

Connecticut Department of Energy and Environmental Protection











OPEN BURNING TRAINING PROGRAM

MODULE 4: OTHER PURPOSES OF OPEN BURNING THAT MAY BE AUTHORIZED



OTHER PURPOSES OF OPEN BURNING THAT MAY BE AUTHORIZED

This module will cover the remaining types of open burning activities that can be permitted by a municipal Open Burning Official under Connecticut General Statutes (CGS) Section 22a-174(f). In addition to issuing permits for the open burning of brush on residential property, the local Open Burning Official can issue open burning permits for the following activities proposed on non-state-owned properties: Fire training exercises; Eradication or control of insect infestations or disease; Agricultural purposes; Clearing of vegetative debris following a natural disaster; and Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space.

This module will cover the following:

- ☐ Relevant sections of CGS Section 22a-174(f) and CGS Section 23-49a
- Descriptions of the Types of Activities that require an Open Burning Permit
- Overview and discussion of the model Application/Permit Templates
- Key Contacts
- Take Aways



OPEN BURNING ACTIVITIES THAT MAY BE AUTHORIZED

Title 22a Environmental Protection, Chapter 446c of the Connecticut General Statutes (CGS) Section 22a-174(f):

"...Nothing in this subsection or in any regulation adopted pursuant to this subsection shall affect the power of any municipality to regulate or ban the open burning of brush within its boundaries for any purpose...

Open Burning may be engaged in for any of the following purposes if the open burning official with jurisdiction over the area where the burning will occur issues an open burning permit: fire-training exercises; eradication or control of insect infestations or disease; agricultural purposes; clearing vegetative debris following a natural disaster; and vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space.

Open burning for such purposes on state property may be engaged in with the written approval of the commissioner...."



OPEN BURNING ACTIVITIES THAT MAY BE AUTHORIZED (CONT.):

Title 23 Parks, Forests, and Public Shade Trees, Chapter 449 Fire Wardens of the CGS, Section 23-49a. Declaration of burning ban; special burning permit; penalty; exemptions.

- a) No person shall kindle or use fire in the open air within one hundred feet of woodland, brushland, or area containing dried grass that is adjacent to any woodland or brushland, when the forest fire danger, as declared by the State Forest Fire Warden, is high or extreme, or during a drought emergency as declared by the State Forest Fire Warden. When weather conditions indicate that such forest fire danger exists, the State Forest Fire Warden shall make public announcement of the fact, using such news media as may be available and the provisions of this section shall then be in effect until cancelled by said warden.
- b) Notwithstanding any provision of subsection (a) of this section to the contrary, an owner of land or an agent of such owner may apply to the State Forest Fire Warden or designee of said warden for a special burning permit during such period of burning ban. If the State Forest Fire Warden or designee is of the opinion that the proposed burning is of immediate necessity, will not be in conflict with local or state regulatory authority, and that the permittee has the necessary equipment and manpower to confine the fire, the State Forest Fire Warden may issue a special burning permit stating the location, time and conditions under which such burning is to be effected.
- c) Any person who violates any of the provisions of subsection (a) of this section shall be fined not more than two hundred dollars or imprisoned not more than six months or both.
- d) Nothing contained in this section shall limit any duly authorized public authority from carrying out their assigned duties where the use of fire is necessary to the reduction of a health or fire hazard.



BRIEF DESCRIPTIONS OF OPEN BURNING ACTIVITIES THAT MAY BE AUTHORIZED

A brief description for each of the types of open burning activities that may be authorized per CGS 22a-174(f) follows:

Fire Training Exercises:

- Firefighters must maintain their readiness through on-going training, including live fire training exercises. While training is provided at the Connecticut Fire Academy and the nine independent Regional Schools located throughout the State, some municipalities conduct live fire training exercises within their town boundaries.
- Types of live fire training exercises include the intentional burning of structures (whole and/or partial), motor vehicles and other types of conveyances (i.e., small airplanes); dumpster fires; and the suppression of flammable/combustible liquids. These types of exercises should be conducted pursuant to the most current edition of the National Fire Protection Association (NFPA) 1403 Standard on Live Fire Training Evolutions.
- Strict public health and safety and environmental regulatory compliance requirements must be met, as well as the ability to meet the associated costs for the proper screening, management and disposal of any waste materials depending on the type of burn proposed (i.e., structural burns).



BRIEF DESCRIPTIONS OF OPEN BURNING ACTIVITIES (CONT.)

Eradication or control of insect infestations or disease:

Within Connecticut, there are known insects and known diseases (for example, branch and stem canker diseases) where the use of open burning may be the best management practice for the control or eradication of insects and disease in infested woody debris.

Agricultural purposes:

- Connecticut farmers depend on productive agricultural land to optimize their potential harvest.
 Overgrown hedgerows, invasive plants, and undesirable growing stock all contribute to loss of productive farmland.
- The use of open burning for agricultural purposes includes, but is not limited to, the following: the clearing of brush and unwanted plant material from hedgerows and cropland; reclaiming previously active farmland to enhance existing or establish new farming operations; controlling invasive plant material and invasive plant seed; controlling insects and diseases; pruning and culling fruit trees, bushes and Christmas trees; and conducting frost damage control.



BRIEF DESCRIPTIONS OF OPEN BURNING ACTIVITIES (CONT.)

Clearing vegetative debris following a natural disaster:

- The types of natural disasters that could impact the State include hurricanes, tornadoes, and ice storms. During such natural hazard events, a portion of the waste stream that will be generated will be green waste/vegetative debris. This type of material is that portion of the clean wood waste stream consisting of vegetative debris including all portions of a damaged or downed tree to include the stump, limbs and other brush.
- The most immediate impact of such storms on forests is that a massive amount of living forest biomass turns into dead fuel which dramatically increases fuel loading, a major factor for forest fire risk.
- The use of this type of permit is for a prescribed burn to be conducted for the purpose of "clearing" vegetative debris from a tract of land on which the debris is located. A prescribed burn means a fire conducted for a specific, clearly stated purpose that is confined to a predetermined area under very specific weather conditions and conducted by personnel with the required training and experience. This is a very dangerous type of burn and one that needs well thought out planning and execution.



BRIEF DESCRIPTIONS OF OPEN BURNING ACTIVITIES (CONT.)

- Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space:
 - There are certain landscapes where open burning is used as an ecological management tool for the purpose of achieving a desired ecosystem outcome. This type of burn is conducted for a specific, clearly stated purpose that is confined to a predetermined area under specific weather conditions and conducted by personnel with the required training and experience.
 - In some cases, these types of burns may need to occur during a burning ban as declared by the State Forest Fire Warden. CGS Section 23-49a allows an owner of land or an agent of such owner to apply to the State Forest Fire Warden for a Special Burning Permit during such a period of a burning ban. If the State Forest Fire Warden is of the opinion that the proposed burn is of immediate necessity, will not be in conflict with local or State regulatory authority, and that the applicant has the necessary equipment and manpower to confine the fire, the State Forest Fire Warden may issue a Special Burning Permit stating the location, time and conditions under which such burning is to be effected. This is a State issued permit. A local Open Burning Permit will still need to be issued as well; the conditions set forth in the locally issued permit must be adhered to.



MODEL APPLICATION/PERMIT TEMPLATES

Model Application/Permit Templates:

- With the exception of "clearing vegetative debris following a natural disaster," the State of Connecticut's Department of Energy and Environmental Protection Bureau of Air Management's Open Burning Program (note referred to in this module as the "State Agency") has developed specific individual Model Application/Permit Templates and guidance documents for each of the proposed open burning activities that require a permit as identified in CGS Section 22a-174(f).
 - The model templates can be modified by the local Open Burning Official but any modifications made must be as, or more restrictive than CGS Section 22a-174(f) or as prescribed by the State Agency's Open Burning Program. There are certain permit conditions and language that cannot be changed, amended or deleted. Careful consideration should be made before any changes to the model templates are made.
- For each of the Model Application/Permit Templates, there is an Application Information section to be completed by the Applicant; there are the following sections to be completed by the local Open Burning Official: Permit Condition, Final Decision, and Signature/Town/Date. It is the Applicant's responsibility to provide the information requested on the application so that the local Open Burning Official can make an informed decision concerning the outcome of the submitted application.



Application Information Section:

- Requires the Applicant to provide their contact information, complete the requested data fields found on the form and any other additional information that may be requested by the local Open Burning Official and provide their signature on the form.
- For each of the model templates, the Application Section is structured with specific information fields that are tied to the type of open burning activity.
- The information that is provided by the Applicant needs to clearly support the proposed activity. Each type of open burning activity's model template Application Section will be covered in more detail later in this module.

