

It should be noted that there are alternatives to the burning of brush. In many municipalities, brush is managed by chipping and can be used in landscaping applications, as compost bulking agents, as soil amendments, and in temporary land stabilization projects in a manner that poses no threat to surface and ground waters of the State.

It is prohibited to burn any other items. This includes, but is not limited to, the following items:

- Branches greater than three inches in diameter
- Organic matter other than brush, for example: grass; leaves, tree trunks and limbs, root balls and stumps
- Construction and Demolition Waste, wire
- Other solid waste deposited at the municipal landfill, municipal transfer station or municipal recycling center
- Furniture, painted materials, treated wood, pallets
- Other wastes

### **Slide 9 - The Permit Process**

The permit process for the open burning of brush at municipal landfills, municipal transfer stations or municipal recycling centers consists of the following steps:

In Step One, the Fire Marshal of the municipality where the proposed burn site is located, applies for a permit to conduct open burning of brush at a municipal landfill, municipal transfer station or municipal recycling center. Both the Fire Marshal and the Chief Elected Official must sign the application and then submit it via email to the State Agency. The Fire Marshal is the Applicant. The State of Connecticut's Open Burning Program has provided the form to the State's Chief Elected Officials.

In Step Two, the State Agency receives the application (via email) and assigns a staff member to conduct an onsite inspection. At the site, the State Agency staff will inspect the location, size and composition of the brush pile that is proposed to be burned and will evaluate the local conditions. Considerations may be made for the potential of adverse public health and safety impacts to the nearby community and to the environment that may result from the proposed burn. While onsite, if the State Agency staff finds materials other than brush or if the brush is not sized correctly, the Agency staff may inform the applicant of the contamination issue. In most cases, the issue is addressed at the time of the inspection. However, if the contamination issue cannot be addressed at the time of the inspection, the applicant can resolve the issue but will have to contact the Agency to request a re-inspection of the proposed burn pile.

The State Agency staff will prepare an Inspection Report and will forward the Report to State Agency's Open Burning Program managers. The State Agency's program managers will consider the results of the Inspection Report and will make a determination if a permit can be issued. If a permit is issued, the State Agency emails a

copy of the Permit, a standard letter that provides information regarding the open burning permit, and a copy of the State Agency's Inspection Report to the Fire Marshal. The Fire Marshal is now the Permittee. If the application is denied, the State Agency emails a copy of a standard letter which details the reasons for the denial, a copy of the Application form indicating the denial, and the State Agency's Inspection Report to the Fire Marshal.

In Step Three, on the day before the proposed burn, or on the Friday before a weekend burn, the Permittee should notify the abutting property owners. On the morning of the day of the proposed burn and between the hours of 9:00 am and 10:00 am, the Permittee must determine if conditions are suitable to conduct a burn. This determination is made by the Permittee checking the State Agency's website for both the State's Predicted Daily Air Quality Index Maximum and the State's Forest Fire Danger Level. After checking the websites and determining that conditions are suitable for a burn to occur, the Permittee must call the State Agency's Open Burning Program for the purpose of notifying them that the burn will be conducted on the day of the proposed burn, or on the Friday before a weekend burn.

In Step four, the burn can now proceed. The Permittee must adhere to all of the permit conditions and the permit must be available on-site during the burn. The burn is conducted and at the completion of the burn, all embers and coals are to be extinguished and wetted so as to prevent smoldering and fugitive ash emissions. The Permittee should retain a copy of the permit for four years from the date of the permit issuance.

### **Slide 10 - The Application/Permit Form**

The State Agency has a form entitled *Open Burning Application and Permit: To Burn Brush at Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center*.

The State Agency's Bureau of Air Management's Open Burning Program has provided this form electronically to the State's Chief Elected Officials.

This form is to be used by the Fire Marshal when applying for such an activity.

The Form consists of the following major sections:

- Section one identifies General Statements applicable to all permits.
- Section two is where information is provided by the Fire Marshal and the Chief Elected Official, and both must sign and certify that the information provided is true to the best of their knowledge and that they will abide by the conditions of the permit.
- Section three is the listing of the permit conditions.
- Section four is completed when the proposed activity has been granted by the State Agency, with sign off by a duly authorized representative of the Department of Energy and Environmental Protection's Bureau of Air Management.
- Section five is completed when the proposed activity has been denied by the State Agency, with sign off by a duly authorized representative of the Department of Energy and Environmental Protection's Bureau of Air Management.

### **Slide 11 - Application/Permit Form: #1 General Statements**

Under this section are the General Statements that are applicable to all permits. These Statements include the following:

- A permit is only valid when signed by a duly authorized representative of the Department of Energy and Environmental Protection's Bureau of Air Management.

- The permit does not relieve the Permittee of any legal liability which may be incurred as a result of the fire.
- Failure by the Permittee to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.

### **Slide 12 - Application/Permit Form: #2 Applicant Information, Certification and Signatures**

Under this section, the applicant is responsible for providing the requested information.

The Fire Marshal is responsible for ensuring that the application is completed in full.

The Fire Marshal must provide the following information:

- his or her name, their mailing address, email and telephone number;
- the name of the Chief Elected Official and the municipality in which they hold jurisdiction;
- the location of the Municipal landfill, Municipal Transfer Station or Municipal Recycling Center at which the proposed burn is to be conducted; and
- the proposed date of the proposed burn.

Both the Fire Marshal and the Chief Elected Official must sign and date the form.

By their signatures, they are certifying that the information that was provided in the application is complete and true to the best of their knowledge and that they will abide by all conditions of the permit.

The Fire Marshal submits the form via email to the State Agency's Open Burning Program.

### **Slide 13 - Application/Permit Form: #3 Permit Conditions**

Under this section, there are ten conditions applicable to all permits that are granted.

These conditions include:

- Certain situations when no burning must take place;
- Ceasing the burn when so directed by designated entities;
- Certain actions to be taken prior to, during and post burn periods to ensure public health and safety and to minimize adverse impacts to the environment;
- Material that can be burned;
- Requirement that the permit be available on-site during the burn;
- When the burn can be conducted and suitable weather and wind conditions; and
- Notifying the State Agency in advance of the burn.

### **Slide 14 - Application/Permit Form: #3 Permit Conditions/Applicable to all Permits**

Condition number one is when burning must not take place. These include the following:

- (a) when national or state ambient air quality standards may be exceeded
- (b) where a hazardous health condition might be created
- (c) when the Air Quality Index, referred to as AQI, is predicted to be 75 or higher anywhere in Connecticut as indicated in the State Agency's Table entitled "Predicted Daily AQI Maximums" as found at the State Agency's website at [www.ct.gov/deep/aqi](http://www.ct.gov/deep/aqi)
- (d) when the forest fire danger level is identified by the State's Forestry Division as high, very high, or extreme as found at the State Agency's website at [www.ct.gov/deep/forestfiredanger](http://www.ct.gov/deep/forestfiredanger)
- (e) where there is an advisory from the State Agency's Commissioner of any air pollution episode
- (f) where prohibited by an ordinance of the municipality.

In addition to those items just mentioned, consideration should be given to Red Flag Warnings that are issued by the National Weather Service. A Red Flag Warning is a warning to the public that if there is a fire, the weather conditions can be expected to cause erratic fire behavior. Warnings are issued when winds will be sustained or there will be frequent gusts above a certain threshold, usually above 25 miles per hour. The Permittee should be aware of this potential dangerous condition when considering conducting a burn.

### **Slide 15 – Application/Permit Form: #3 Permit Conditions/Applicable to all Permits**

Condition number two is "Burning must cease if so directed by the local Fire Marshal or the State of Connecticut's Department of Energy and Environmental Protection."

Condition number three is "During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken." The goal is to conduct a clean burning fire.

Condition number four is "Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned."

Condition number five is "All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area."

### **Slide 16 – Application/Permit Form: #3 Permit Conditions/Applicable to all Permits**

Condition number six is "A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn." A truck with an insufficient quantity of water or no water cannot suppress a fire.

Condition number seven is "At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions."

Condition number eight is "The permit must be available on site during the burn."

### **Slide 17 – Application/Permit Form: #3 Permit Conditions/Applicable to all Permits**

Condition number nine is "Burning must be conducted between the hours of 10 A.M. and 5 P.M. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window. Burning must be conducted on a certain number of days within a certain time period". This condition promotes the dispersion of the smoke, lessening adverse environmental impacts at ground level. In most cases, the Agency will identify a thirty day window.

Condition number ten is a requirement for the permittee to “Notify the Department of Energy and Environmental Protection’s Bureau of Air Management’s Open Burning Program at (860) 424-3436 on the morning prior to burning, or on the Friday before a weekend burn.”