APPLICA	NT INFORMATION	
Applicant Name:	Applicant Signature:	
Applicant's Address:	Home Phone:	
	Work Phone:	
Applicant's Email Address:	Cell Phone:	
Street Address of the proposed burn:		
Date(s) and Time(s) of proposed Fire Training:		
	· · · · · · · · · · · · · · · · · · ·	
Written Statement Indicating that the training will be in accordance with National Fire Protection Association 1403 and all required supporting documents Written Documentation Provided		
Documentation indicating sign-off by the Fire Chief f	or this proposed fire training exercise activity:	
Description and quantity of the material to be burned		
identified. Examples of issues include, but are not lin asbestos, chemicals, Freon, lead-based paint, Mercu adjacent properties and at risk populations; Measure catch basins and /or water-bodies:	conducting the Fire Training Exercise and resolution of iss mited to, the following: Materials management issues such ry, PCBs, Treated Wood; Public health and safety issues t s taken to reduce or eliminate toxic emissions; Runoff to	
identified. Examples of issues include, but are not lia asbestos, chemicals, Freon, lead-based paint, Mercu adjacent properties and at risk populations; Measure catch basins and for water-bodies: Written Documentation Provided Copies of any documents as required by regulat Documentation that all other required local permits (in ortification forms as required: A Copy of Each Approved Permit Attached Copy of Demolition Notification Form Documented Proof of Ownership of the property on virtue the property owner to conduct the proposed bu structure; and any Other documentation as deemed in Written Documentation of Ownership Written Documentation of Authorization Affidavit revino insurance on the structure	conducting the Fire Training Exercise and resolution of iss mitted to, the following: Materials management issues such y, PCBs, Treated Wood; Public health and safety issues t s taken to reduce or eliminate toxic emissions; Runoff to cory requirements ,e., Demolition Permit) have been obtained and any which the open burning is proposed to occur; Authorization; Affidavit attesting that there is no insurance on the	
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Permit Conditions Section:

- Includes General Permit Statements; Permit Not Valid under any of the following conditions Listed; General Conditions Applicable to All Permits; and Special Conditions, Applicable if Checked by the local Open Burning Official.
- With the exception of minor modifications made under "General Conditions" for two of the templates, the Permit Conditions remain consistent. Modifications were made to the templates entitled "Eradication or Control of Insect Infestations or Disease" (Condition #7) and "Vegetative Management or Enhancement of Wildlife Habitat or Ecological Sustainability on Municipal Property or on Any Privately-owned Property Permanently Dedicated as Open Space" (Condition #3).

	PE	RMIT CONDITIONS	
	elieve the permittee of any	legal liability which may	l. be incurred as a result of the fire. ind/or other enforcement actions.
THIS PERMIT IS NOT VALID UNDER ANY OF THE FOLLOWING CONDITIONS:	When the Air Quali as incicated in the as found at www.ct When the Forest Fi www.ct.gov/deepfc When there is an a	s health condition might by Index (AQI) is predicted Table entitled "Predicted gov/deep/agi ire Danger Level is high, prestfiredanger	d to be 75 or higher anywhere in the State Daily AQI Maximums for Month/Day/Year ⁱ very high, or extreme, as found at Connecticut's Department of Energy and
GENERAL CONDITIONS: APPLICABLE TO ALL PERMITS	Deen burning is limited to the activities as approved by the local Open Burning Official. Burning must cease if so directed by any member of the Town Fire Marshal's Office, any Peace Officer, any Officer of the Fire Department, any designated municipal official responsible for enforcing the open burning laws and ordinances or any Official of the State of Connecticut's Department of Energy and Environmental Protection. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. At the completion of the burn period, all embers and coals shall be extinguished so as to prevent excessive smoke and fugitive ash emissions. All reasonable safety precautions shall be taken and fire suppression/control equipment shall be immediately available. This permit must be immediately available. Burning may only be conducted between the hours of 10:00 A. M. and 5:00 P.M. on a surny or partly sunny day with the wind speed between five and fifteen miles per hour. Burning shall not create a nuisance to nearby properties.		
THIS SECTION			EN BURNING OFFICIAL
SPECIAL CONDITIONS:	□ Burning may be init	tiated only in the presenc	e of the Open Burning Official. be stationed at the burning site prior to
APPLICABLE IF CHECKED	Final verbal approved calling Burning must be confirmed from: Violation of the terr	ral must also be obtained onducted on: day(s)	s from the direction. on the day of and prior to the burning by between the following dates: permit may cause the forfeiture of your
In evaluating this applicatio for his/her review and comm Yes This permit is GRA	nent regarding the propo ☐ No		ry to consult with the local Fire Marshal
☐ This permit is NOT	GRANTED for the fol	lowing reasons:	
Local Open Burning Office	ial Signature:	Town:	Date:
2013			
2010			Over



Permit Conditions Section (CONT.)

General Statements:

- This is a valid permit only when signed by the local Open Burning Official.
- The permit does not relieve the permittee of any legal liability which may be incurred as a result of the fire.
- Failure to adhere to the conditions of the permit may result in penalties and/or enforcement actions.

• This Permit is Not Valid Under any of the following Conditions:

- When national or state ambient air quality standards may be exceeded.
- Where a hazardous health condition might be created.
- When the Air Quality Index (AQI) is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums for month/day/year" as found at: www.ct.gov/deep/aqi
- When the Forest Fire Danger Level is high, very high, or extreme, as found at: www.ct.gov/deep/forestfiredanger
- When there is an advisory from the State of Connecticut's Department of Energy and Environmental Protection of any air pollution episode.



Permit Conditions Section (CONT.)

• General Conditions: Applicable to all Permits

- 1. Open burning is limited to activities as approved by the local Open Burning Official.
- 2. Burning must cease if so directed by any member of the Town Fire Marshal's Office, any Peace Officer, any Officer of the Fire Department, any designated municipal official responsible for enforcing the open burning laws and ordinances or any Official of the State of Connecticut's Department of Energy and Environmental Protection.
- 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.
- 4. At the completion of the burn period, all embers and coals shall be extinguished so as to prevent excessive smoke and fugitive ash emissions.
- 5. All reasonable safety precautions shall be taken and fire suppression/control equipment shall be immediately available.
- 6. This permit must be immediately available on site during the burn.
- Burning may only be conducted between the hours of 10:00 a.m. and 5:00 p.m. on a sunny or partly sunny day with wind speed between five and fifteen miles per hour.
- 8. Burning shall not create a nuisance to nearby properties.



Permit Conditions Section (сонт.)

•	Special Conditions: Applicable if Checked by the local Open Burning Official					
		Burning may be initiated only in the presence of the Open Burning Official.				
		☐ A fire crew and appropriate apparatus must be stationed at the burning site prior to ignition				
		Burning may not take place when the wind is from the direction.				
		Final verbal approval must also be obtained on the day of and prior to the burning by calling:				
		Burning must be conducted on: day(s) between the following dates: From:/ to/				
		Violation of the terms and conditions of this permit may cause the forfeiture of your ability to qualify for a permit in the future.				
		Other Conditions				



Final Decision Section:

- This section includes a prompt for the local Open Burning Official prior to making their final decision. The prompt begins with ... "In evaluating this application, did the Open Burning Official find it necessary to consult with" This prompt is intended to serve as a reminder to local Open Burning Officials that key resource contacts have been made available should they need technical assistance when evaluating an application.
- This section includes check boxes indicating that either the Permit has been GRANTED or has NOT been GRANTED subject to reasons identified.

Signature/Town/Date Section:

 Requires the local Open Burning Official to sign and date the form.