### **Slide 18 – Application/Permit Form: #3 Permit Conditions/Additional Comments is Checked**

Under the Permits section, there is a listing of additional permit conditions if checked.

Some of the additional permit conditions are the following:

- Burning may be initiated only in the presence of the municipality's Fire Marshal;
- Burning may not take place when the wind is from a certain direction;
- The Other category is where the State Agency may add other conditions. These conditions could include but not be limited to the following: a condition based on input from the municipality; a condition addressing past practices at this particular site; a condition addressing complaints that resulted from a previous burn at this site; and requiring that the burn pile should be sufficiently seasoned to prevent excessive fugitive emissions.

### **Slide 19 – Site Visit Inspection**

Upon receipt of the permit application, State Agency staff from the Bureau of Air Management’s Open Burning Program will verify that the applicant has provided the information that was requested on the application form and that both the Fire Marshal and the Chief Elected Official have signed the application form. An application is considered incomplete if it has not been signed by both parties.

Program staff will schedule and conduct an inspection of the site. Program staff may or may not coordinate the date of inspection with the applicant.

The site visit inspection is done to verify the information as submitted by the applicant and allows for an onsite assessment of the proposed activity.

Program staff will evaluate the following:

- if the site where the proposed burn is to be conducted is located at a municipal landfill, municipal transfer station or a municipal recycling center;
- the location, size, and dimensions of the proposed burn pile. It is preferable that the proposed burn pile is not recently trimmed brush, but rather seasoned brush because newly cut, very green wood adds considerably to the smoke emission. Proper pile size and dimensions are important to be able to complete a burn within the time period window.
- the composition of the proposed burn pile;
- the diameter of the brush;
- the potential impacts to adjacent properties and/or roads and other activities of concern; and
- the detection of non-native invasive insects such as the Emerald Ash Borer or the Asian Longhorned Beetle.

## Slide 20 – The Site Visit Inspection

Upon completion of the site visit, Program staff will prepare an Inspection Report.

In this report, the standard informational fields are entered. This includes the type of inspection; a Log number; Source Name and Address; Contact name and Number; Date and Time of Inspection; and Report File Name.

Program staff will then write narrative, describing their inspection and any on-site contact with facility staff on the day of the inspection. The pile size is recorded and any observations made with regard to the composition of the proposed burn pile.

The Inspection Report will make note if the application has been deemed sufficient and will include recommendations.

This Report is then forwarded for Supervisory and Managerial review. The application is acted upon by the managerial designee. The application will either be granted or denied.

## Slide 21 – Application/Permit: #4 Permit Granted

Once the decision has been made to grant the permit, the Program staff will email to the Fire Marshal, the Permittee, the following:

- A letter providing further information on the Permit
- A copy of the Permit and
- A copy of the State Agency's Inspection Report.

Upon receipt of the permit, the Fire Marshal and the municipality can make arrangements and initiate actions to conduct the burn within the date window.

Implementation activities must include the before, during and post burn periods.

## Slide 22 – Permit Granted: Before the Burn Period

The Permittee, who is now in receipt of the State Agency letter and permit, must review all the documents and prepare for the open burning of brush activity.

There are a number of actions that must be taken prior to conducting the burn activity.

These include:

- Notifying the abutting property owners on the day before the proposed burn, or on the Friday before a weekend burn.
- On the morning of the proposed burn and immediately prior to burning, the following must be determined in order to proceed with the burn:
  - The State's Predicted Daily Air Quality Index (AQI) Maximums. This information is available on the State Agency's AQI website. At the website, the Permittee needs to review the Table entitled "*Predicted Daily AQI Maximums*". This Table provides forecasted numeric values for Fine Particles and/or Ozone. This Table is updated daily and should be checked between 9:00 am and 10:00 am.



- The State's Forest Fire Danger Level. This information is available at the State Agency's Forest Fire Danger Level website. Depending on the fire season, the State Agency issues advisories. Throughout the Spring forest fire season, which is mid-March through May and at other times of the year when the forest fire danger is high or above, the State Agency issues daily advisories. After this period, the State Agency continues to monitor the weather as it relates to forest fire danger and will update when appropriate.
- On the morning of the proposed burn, or on the Friday before a weekend burn, the Permittee must Notify the State Agency's Open Burning Program at (860)424-3436 to report that they have confirmed that conditions are suitable to conduct the burn based on the State's reported Predicted Daily AQI Maximums and the State's reported Forest Fire Danger Level; and
- Ensuring that all reasonable safety precautions have been taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.

### Slide 23 - Permit Granted: Before the Burn Period

Open burning is strictly regulated.

- As shown on this slide, the Table indicates that on September 7<sup>th</sup>, numeric values for Fine Particles all fell under the 75 numeric value. However, many of the Ozone predicted values for that same day are over the 75 numeric value. As such, conditions were not suitable to conduct open burning per the *Predicted Daily AQI Maximums*. Even if the Forest Fire Danger Level for this same day was low or moderate, no open burning could occur.
- As shown on this slide, the Daily Forest Fire Danger Report for August 31<sup>st</sup> indicated that the level was moderate. While this Forest Fire Danger Level of moderate met the condition that allowed for open burning under this parameter, if the *Predicted Daily AQI Maximums* for this same day indicated values to be 75 or higher, then no open burning could occur.

Per Permit conditions, open burning can only occur if conditions are suitable under both the State's *Predicted Daily AQI Maximums* and the State's *Forest Fire Danger Level Report*.

### Slide 24 - Permit Granted: During the Burn Period

During the actual burn activity, certain conditions must be met.

As indicated earlier, the hours, wind speed, and atmospheric conditions must be met as found in the permit. These conditions are needed to allow smoke to rise above ground level and to disperse as it lifts downwind of the burn location.

The burn pile must be sized so as to ensure an efficient burn. The burn activity must be completed by 5 p.m.

Fire suppression equipment and staff need to be on site. Onsite staff is responsible for assuring the fire is contained.

The permit must be available on site during the burn. Those conducting the burn need to know and adhere to all permit conditions. Also, the Permittee should be able to provide a copy of the permit to a State Agency official if requested at the time of the burn.

During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke during the burn are to be taken. The burn should be conducted with the least amount of smoke generated as possible.

### **Slide 25 – Permit Granted: Post Burn**

At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions.

In some cases, this may include spreading out the embers to ensure the fire has been extinguished.

### **Slide 26 – Permit Granted: Post Burn**

Some municipalities return on the day after the burn to ensure that the fire is out.

### **Slide 27 - Permit Granted but Burn was not conducted within the Window**

A permit to conduct open burning of brush at municipal landfills, municipal transfer stations or municipal recycling centers shall be issued no more than six times in any calendar year.

There may be occurrences where a permit has been granted but the burn could not be completed in the window as indicated on the permit. This may be due to reasons beyond the control of the Permittee. For example, during the timeframe in which the burn was authorized to occur, national or state ambient air quality standards were exceeded and/or the State's forest fire danger levels were not suitable for burning. As a result, the burn could not proceed and the permit expired and was no longer valid.

For those municipalities that burn up to six times per year and where permits were not used due to conditions beyond their control, the municipality should contact the State Agency's Open Burning Program prior to the fifth and sixth permit request to evaluate the situation. The State Agency will coordinate with the municipality on appropriate next steps.

### **Slide 28 – Application/Permit: #5 Application Denied**

If the decision has been made to deny the application, the State Agency's Open Burning Program staff will email to the Fire Marshal, the Applicant, the following:

- A letter stating that the application has been denied, providing the reasons for denial;
- A copy of the application with reasons for denial; and
- A copy of the State Agency's Inspection Report.

### **Slide 29 – Application/Permit: #5 Application Denied (cont)**

Reasons for a denial can include, but are not limited to, the following:

- The municipality has already received six burn permits within the calendar year.
- The composition of the proposed burn pile consisted of branches greater than three inches in diameter, contained materials that are not permitted to be burned; or other material composition issues were visually observed and noted and were unable to be corrected by the Applicant.

- The proposed burn site was not located in a municipal landfill, municipal transfer station, or municipal recycling center.
- The proposed burn could potentially result in adverse impacts to the public's health and safety. For example, there may be nearby roads and other transport infrastructure; there may be nearby and/or adjacent at risk communities situated in schools, elderly housing, and other similar type structures.

### **Slide 30 – Considerations regarding the Management of Brush generated as a result of a Natural Hazard Event**

Currently, less than 15% of Connecticut's municipalities obtain permits from the State Agency each year to conduct open burning of brush at municipal landfills, municipal transfer stations or municipal recycling centers. Should the State of Connecticut be impacted from a catastrophic natural disaster, it can be expected that more municipalities may seek to obtain such permits.