	DED.	ALT CONDITIONS	
PERMIT CONDITIONS 1. This is a valid permit only when signed by the local Open Burning Official. 2. The permit does not relieve the permittee of any legal liability which may be incurred as a result of the fire. 3. Fal			
THIS PERMIT IS NOT VALID UNDER ANY OF THE FOLLOWING CONDITIONS:	When a hazardous h Men the Air Quality I as incicated in the Tal as found at www.ct.gov/deep/fore When there is an advi	Danger Level is high, very high, o	or higher anywhere in the State daximums for Month/Day/Year* r extreme, as found at
GENERAL CONDITIONS: APPLICABLE TO ALL PERMITS	Open burning is limited to the activities as approved by the local Open Burning Official. Burning must cease if so directed by any member of the Town Fire Marshal's Office, any Peace Officer, any Officer of the Fire Department, any designated municipal official responsible for enforcing the open burning laws and ordinances or any Official of the State of Connecticut's Department of Energy and Environmental Protection. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. At the completion of the burn period, all embers and coals shall be extinguished so as to prevent excessive smoke and fugitive ash emissions. All reasonable safety precautions shall be taken and fire suppression/control equipment shall be immediately available. This permit must be immediately available on site during the burn. Burning may only be conducted between the hours of 10:00 A M, and 5:00 P.M. on a surny or partly sunny day with the wind speed between five and fifteen miles per hour. Burning shall not create a nuisance to nearby properties.		
THIS SECTION		BY THE LOCAL OPEN BURN	
SPECIAL CONDITIONS:	□ Burning may be initiat	ed only in the presence of the Ope priate apparatus must be stationed	en Burning Official.
APPLICABLE IF CHECKED	Burning may not take place when the wind is from the direction. Final verbal approval must also be obtained on the day of and prior to the burning by calling day(s) between the following dates: From:/ _/ to// Violation of the terms and conditions of this permit may cause the forfeiture of your ability to qualify for a permit in the future. Other conditions:		
In evaluating this applicatio for his/her review and comn		ficial find it necessary to consued activity?:	lt with the local Fire Marshal
☐ Yes ☐ This permit is GRA	□ No ANTED.		
☐ This permit is NOT	GRANTED for the follow	wing reasons:	
Local Open Burning Offic	ial Signature:	Town:	Date:



SPECIFIC ACTIVITY - MODEL APPLICATION/PERMIT TEMPLATES AND RELEVANT BACKGROUND INFORMATION

With the one exception of "clearing vegetative debris following a natural disaster", model Application/Permit Template Forms have been developed and background information has been provided.

• The Application Section contains requested information data fields to be completed by the Applicant. Specific to the activity, the requested information data fields focus on gathering the information and documentation necessary to understand what the Applicant is proposing to do and to determine potential impacts and outcomes. The intent is to place the burden on the Applicant to submit a complete application and demonstrate compliance with State and local regulatory requirements concerning their proposed regulated activity.

For each of the Template Application/Permit Forms, the Applicant is requested to provide a sketch map showing the following:

- Geographic North.
- Property line boundaries; proposed burn location; distance to nearest grasslands or woodlands.
- Nearest public roads, structures and occupied dwellings and distances (potential recipients that could be impacted by the burn, smoke, flying embers, brands or radiant heat; potential runoff into catch basins, streams, rivers, and waterbodies).
- Other flammable or combustible materials including liquid and/or gaseous storage above or below ground on-site or upon abutting or adjacent properties.
- Any hazards (i.e. overhead utilities).
- Other



SPECIFIC ACTIVITY: MODEL APPLICATION/PERMIT TEMPLATES AND RELEVANT BACKGROUND INFORMATION (CONT.)

- As part of the application process, it is strongly recommended that the local Open Burning Official conduct a site inspection. Critical to the review and consideration of a submitted application and its supporting documentation are actual onsite conditions. Narrative put on paper may not adequately capture relevant issues more readily seen and observed in the field. The application form requests that a sketch map be prepared and be made a part of the application. This sketch map is a good starting point for the local Open Burning Official to develop a site inspection checklist. The local Open Burning Official must obtain permission from the Applicant to enter onto the property and should then schedule with the Applicant a date and time when the site inspection can be conducted.
- The Permit Conditions Section contains the parameters under which open burning may occur should a permit be granted to the Applicant, now referred to as the Permittee. As discussed previously in this module, the permit condition language is consistent among each of the types of regulated activities with the two exceptions that were noted. Specific to the activity, language prompting the Open Burning Official to seek targeted technical assistance if necessary has been developed for each of the model template forms.
- Background information for each of the activities is provided to give some context and identify potential adverse environmental impacts and potential public health and safety issues that should be considered when evaluating an application.



FIRE TRAINING EXERCISES - MODEL TEMPLATE FORM

Model Application/Permit Template Form

Applicant Information:

- Applicant contact information address, email, phone; Signature
- Street Address of the proposed burn
- Date(s) and Time(s) of the proposed fire training
- Written Documentation provided of the following:
 - Type and description of the proposed Fire Training Exercise activity
 - Purpose, Goals and Objectives of Training Exercise; written statement should indicate that the training is in accordance with National Fire Protection Association (NFPA) 1403
 - Sign-off by the Fire Chief for the proposed training exercise
 - Any environmental issues prior to conducting the exercise and resolution of issues
 - > All other required permits have been obtained along with any other required notification forms
 - Proof of ownership of the property; Property owner's authorization to conduct the proposed burn; Affidavit attesting that there is no insurance on the structure and/or vehicle
 - Notification to adjacent property owners prior to proposed burning
- Description and Quantity of materials to be burned
- Any other information as required by the Open Burning Official
- Sketch Map



FIRE TRAINING EXERCISES — FORM (CONT.)

Model Application/Permit Template Form (CONT.)

Permit Conditions:

- General Statements
- This Permit is Not Valid under any of the following Conditions
- General Conditions: Applicable to all Permits
- Special Conditions: Applicable if checked by the local Open Burning Official

Prompt	: In evaluating this application, did the Open Burning Official find it necessary to consult with the local
Fire Mar	shal for his/her review and comment regarding the proposed activity?
	Yes
	No
Decisio	n:
	This permit is granted.
	This permit is not granted for the following reasons:

Signature of local Open Burning Official/ Town/ and Date



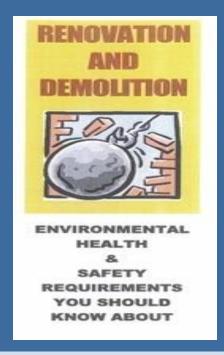
- Open burning for Fire Training Exercises takes place at the Connecticut Fire Academy, the nine independent Regional Schools and at the local level. The types of live Fire Training Exercises include structural (whole and/or partial), motor vehicles and other types of conveyance burns; dumpster fires; and suppression of flammable/combustible liquids.
- Steps must be taken to legally and safely conduct a live fire training exercise. Training should be conducted in accordance with the National Fire Protection Association (NFPA) 1403 Standard. As such, written documentation presenting the purpose, goals and objectives of the training exercise needs to be prepared and submitted by the Applicant.
- Associated with Fire Training Exercises is the potential for adverse public health, safety and
 environmental impacts. Failure to address the risk and manage the hazards appropriately can
 result in: exposures to firefighters and nearby residents; contaminated ash/debris resulting
 from the fire and complicated/increased cost of disposal; and violations of federal and State
 public health and environmental requirements that could lead to enforcement action.
- Structural burns in particular present a significant concern with regard to both public health and environmental compliance. When conducting a structural burn, pre- and post- burn activity must follow hazardous material protocols. A full environmental survey must be done to identify any potential issues. It is important to determine the hazards that may exist and remove them prior to burning or to decide not to conduct such a burn due to the public health and environmental exposure risk(s).

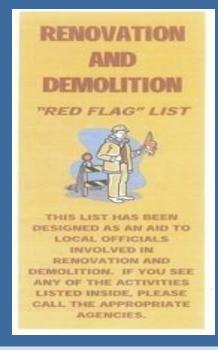


- The intentional burning of a structure is considered to be a "demolition" activity. As such, there are federal, State and local regulatory requirements and environmental, health and safety requirements that the Applicant must comply with prior to conducting a burn, as well as post-burn in dealing with the potentially contaminated ash and debris resulting from the fire. The local Open Burning Official should be aware of these requirements so that if the proposed activity is permitted, public health and safety is ensured and potential adverse impacts to residents and the environment are minimized.
- For anyone considering such a fire training exercise, it is recommended that they hire a qualified and where required, licensed consultant to perform the required pre-demolition asbestos, lead, and hazardous materials surveys of the building before they make their decision as to whether or not to go ahead with the exercise.
 - If the results of this survey indicate that it would be too costly or impractical to pursue a fire training exercise, then they will know this before they have made any commitments, or spent much time, effort, or money planning for the event.



- It is the recommendation of the State Agency that, whenever possible, not to do full consumptive burns, but to instead do small, limited burns associated with particular exercises (e.g., kitchen fire, chimney fire, bedroom), and then demolish the building in the traditional manner afterwards. Even if the open burning of the entire structure is done properly with respect to the federal, State and local requirements, it still releases fumes, gases and particulates to the air, and can be a nuisance and a hazard to neighboring properties. As a result, it should be minimized as much as possible.
- Some of the materials that can pose hazards include, but are not limited to, the following:
 - Asbestos
 - Chemicals
 - Freon
 - Lead/Lead-Based Paint
 - Mercury
 - Polychlorinated Biphenyls (PCB's)
 - Treated Wood
 - Underground Storage Tanks (UST's)
 - Used Electronics and Batteries







Asbestos: May be present in many building materials including, but not limited to, pipe, boiler, or tank insulation, plaster, flooring, siding, and roofing.