Hurricanes and other natural hazard events can generate significant quantities of "green" vegetative wastes, including tree topplings and brush. While the State Agency does not promote open burning as a brush management practice, the State Agency recognizes there could be an increased need for open burning of brush resulting from such natural hazard events. The open burning of brush should be considered when all other preferable management options are exhausted.

The State of Connecticut encourages municipalities to plan and prepare properly for natural disasters. It is strongly recommended that municipalities contact the State Agency's Open Burning Program as part of their Pre-Disaster Planning. The purpose of this contact is to ensure that their proposed open burning locations at a municipal landfill, municipal transfer station or municipal recycling center are suitable to conduct open burning of brush and can be permitted at the time of the event. It should be noted that not all sites can be permitted to conduct this type of activity due to public health and safety issues and potential adverse environmental impacts.

FEMA will not reimburse illegal disposal activities of storm generated debris and municipalities may risk reimbursements if this occurs. Therefore, if the State Agency has not issued a permit to the municipality for the purpose of conducting a burn at one of these facilities, then the burn is illegal and not reimbursable.

A well executed disaster recovery effort is critical to ensuring that the most important services of a community are reinstated promptly. By undertaking natural disaster preparedness planning, municipalities will be ready both to maximize their community's potential for FEMA reimbursement, and to maximize the potential for processing and recycling disaster debris.

### **Slide 31 – State Level Enforcement**

As listed upfront on the permit under the General Conditions section, the Permittee is put on notice that failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.

The State Agency uses a broad range of regulatory, permitting, compliance and technical assistance to regulate the control of open burning. The State Agency's enforcement tools and actions are intended to maximize the protection of public health and the environment, to maintain a strong, credible enforcement presence and to minimize potential impacts that regulated activities can have on the environment.

Examples where the State Agency may step in to enforce against a municipality can include, but are not limited to, the following scenarios:

- When the Permittee fails to adhere to the conditions of the permit;

- When a municipality issues a permit and burns brush on municipal property other than a municipal landfill, municipal transfer station or municipal recycling center; and/or
- When a municipality burns without a permit.

In the event of an alleged violation, the State Agency's staff may come upon a burn while in the field and/or may respond to a complaint and will investigate. Program staff will speak with appropriate municipal officials to determine if a violation did occur.

If a violation did occur, the following enforcement activities could be considered by the Agency:

- Issuance of a Notice of Violation and 30 day period to respond;
- Issuance of Administrative Orders (includes both Unilateral Order and Consent Order with penalties);
- Referral to the Attorney General's Office or Chief State's Attorney; and/or
- Arrest/fine under Connecticut General Statute's sections 23-48 and/or 23-49a.

If the Permittee is unsure about any of the rules concerning open burning, contact should be made with the Bureau of Air Management at **(860) 424-3436** before the burn is conducted.

### Slide 32 – Take Aways

- The open burning of brush is allowed at municipal landfills, municipal transfer stations or municipal recycling centers provided that the activity is permitted by the State Agency. The Fire Marshal is the Permit Applicant. The open burning of brush by a municipality for volume reduction purposes is *prohibited* at any other locations. Only brush can be burned. A permit for this type of activity shall be issued no more than six times in any calendar year to a municipality.
- Per Permit conditions, there are times when burning can not take place. Two critical conditions that must be met are the State's Predicted Daily AQI Maximums and the State's Forest Fire Danger Level.
- On the morning of the burn and prior to burning, the Permittee must notify the State of Connecticut's Open Burning Program. In their notification to the State Agency's Program, the Permittee should indicate the following: *"I have checked both the State's Predicted Daily AQI Maximums Table and the State's Forest Fire Danger Level and have determined that conditions are suitable to conduct the burn. The burn will be conducted today, month, date and time."*

### Slide 33- Acknowledgements

The Agency greatly acknowledges the assistance provided by the following municipalities:

The Town of Norfolk, Connecticut – Selectman's Office, Office of the Fire Marshal, and Department of Public Works

The Town of Willington, Connecticut – Selectman's Office, Office of the Fire Marshal, Department of Public Works, Willington Hill Fire Department #1: Fire Station #13, and Willington Hill Fire Department, Inc.

### Slide 34 – DEEP End Page