- State of Connecticut's Department of Public Health (DPH) has requirements for notification, licensing and abatement. DPH should be contacted to discuss applicable regulatory requirements including, but not limited to, notification, work practice, and licensing requirements.
 - A structural burn for fire training purposes is subject to the provisions of the Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP), regardless of the type and condition of the structure.
 - As required by the asbestos NESHAP, the structure must be thoroughly inspected to determine the presence of asbestos *prior to the burning* of the structure.
 - Scope of inspection must cover all materials in the structure that will be affected by the work.
 - Must be conducted by a licensed asbestos consultant and be certified as either an inspector or management planner.
 - All asbestos-containing materials (ACM) identified as a result of the asbestos inspection must be removed from the building prior to the burning of the facility, as required by the asbestos NESHAP.



Asbestos (CONT.):

- Inspection Results / Required Action: A notification for demolition or for asbestos abatement
 must be submitted to the State DPH for buildings that are subject to an open burn. The results of
 the asbestos inspection will dictate the type of notification form that must be filed with the
 State.
 - The next slide presents a table summarizing the State DPH requirements based upon the results of the asbestos inspection. Note that as dictated by the results of the inspection, the State DPH should receive either the *Demolition Notification Form* or the *Asbestos Abatement Notification Form*, but not both for a single structure. The appropriate form must be submitted postmarked or hand-delivered at least ten (10) days prior to the scheduled start date for burning the structure or asbestos abatement, respectively.
 - There is a fee associated with the submission of each of the notification forms.
 - The forms are available by going to the State DPH Asbestos Program web site, select link to Forms & Applications to obtain the forms.
- State of Connecticut's Department of Energy and Environmental Protection has as a
 requirement that Asbestos must be disposed of as a "Special Waste." Asbestos waste can only
 go to approved facilities for disposal.



Summary of the Required Reporting for Asbestos (CONT.)

Finding	Action	Notification
No Asbestos Present	If Structure contains no asbestos, a <i>Demolition Notification Form</i> must be submitted to DPH.	Demolition Notification Form - must be postmarked or hand-delivered at least ten days prior to the scheduled date for burning the structure.
No More than Three Linear Feet (LF) or No More Than Three Square Feet (SF) of ACM Present	 ACM must be removed per RCSA Section 19a-332a-10. The individual or entity removing the ACM is not required to be licensed by DPH as an asbestos abatement contractor. A Demolition Notification Form must be submitted to DPH. 	Demolition Notification Form - must be postmarked or hand-delivered at least ten days prior to the scheduled date for burning the structure.
More than Three LF or more than Three SF of ACM Present but Not More Than Ten LF or No More Than Twenty-Five SF of ACM	 ACM must be removed by an asbestos contractor licensed by DPH. Asbestos removal must be conducted in accordance with DPH's Standards for Asbestos Abatement Regulation (RCSA Sections 19a-332a-1 – 19a-332a-16, inclusive). A Demolition Notification Form must be submitted to DPH. 	Demolition Notification Form - must be postmarked or hand-delivered at least ten days prior to the scheduled date for burning the structure.
More Than Ten LF or More Than Twenty-Five SF of ACM Present	 ACM must be removed by an asbestos contractor licensed by DPH. Asbestos removal must be conducted in accordance with DPH's Standards for Asbestos Abatement Regulation (RCSA Sections 19a-332a-1 – 19a-332a-16, inclusive). An Asbestos Abatement Notification Form must be submitted to DPH. 	Asbestos Abatement Notification Form - must be postmarked or hand- delivered at least ten days prior to the scheduled start date for asbestos abatement.



Asbestos (CONT.):

- Removal of Exterior Non-Friable Asbestos-Containing Material (ACM):
 - A non-friable material is a material that cannot be crumbled, crushed, pulverized, or reduced to powder by hand pressure. An exterior non-friable ACM **may** include asbestos transite siding and roofing materials.
 - Under specific conditions, the removal of certain non-friable ACM that is located exterior to a facility does not constitute asbestos abatement as defined by CGS Section 19a-332.
 - If any exterior non-friable ACM is identified as a result of the asbestos inspection conducted prior to the fire training exercise, the person planning the activity should contact the Department of Public Health Asbestos Program at (860) 509-7367 to discuss the specific regulatory requirements that are applicable to the removal of that material.
- Post Abatement Requirements:
 - Interior Asbestos Abatement Involving 3 Linear/Square Feet of ACM or Greater
 - Reoccupancy of Space (e.g. access to area for fire training)
 - A visual inspection must be conducted by a DPH licensed project monitor (asbestos consultant) to ensure that no visible residue is present in the work area.
 - Once the project monitor determines that no visible residue is present, post abatement reoccupancy air sampling must be conducted in accordance with Section 19a-332a-12 of the Standards for Asbestos Abatement.



Asbestos (CONT.):

- Post Abatement Requirements (CONT.):
 - Interior Asbestos Abatement Involving 3 Linear/Square Feet of ACM or Greater (CONT.)

■ No Reoccupancy of Space

- A visual inspection must be conducted by a DPH licensed project monitor to ensure that no visible residue is present in the work area.
- No post abatement air sampling is required. However, the asbestos contractor must maintain the integrity of the asbestos work area containment and post asbestos warning signs until the facility is demolished.
- Given that it is extremely rare to have no reoccupancy of the facility during the period of time between the completion of an asbestos abatement project and the demolition of a facility, the DPH strongly recommends that post abatement reoccupancy air sampling be conducted for all interior asbestos abatement projects.
- Note: For interior asbestos abatement involving up to 3 linear or up to 3 square feet of ACM (considered to be a "spot repair"), the entity removing the ACM must ensure that no visible residue is present in the work area. DPH regulations do not require that a DPH licensed project monitor make that determination.



Asbestos (CONT.):

- Removal of Exterior Asbestos-Containing Material
 - > DPH post abatement reoccupancy criteria do not apply. Therefore, the DPH has no authority to mandate a post abatement visual inspection by a DPH licensed project monitor (asbestos consultant).
 - However, the facility owner and/or the operator of the demolition (fire department) is/are required under the asbestos NESHAP to remove all ACM (interior and exterior) prior to the intentional burning of the facility. Given this requirement, a visual inspection by a licensed project monitor with a related report detailing the findings that all ACM has been removed would be beneficial to the facility owner and operator to document compliance with that provision.
 - The DPH issued a circular letter (EHS #2010-48) regarding its regulatory interpretation of post asbestos abatement reoccupancy criteria. Please note the following link:

 http://www.ct.gov/dph/lib/dph/environmental health/asbestos/pdf/2010
 48 Regulatory Interpretations Regarding Post Abatement Reoccupancy Criteria.pdf



Chemicals: Residential structures may contain cleaning products, paints, stains, fuels, pesticides, solvents, oils, and waxes. Commercial and industrial sites may have process chemicals, oils, cleaning products, or other chemical products stored inside them. Any such chemicals, whether located within residential structures or commercial sites, must be identified, removed, and properly disposed of prior to burning the building.

- **Residential structures** Although household wastes are not subject to hazardous waste requirements, most of these products may not be disposed of with regular trash. In many cases, these materials may be disposed of at a local household hazardous waste collection center or one-day collection event.
- **Commercial and industrial sites** Chemicals may be regulated as a hazardous waste when disposed and most others cannot be disposed of as regular trash. These materials must be shipped to a permitted disposal facility by a licensed transporter.

Freon: Found in air conditioning and refrigeration equipment.

• **EPA Rule prevents the unregulated release of Freon into the air**. Freon must be removed by an EPA-licensed contractor prior to burning, and properly recycled or disposed of at an approved facility. Once the Freon is removed, the equipment may be sent to a scrap metal dealer for recycling.



Lead: Although lead-based paint was banned for residential use in 1978, many houses built before 1978 contain lead based paint. It can be found on interior and exterior surfaces, windows, doors, and trim. It can be found on almost any material – wood, metal, vinyl, plaster and others. Windows can contain both lead and asbestos (especially glazing compound).

- State of Connecticut Department of Energy and Environmental Protection has disposal requirements for lead.
 - In order to ensure proper disposal, the structure must be inspected for lead prior to burning. All lead inspections must be performed by a State of Connecticut certified lead inspector or lead inspector risk assessor employed by a State of Connecticut Department of Public Health licensed lead consultant.
 - If any lead-based paint is identified, it needs to be further tested. Additional testing will determine if the paint contains sufficient levels of lead to be classified as hazardous waste.
 - Even if the paint does not contain hazardous levels of lead, the debris remaining after the fire may have changed composition such that it is now hazardous waste. As a result, such debris must be tested again after the burn, and if high enough in lead content, disposed of according to hazardous waste procedures.
 - Based on the levels found, material must be treated as either: solid waste; hazardous waste; or scrap metal (e.g., flashing, painted steel beams) which can go to a scrap yard for recycling.
 - If material is classified as a hazardous waste, it cannot be burned; the open burning of hazardous waste is illegal in the State.



Mercury: Found in fluorescent lamps, thermostats, mercury switches, manometers, natural gas meters, and other items. These items may contain enough mercury to be classified as a hazardous waste, and may therefore not be disposed of as regular trash. Per State Regulations, lamps and thermostats are eligible for management under a special set of hazardous waste requirements known as the Universal Waste Rule. Mercury containing items must be removed and properly disposed of prior to burning.

PCB's: PCBs are a class of chemicals known as polychlorinated biphenyls. Under the Toxic Substances Control Act (TSCA), Congress in large part banned the manufacturing, processing, distribution, and use of PCBs after January 1, 1978. The State of Connecticut banned the manufacture of PCBs and began regulating them effective July 1, 1976. Both EPA and Connecticut, although banning their manufacture, allowed equipment containing PCBs to continue in use for the remainder of their useful lives. PCBs were used in many different products, including but not limited to, the following: various electrical components, appliances, transformers, capacitors, fluorescent light ballasts and other oil-containing equipment, and in certain building materials (found in residential and non-residential structures), such as asphalt roofing materials/tar paper; wood floor sealants; paints, caulking, and insulated coatings.

PCBs are not classified as hazardous waste, but are regulated under a separate set of requirements. PCB containing items must be managed and properly disposed of in accordance with special PCB requirements as found under the federal Toxic Substance Control Act (TSCA) requirements and State disposal rules (Connecticut regulated waste).



Treated Wood: This includes pressure treated wood, and wood that has been treated with creosote or an insecticide called pentachlorophenol. Pentachlorophenol is a hazardous waste if concentration is high enough and must be disposed of properly. Pressure treated wood may contain the toxic metals chromium or arsenic.

• Pressure treated wood may not be buried or burned on-site or processed into mulch, but must instead be sent to a permitted facility for disposal.

Underground Storage Tanks (USTs): Commercial and industrial sites (also referred to as non-residential) often have USTs that may be subject to certain federal and State regulations for registration and notification of removal or abandonment. While residential USTs are not subject to State regulations, they are subject to local regulatory control. The applicant should contact their Town (local Fire Marshal) to determine local regulations or ordinances governing the removal of a residential heating oil underground storage tank.

- RCSA Sections 22a-449(d)-1 and RCSA Sections 22a-449(d) 101-113 govern Underground Storage Tank Management.
 - RCSA Sections 22a-449(d)-1 govern the registration, notification, removal or abandonment of non-residential fuel oil USTs.
 - Certain non-residential heating oil USTs under 2,100 gallons are exempt from some but not all of the requirements as found in RCSA 22a-449(d)-1.



Underground Storage Tanks (CONT.)

- The State of Connecticut's Department of Energy and Environmental Protection recommends that Residential USTs be removed or abandoned by following the commercial (non-residential) requirements per RCSA 22a-449(d)-107(b) which includes the sampling of underlying soils and possibly ground water, to determine if there have been any releases to the environment.
- Any discovery of contamination resulting from residential USTs, including the remediation (clean-up) of such contamination is regulated by the State of Connecticut's Department of Energy and Environmental Protection. Non-residential underground storage tanks, including those used to store fuel oil, petroleum and certain chemical liquids, are regulated by the State Agency. All discoveries, including evidence or releases to the environment from either non-residential or residential USTs, must be immediately reported to the State of Connecticut's Emergency Response Unit at 860-424-3338 and corrective action in accordance with RCSA Section 22a-449(d) -106 must be undertaken.
- For more information concerning USTs, access the State of Connecticut's Department of Energy and Environmental Protection's website at: www.ct.gov/deep/ust

Used Electronics and Batteries: Used electronics such as TVs, computers, microwaves, and other items, often contain toxic metals such as lead that can be released if they are burned. Batteries, including but not limited to, automobile batteries and household rechargeable batteries, contain metals such as lead, cadmium, and nickel that can be present at hazardous levels. These items must be identified and properly disposed of prior to burning. Municipal transfer stations can often accept residential used electronics and batteries for recycling.



Other environmental concerns related to fire training performed on acquired structures:

Toxic air emissions: Strong consideration must be made with regards to potential toxic and harmful air emissions from materials being burned (i.e., asphalt shingles, vinyl siding, wiring). Also, the burn should not create a nuisance to nearby properties.

Withdrawal of water for fire training exercises directly from waterbodies: When withdrawing less than 50,000 gallons per day, no State Diversion Permit is required. However, contact should be made with local agencies, either Inland Wetland Commission or Conservation Commission, to verify what, if any, specific local ordinance may apply in the town. If using a temporary structure, care needs to be taken to avoid degradation of habitat through disturbance and drying out of small waterbodies; specifically, care must be taken to insure that there is no disturbance of streambanks or stream bottoms.

Runoff to waterbodies and/or catch basins: In the planning of an exercise, the structure must be located where all the water can be collected or infiltrated. The discharge cannot be directed to a surface water without specific authorization from State of Connecticut's Department of Energy and Environmental Protection. Discharging drill (fire fighting foam) or training waters to a surface waterbody is a clear and enforceable violation of State Statute (CGS Section 22a-430) and State regulations. Similarly, no discharges can be directed to a wetland without proper authorization.



Runoff to waterbodies and/or catch basins (CONT.):

- The State of Connecticut's Department of Energy and Environmental Protection Water Permitting and Enforcement Program has developed guidance for disposal of fire fighting foam training water:
 - Generally, older foam products may have a petroleum base and were frequently found to have levels of toxic metals that could affect aquatic organisms. Manufacturers continuously evolve their formulations and market training foam specifically designed to minimize environmental impacts. Newer products typically are more benign, but still pose some risk associated with aquatic toxicity and dissolved oxygen depletion. Even if a manufacturer claims that a product is biodegradable, it does not mean that there will be no impact on the environment, especially if handled improperly. Review the Materials Safety Data Sheets (MSDS) for product safety information.
 - The Department's preference is for training to be conducted at a permanent regional training facility where discharges are directed to the sanitary sewer or recycled, and have a valid State wastewater discharge permit.
 - All fire foam disposal must be performed in a manner which prevents the direct discharge of foam and water to a stream, river, or other surface waterbody. Foam and water must not enter a stormwater catch basin because the vast majority of these storm drains discharge ultimately to a surface waterbody.
 - If a fire company will be conducting training in areas without access to a sanitary sewer, the foam and water may in some cases be directed to a vegetated area large enough to receive and infiltrate all the foam and water into the ground.



FIRE TRAINING EXERCISES — BACKGROUND INFORMATION (CONT.)

Public Health and Safety: In conducting fire training exercises, the Applicant must comply with all applicable safety and health protection codes, laws, ordinances, rules and regulations of any public body having jurisdiction for the safety of persons or property or to protect them from damage, injury or loss. Among the public health and safety actions that should be taken include but are not limited to, the following:

- Utilities (i.e., water, natural gas, propane tanks, and electrical) should be secured;
- Above Ground and Underground Storage Tanks (oil, gas, propane) must be properly removed or abandoned in accordance with the adopted edition of NFPA 30 (as enforced by the local fire marshal);
- Asphalt shingles and vinyl should be removed; if this cannot be safely performed, then the structure should not be burned.

Vehicle Live Fire Training: The Applicant should follow NFPA 1403 when conducting a vehicle Fire Training Exercise. Similar to structure fires, significant planning and preparation must be undertaken and proper preparation of a vehicle must be made. Legal documentation with regard to title, insurance and other documents as deemed necessary by state and local government officials must be addressed by the Applicant and be made available to the Open Burning Official. Hazardous materials and tires need to be properly addressed; for example, batteries, oils and fluids and fuels should be removed, drained and properly disposed, interior upholstery should be removed, as well as other related items to ensure proper management. Great care should be used with this type of burn.



ERADICATION OR CONTROL OF INSECT INFESTATIONS OR DISEASE —

MODEL TEMPLATE FORM

Model Application/Permit Template Form

Applicant Information:

- Applicant contact information address, email, phone; Signature
- Street Address of the proposed burn
- Date(s) and Time(s) of the proposed burn
- Description and purpose of the proposed activity including strategy to be undertaken.
- Method and equipment immediately available to control and extinguish the burn
- Written Documentation provided of the following:
 - Insect infestation or disease has been identified by an expert in the field
 - Justification that open burning is the preferred management practice
 - Proof of ownership of the property; Property owner's authorization to conduct the proposed burn
 - Notification to adjacent property owners prior to the proposed burn
 - Any other information as required by the Open Burning Official
- Sketch Map



ERADICATION OR CONTROL OF INSECT INFESTATIONS OR DISEASE — FORM (CONT.)

Model Application/Permit Template Form (CONT.)

Permit Conditions:

- General Statements
- This Permit is Not Valid under any of the following Conditions
- **General Conditions:** Applicable to all Permits reads as follows: #7 Burning may be conducted between the hours of 10:00 A.M. and 5:00 P.M. on a sunny or partly sunny day with the wind speed between five and fifteen miles per hour. *There may be exceptions. This condition may change based on best management practices for the activity proposed.
- Special Conditions: Applicable if checked by the local Open Burning Official

Prompt:	In evaluating this application, did the Open Burning Official find it necessary to consult with
the Conn	ecticut Agricultural Experiment Station?
	Yes
	No
Decision:	
	This permit is granted
	This permit is not granted for the following reasons:

Signature of local Open Burning Official; Town; and Date



ERADICATION OR CONTROL OF INSECT INFESTATIONS OR DISEASE —

BACKGROUND INFORMATION

- The use of managed open burning as a management tool to control or eradicate an insect infestation or disease can be effective against certain species and types of diseases. However, in Connecticut this is a small universe where this type of burn management practice would be the most appropriate to use in eradicating or controlling insect infestations or disease.
- Connecticut has experienced periodic occurrences of major tree diseases leading to widespread tree death. These outbreaks are usually due to a non-native insect or disease arriving in Connecticut and spreading rapidly, and often fatally, throughout the existing tree population. Examples include the Chestnut Blight, Dutch Elm Disease, Gypsy Moth, the Hemlock Woolly Adelgid, and most recently, the Emerald Ash Borer. Potential problem organisms threatening Connecticut include the Asian Longhorned Beetle and Ramorum Blight (sometimes called Sudden Oak Death).
- It is the Applicant's responsibility to provide to the local Open Burning Official written documentation that an insect infestation or disease exists at the site of the proposed burn. The written documentation must indicate that the insect infestation or disease has been identified by an expert in the field. The problem must be properly documented, and where appropriate documented with samples that have been positively identified. Disease diagnosis involves visual assessment, sample assessment, and other procedures as necessary. The documentation must also indicate that open burning is the preferred management practice to address the problem.



ERADICATION OR CONTROL OF INSECT INFESTATIONS OR DISEASE-

BACKGROUND INFORMATION (CONT.)

Table:

Examples of the types of insects and diseases commonly found in Connecticut and that may be controlled or eradicated through the use of open burning as a management practice. Source: Connecticut Agricultural Experiment Station; State of Connecticut Department of Energy and Environmental Protection. March 2013

Category - Insect	Examples	Vegetation Targeted
Bark Beetle or Borers	Elm Bark Beetle; Emerald Ash Borer (New Haven County)	Whole Tree
Category - Disease		
Branch and Stem Canker Diseases	Beech Bark Disease; Black Knot; Bleeding Canker; Botryosphaeria Canker; Chestnut Blight; Cytospora Canker; Hypoxylon Canker; Nectria Canker; White Pine Blister Rust	Whole/Prunings
Blight and Dieback Diseases	Fire Blight; Diplodia Blight	Prunings
Vascular Diseases	Ash Yellows; Dutch Elm Disease; Elm Yellows (formerly Elm Phloem Necrosis); Verticillium Wilt	Whole/Prunings
Root Diseases	Armillaria Root Rot (formerly Shoestring Root Rot); Phytophthora Root Rot)	Whole Tree, Stumps
Boxwood Blight	Boxwoods found in nurseries and the natural landscape	Whole



ERADICATION OR CONTROL OF INSECT INFESTATIONS OR DISEASE —

BACKGROUND INFORMATION (CONT.)

Table: High risk insects and diseases threatening Connecticut and where open burning may be an effective management practice. Source: Connecticut Agricultural Experiment Station; State of Connecticut Department of Energy and Environmental Protection. March 2013

Category - Insect	Impacts
Emerald Ash Borer (EAB)	Affects hardwoods, hosts are Ash trees and <i>detected in Connecticut in 2012</i> . Interior quarantine in place for New Haven County which prohibits the movement of the EAB in any life stage, ash trees in any form, and all hardwood species.
Asian Longhorned Beetle (ALB)	Found on hardwoods; as of 03/2013, not yet found in Connecticut.
Category - Diseases	
Thousand Cankers Disease	Affects hardwoods; hosts include Black Walnut, butternuts, Persian walnuts, and heartnuts; as of 03/2013, not yet found in Connecticut.
Ramorum Blight (Sudden Oak Death)	Affects hardwoods and shrubs; hosts include oaks and understory plants such as rhododendrons; as of 03/2013, not yet found in Connecticut.
Bacterial Leaf Scorch	Affects many hardwood hosts; as of 03/2013, not yet found in Connecticut.
Oak Wilt	Affects hardwoods, hosts are red oaks and live oaks; as of 03/2013, not yet found in Connecticut.



AGRICULTURAL PURPOSES — MODEL TEMPLATE FORM

Model Application/Permit Template Form

Applicant Information:

- Applicant contact information address, email, phone; Signature
- Street Address of the proposed burn
- Date(s) and Time(s) of proposed burn
- Answer yes or no to the following question: "Is the property where the proposed activity is to occur an
 agricultural and/or farming operation as defined in Chapter 1, Connecticut General Statute Section 1-1(q)?".
- Description of the proposed activity
- Justification that the proposed activity is necessary and supports an Agricultural Purpose
- Description and quantity of the material to be burned
- Methods and equipment immediately available to control and extinguish the burn
- Sketch Map
- APPLICANT IS REQUESTED TO PROVIDE THE FOLLOWING INFORMATION <u>ONLY IF CHECKED BY OPEN BURNING</u>
 <u>OFFICIAL</u>:

Documented Proof of Ownership of the property on which the burn is proposed to occur
If the Applicant is not the Owner of the Property, then documented Proof of Ownership of the property on which the burn is proposed to occur and Authorization from the property owner to conduct the proposed burn
Documented proof of notification to adjacent property owners prior to the proposed burning
Any other information as requested by the Open Burning Official



AGRICULTURAL PURPOSES – FORM (CONT.)

Model Application/Permit Template Form (CONT.)

Permit Conditions:

- General Statements
- This Permit is Not Valid under any of the following Conditions
- General Conditions: Applicable to all Permits
- Special Conditions: Applicable if checked by the local Open Burning Official

Prompt: In evaluating this application, did the Open Burning Official find it necessary to consult with the State of Connecticut's Department of Agriculture to determine if the proposed activity is an agricultural or farm related operation and the burn supports an agricultural purpose?

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■ No

Decision:

- This permit is granted.
- ☐ This permit is not granted for the following reasons:

Signature of local Open Burning Official; Town; and Date:



AGRICULTURAL PURPOSES — BACKGROUND INFORMATION

Agriculture and farming is defined by Connecticut General Statutes Section 1-1(q):

Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.



AGRICULTURAL PURPOSES — BACKGROUND INFORMATION (CONT.)

- Connecticut farmers depend on productive agricultural land to optimize their potential harvest. Overgrown hedgerows, invasive plants, and undesirable plant growing stock, all contribute to loss of productive farmland.
- There are circumstances where farmers may need to conduct open burning. These include clearing brush and unwanted plant material from hedgerows and cropland, reclamation of previously active farmland to enhance existing or establish new farming operations, control of invasive plant material and invasive plant seed, control of insects and diseases, and pruning and culling of fruit trees, bushes, and Christmas trees.
- Open burning is a tool to get rid of brush for farmers, and where appropriately used, open burning can be efficient and economical agricultural management practice. Farms generally have enough open land to safely burn brush, and burning kills invasive plant seed and material, and infected plant material. Chipping can be time consuming, expensive, and may fail to kill invasive plant seed. Chips then need to be disposed of or spread, re-depositing invasive plant seed back into the environment.
- The local Open Burning Official can issue open burning permits for agricultural purposes only on non-state owned properties. If the Applicant is leasing property from the State, the Applicant must apply to the State of Connecticut's Department of Energy and Environmental Protection's Open Burning Program.



AGRICULTURAL PURPOSES — BACKGROUND INFORMATION (CONT.)

- The Applicant will need to demonstrate that the proposed agricultural burn is for an agricultural or farm related operation and that it will not impact others in the area and will not pose a threat to property and structures within the immediate area. The information submitted by the Applicant and a site inspection by the local Open Burning Official should provide the information necessary to determine if the proposed open burning activity falls under the category of "agricultural purposes" and that the proposed activity will not impact others in the area.
- Critical to the local Open Burning Official decision-making will be the ability to determine
 if the proposed activity falls under "AGRICULTURAL PURPOSES".
- Should the local Open Burning Official need assistance to determine if the proposed activity is an agricultural or farm related operation and the burn supports an agricultural purpose, the State of Connecticut's Department of Agriculture will make itself available to consult with the local Open Burning Official. CGS Section 22-4c Powers of the Commissioner, provides the statutory authority of the Commissioner of the Department of Agriculture to respond to a request as to what constitutes agriculture or farming.



AGRICULTURAL PURPOSES — BACKGROUND INFORMATION (CONT.)

- No Burning Allowed for certain types of Materials: The Applicant should not be allowed to burn hay, leaves, stumps, construction and demolition material, pallets, pesticides, solid waste, hazardous waste, or tires. Some of these materials are illegal to burn and others do not burn as cleanly as those materials that may legally be burned. All of them produce acrid smoke that causes nuisance conditions and threatens public health.
- Without sufficient and compelling just cause, structures should not be burned.
 - It must be recognized that under this type of burn, there are potentially significant environmental hazards that could be associated with a structure. A structure could include, but not be limited to, the following hazardous materials: asbestos, chemicals, metals, Freon, lead based paint, mercury, PCBs and treated wood. In addition, "forgotten" materials such as explosives used in the past could be present. All federal, state and local regulatory requirements must be adhered to. Failure to do so subjects an individual to significant federal, state and local penalties and imprisonment.
 - The burning of structures intended as a "cheap way" to get rid of a building should not be allowed, rather proper waste management practices should be undertaken.
 - As a starting point, coordination with the State of Connecticut's Department of Agriculture is strongly recommended.



VEGETATIVE MANAGEMENT OR ENHANCEMENT OF WILDLIFE HABITAT OR ECOLOGICAL SUSTAINABILITY ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE — MODEL TEMPLATE FORM

Model Application/Permit Template Form

Applicant Information:

- Applicant contact information; Signature; Applicant is duly authorized to submit the application
- Street Address of the proposed burn
- Date(s) and Time of the Proposed Burn
- Is the Applicant a responsible representative who has been duly authorized to submit this application?
- Written Documentation of the following:
 - Verification where the proposed activity would take place: Municipal Property or Privately Owned Property dedicated as Open Space
 - Description of proposed activity and justification which is supported by expert in the field
 - If there is a Site Management Plan, and if the Plan recommends the proposed approach
 - Proof of Ownership of the property; property owner's authorization to conduct the proposed burn
 - Notification to adjacent property owners prior to the proposed burning
- Did the applicant use the State's Natural Diversity Data Base (NDDB) as a prescreening tool to identify potential
 impacts to state listed species.
- Description and quantity of material to be burned
- Description of the methods and equipment immediately available to control and extinguish the burn
- Any other information as required by the Open Burning Official
- Sketch Map



VEGETATIVE MANAGEMENT ...ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE — FORM (CONT.)

Model Application/Permit Template Form (CONT.)

Permit Conditions:

- General Statements
- This Permit is Not Valid under any of the following Conditions
- **General Conditions: Applicable to all Permits** –reads as follows: #3 All reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.
- Special Conditions: Applicable if checked by the local Open Burning Official

Prompt:	In evaluating this application, did the Open Burning Official find it necessary to consult with the
State of Co	onnecticut's Department of Energy and Environmental Protection's Natural Resources Programs –
Forestry, V	Wildlife, or Fisheries?
	Yes
	No
Decision	:
п т	his permit is granted.

Signature of local Open Burning Official; Town; and Date:

This permit is not granted for the following reasons:



VEGETATIVE MANAGEMENT...ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION

Terms used:

- Vegetative management means controlling undesirable vegetation; preparing sites for harvesting, planting or seeding; controlling plant disease; improving plant production quantity and/or quality; restoring native plant communities; maintaining habitats important to wildlife; and other similar purposes.
- Findancement of wildlife habitat means improving wildlife habitat, specifically for cover, food, water and living space, as well as managing for targeted species.
- Ecological sustainability means managing biological systems so as they remain diverse and productive over time.
- Municipal property means any property owned by a municipality; a municipality is defined as any town, city or borough, consolidated town and city or consolidated town and borough.
- Privately owned property permanently dedicated as open space means property in which a permanent conservation restriction easement has been placed on the deed and recorded with the Town Clerk's Office.



VEGETATIVE MANAGEMENT ...ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION (CONT.)

Terms used (CONT.):

- ▶ Open Space land means any area of land, including forest land, land designated as wetland under CGS 22a-30 and not excluding farm land, the preservation or restriction of the use of which would (A) maintain and enhance the conservation of natural resource or scenic resources, (B) protect natural streams or water supply, (C) promote conservation of soil, wetlands, beaches or tidal marshes, (D) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservation or sanctuaries or other open spaces, (E) enhance public recreation opportunities, (F) preserve historic sites, or (G) promote orderly urban or suburban development. (CGS Chapter 203, Section 12-107b(3))
- In certain situations and under certain conditions, open burning can be an important habitat management tool in managing vegetation, creating and/or improving the quality of a targeted wildlife habitat, and/or achieving ecological sustainability on or for a desired habitat. The use of open burning under these scenarios is also commonly referred to as "prescribed burning".



VEGETATIVE MANAGEMENTON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION (CONT.)

- Connecticut's Comprehensive Wildlife Management Strategy indicates a recurring theme the loss of habitat and degradation of wildlife habitat in the State. The Strategy identifies a number of habitats that would benefit from specialized management techniques such as open burning. These habitats include: upland woodland and shrub habitat; upland herbaceous; early successional shrub lands and forests; cool season grasslands; and warm season native grasses.
- While fire can benefit some plant and animal species, it can also have a negative impact to others.
- Federal and State Laws extend certain protections to listed plant and animal species.
 - Threatened and endangered species are protected under the federal United State Endangered Species Act and the Connecticut Endangered Species Act.
 - In addition, the federal Migratory Bird Treaty Act protects all migratory birds and their parts (including eggs, nests, and feathers).
- The State of Connecticut's Department of Energy and Environmental Protection recommends that the Applicant consult the State's Natural Diversity Data Base (NDDB) early in the planning process.



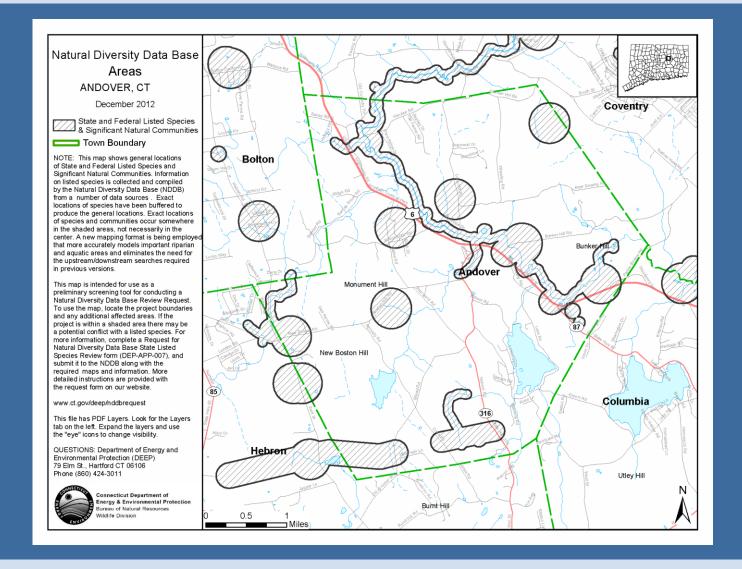
VEGETATIVE MANAGEMENT ... ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION (CONT.)

Natural Diversity Data Base (CONT.)

- The State's NDDB can assist in identifying the presence of State and federally listed endangered, threatened, and special concern species and natural communities. Maps have been developed to help Applicants determine if there is a potential impact to listed species. The maps are online and can be accessed at www.ct.gov/deep/nddbrequest
 - The maps show general locations of listed species (NOTE: federal and/or state listed species) and significant natural communities. Exact locations of species have been buffered to produce general locations.
 - To use the map, the Applicant would locate the proposed burn boundaries. If the proposed burn area is within a shaded area there may be a potential for conflict with a listed species. It is at this juncture that the Applicant could request more information from the State Agency by submitting a Request for NDDB State Listed Species Review Form, and all required attachments to the NDDB for further review. The State Agency will provide recommendations for avoiding impacts to state listed species.
- The Open Burning Model Application/Permit Template form includes a line which the Applicant can indicate that the NDDB check was performed. If the Applicant received recommendations from the State, the Open Burning Official should request the Applicant to provide a copy of the recommendations and that it be made as part of their open burning application submittal. The Applicant should provide in writing how they addressed any and all of the recommendations. Open Burning Officials are encouraged to review that part of the application closely, ask any follow-up questions and consider impacts to State listed species when making permitting decisions.



Example – State of Connecticut, Natural Diversity Data Base Areas





VEGETATIVE MANAGEMENT ... ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION (CONT.)

- It is the responsibility of the Applicant to clearly describe the proposed activity, provide the justification for undertaking such a burn, and document that the proposed activity is supported by an expert in the field.
- The Applicant should indicate whether or not the site is under a Management Plan.
 - A Plan describes existing conditions and desired future conditions for the purpose of preserving, protecting and/or enhancing the diversity of an ecosystem and wildlife.
 - The Plan should identify target species and any alternatives to burning. Alternatives to open burning include such management practices as mechanical treatments (i.e., logging, brush hogging, mowing) and herbicide applications.
 - The Plan should indicate if consideration was given with regard to the timing of the burn. Depending on the vegetative type and wildlife species, there are preferred seasons in which a burn should take place.
- When considering the application, the local Open Burning Official is advised to seek technical assistance from persons who have adequate training or experience in applying this type of burn practice, as well as determining if the habitat management activity is appropriate for the desired goals as identified by the Applicant.



VEGETATIVE MANAGEMENT ... ON MUNICIPAL PROPERTY OR ON ANY PRIVATELY OWNED PROPERTY PERMANENTLY DEDICATED AS OPEN SPACE - BACKGROUND INFORMATION (CONT.)

- As one of the permit conditions found in the Model Application/Permit Template, a permit is not valid when the Forest Fire Index is high, very high, or extreme. However, there may be situations where a burn must be conducted during these conditions. For example, the burn has to be hot enough to achieve effective habitat improvement results. If this is the case, then the Applicant will also need to apply for a State permit a Special Burning Permit from the State of Connecticut's Department of Energy and Environmental Protection's State Forest Fire Warden (CGS Section 23-49a (b)).
 - The Special Burning Permit allows a permittee to burn during periods of high fire danger as long as three criteria are met: (1) the proposed burn is of immediate necessity; (2) the burn will not be in conflict with federal, state or local regulatory authority; and (3) the permittee has the necessary equipment and manpower to confine the fire.
 - As part of this State review process, the Applicant is required to document that the State's Natural Diversity Data Base was consulted and is made a part of the application.
 - Special Burn Permits are issued for times of year when relative humidity and dormant vegetation creates conditions favorable for a successful burn, typically mid-March through mid-May and late fall.
 - > The Applicant must obtain a local Open Burning Permit to validate the State's Special Burn Permit.



KEY CONTACTS

Activity	Issue	Contact
Fire Training Exercises	Asbestos	State of Connecticut, Department of Public Health, Asbestos Program, 860-509-7367
	E-licensing system, Asbestos Abatement Professionals	State of Connecticut web page: https://www.elicense.ct.gov/Lookup/Generate Roster.aspx
	Materials Management Underground Storage Tanks PCBs	State of Connecticut, Department of Energy and Environmental Protection (DEEP) Waste Engineering/Enforcement, 860-424-3021 Storage Tank Enforcement, 860-424-3374
	NESHAP and Open Burning	■ PCB Enforcement, 860-424-3368 DEEP, Bureau of Air Management, Open Burning
	TVESTIAN UNIT OPEN BUTTING	Program, 860-424-3702
	Wastewater Discharges	DEEP, Bureau of Materials Management and Compliance Assistance, Water Permitting and Enforcement, 860-424-3827



Connecticut Department of Energy and Environmental Protection

KEY CONTACTS

Activity	Issue	Contact
Eradication or Control of Insect Infestations or Disease	Types of insects or disease and appropriate management practice(s)	Connecticut Agricultural Experiment Station, 203-974-8601
	CGS Section 23-49a – Special Burn Permit/State Forest Fire Warden	DEEP, Bureau of Natural Resources Management: Forestry, 860-424-3630 Wildlife, 860-429-3011
Agricultural Purpose	What constitutes agriculture or farming operations	State of Connecticut, Department of Agriculture, 860-713-2504



KEY CONTACTS

Activity	Issue	Contact
Vegetative management or enhancement of Wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space	Resource management plans Appropriate management practice(s) Natural Diversity Data Base (NDDB) Review CT's Wildlife Management Strategy CGS Section 23-49a – Special Burn Permit/State Forest Fire Warden	DEEP, Bureau of Natural Resources Management Forestry, 860-424-3630 Wildlife, 860-424-3011 NDDB, 860-424-3011
Clearing vegetative debris following a Natural Disaster	Proposed Activity	DEEP, Bureau of Air Management Open Burning Program, 860-424-3702 DEEP, Bureau of Natural Resources Management Forestry, 860-424-3630



Connecticut Department of Energy and Environmental Protection

• The local Open Burning Official is responsible for evaluating and making a determination on submitted open burning applications, and where appropriate, the issuance of open burning permits. These permits can be issued to residents and/or duly authorized individuals as identified on the application within such a municipality for certain types of open burn activities as identified in the CGS Section 22a-174(f). These activities include the following:

Fire training exercises; Eradication or control of insect infestations or disease; Agricultural purposes; Clearing of vegetative debris following a natural disaster; and Vegetative management or enhancement of wildlife habitat, or ecological sustainability on municipal property, or on any privately-owned property permanently dedicated as open space.

- Associated with each of these activities are key questions that must be answered by the Applicant. These key questions include, but are not limited to, the following:
 - Fire Training Exercises: Is the proposed training in accordance with National Fire Protection Association 1403, Standard on Live Fire Training Evolutions? If a structural burn is proposed, have all potential environmental and health and safety issues been addressed? Has documentation been provided showing Proof of Ownership of the property, and where applicable, Authorization from the property owner to conduct the proposed burn? Has an Affidavit been provided attesting to the fact that there is no insurance on the structure? Have all State and local regulatory requirements been met?



- Key questions that must be addressed by the Applicant (Cont.):
 - Fradication or control of insect infestations or disease: Has documentation been provided that indicates that such infestation or disease has been identified by an expert in the field and that the strategy being proposed is the preferred management option? Has documentation been provided showing Proof of Ownership of the property and where applicable, authorization from the property owner to conduct the proposed burn?
 - Agricultural purposes: Is the property where the proposed activity is to occur an agricultural and/or farming operation as defined in CGS Section 1-1q? Has justification been provided that the proposed activity is necessary and supports an agricultural purpose? Has the Applicant provided all the information as requested by the local Open Burning Official?
 - Clearing of vegetative debris following a natural disaster: Due to the significant risk to public safety and potentially significant adverse environmental impacts, consultation is strongly recommended with the State of Connecticut's Department of Energy and Environmental Protection's Bureau of Air Management's Open Burning Program and the Bureau of Natural Resources Management, Forestry Division. This consultation should be conducted well before the permitting of this type of activity is considered.
 - Vegetative management or enhancement of wildlife habitat: Is the Applicant a responsible representative who has been duly authorized to submit the application? If the proposed activity is to occur on a privately owned property permanently dedicated as open space, is there a permanent conservation restriction easement on the deed and recorded with the Town Clerk's Office?



- Model Application/Permit Templates have been developed by the State of Connecticut's
 Department of Energy and Environmental Protection Open Burning Program for use by municipal
 Open Burning Officials. These model templates can be modified but any modifications made must
 be as, or more restrictive than CGS Section 22a-174(f) or as prescribed by the State's Open Burning
 Program.
 - It is the Applicant's responsibility to complete the application in full and provide any and all necessary documentation requested so that the Open Burning Official can make an informed decision with regard to the proposed activity. It is critical that the Applicant provide the written documentation that justifies issuance of an open burning permit for the proposed purpose. Failure to provide the necessary information forms the basis for denial of a submitted application. The burden is on the Applicant to provide the necessary information and documentation as part of their submittal, not the local Open Burning Official.
- Prior to any open burning being conducted and per Permit conditions, the Permittee will need to
 determine if conditions are suitable to conduct a burn. Two critical conditions that must be
 checked on the morning of the proposed burn are the State's Predicted Daily Air Quality Maximums
 and the State's Forest Fire Danger Levels. OPEN BURNING IS PROHIBITED if either of the following
 conditions is reported for the day of the proposed burn:
 - The Air Quality Index is predicted to be 75 or higher at one or more of Connecticut's monitoring stations; and/or
 - ☐ The Forest Fire Danger Level is high, very high, or extreme.



• Quick Reference

A additional and	Slide Numbers			
Activity	Model Template Form: Application Information	Model Template Form: Permit Conditions	Background Information	
Fire Training Exercises	19, 20	12-16	21-34	
Eradication or Control of Insect Infestations or Disease	35,36	12-16	37-39	
Agricultural Purpose	40,41	12-16	42-45	
Vegetative management or enhancement of Wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space	46,47	12-16	48-54	
Clearing vegetative debris following a Natural Disaster	No template developed	Not applicable	8	





STATE OF CONNECTICUT
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