This policy and procedure document provides guidance to APCD inspectors in the proper manner to conduct open burn inspections. Inspectors conduct open burn inspections for the purpose of verifying compliance with APCD Rules 312, 313 and 401 and California Health and Safety Code Sections 41800 through 41864.

Open burn inspections are conducted in response to complaints, referrals from fire protection agencies, observations of potential illegal burn materials or smoke observed during surveillance activities. Fire protection agency referrals may include burns in progress or requests for pre-burn assessments. The pre-burn assessment is conducted to determine potential for compliance with open burning and nuisance regulations and to develop burn-specific conditions to be included in the permit issued by the fire protection agency. Pre-burn assessments are documented using ENF-2, the Open Burning Assessment Report.

POLICY:

It is the policy of the Regulatory Compliance Division that inspectors will inspect open burns and use the Open Burn Policy on open burning to determine compliance with all of the applicable rules and regulations.

The following criteria will be used to determine if an open burn will be inspected:

1. If the inspector observes smoke on a permissive burn day and the open burn is an agricultural burn, the inspector has discretion whether or not to investigate the burn. The inspector will follow the direction of his or her supervisor in establishing priorities for conducting inspections in this situation.

2. If the inspector observes smoke from any burn and it is a no-burn day, the inspector will investigate the open burn as a priority task.

3. If the inspector observes potential illegal burn materials or smoke from a non-agricultural open burn on any day, the inspector will investigate the open burn as a priority task.

4. Inspectors will investigate all open burns referred to the APCD by complaint or by a fire protection agency.
PROCEDURES:

The following procedures will be used when conducting open burn inspections:

In Progress or Post-Burn Inspections of Agricultural Burns:


2. Establish the identity of the person in control of the burn.

3. Request a copy of the burn permit.

4. Conduct a field interview and complete the Open Burn Inspection Checklist (ENF-29).


6. If the burn is in violation, proceed with documentation and enforcement actions consistent with Policy and Procedure I.F.1., Documentation of Violations and VII.A. Notices of Violation.

7. For agricultural burns, Notices of Violation are issued to the owner or leaser of the property on which the burn is occurring.

8. If the burn is in violation and there is a reasonable likelihood that the burn will continue into the next day, inform the responsible party on the property that each day of violation is a separate violation.

9. If, in the opinion of the inspector, an illegal burn is creating a potential fire hazard to persons or property or the fire is being conducted in violation of requirements stipulated by a fire protection agency, the inspector will contact the applicable fire protection agency by the most expeditious means available.

10. If, in the opinion of the inspector, an illegal fire involves hazardous or toxic substances, the inspector will contact both the applicable fire protection agency and County Environmental Health Services.

11. The inspector will document all open burn inspections using the ENF-29 Burn Investigation Report form and the guidelines in Policy and Procedure I.F., Inspection Reports.
2. Establish the identity of the person in control of the burn

3. Request a copy of the burn permit

4. Conduct a field interview and complete the Open Burn Inspection Checklist (ENF-?)

5. Determine compliance with District Rules and permit conditions using guidance in Policy and Procedure Manual Section VI., Open Burning, for guidance

6. If the burn is in violation, proceed with documentation and enforcement actions consistent with Policy and Procedure I.F.1., Documentation of Violations and VII.A. Notices of Violation

7. For non-agricultural burns, Notices of Violation are served on the person in control of the burn

8. If the burn is in violation and there is a reasonable likelihood that the burn will continue into the next day, inform the responsible party on the property that each day of violation is a separate violation

9. If, in the opinion of the inspector, an illegal burn is creating a potential fire hazard to persons or property or the fire is being conducted in violation of requirements stipulated by a fire protection agency, the inspector will contact the applicable fire protection agency by the most expeditious means available

10. If, in the opinion of the inspector, an illegal fire involves hazardous or toxic substances, the inspector will contact both the applicable fire protection agency and County Environmental Health Services

11. The inspector will document all open burn inspections using the guidelines in Policy and Procedure I.F., Inspection Reports

Pre-Burn Evaluation Inspections:

1. Within one day of a referral from a fire protection agency, contact the permit applicant by telephone and schedule a time to conduct the inspection

2. After contacting the applicant at the burn site, conduct a pre-inspection interview and explain Rules 303, 312 and 401 using Policy and Procedure Manual Section VI., Open Burning, for guidance in the interpretation of these Rules

3. Inspect the materials to be burned and determine if those materials meet all criteria required by District Rules in order to be legally burned
4. Evaluate the potential for nuisance impacts from the proposed burn

5. Complete the Open Burn Inspection Checklist (ENF-29)

6. Complete the Open Burn Assessment Report (ENF-2) including suggested conditions such as meteorological criteria and/or burn times necessary to avoid nuisance impacts

7. Within four days of a referral, submit the Assessment Report to the Enforcement Supervisor for review

8. Within seven days of a referral, transmit a copy of the Assessment Report to the fire protection agency personnel who made the referral

9. If the Assessment Report recommends that the application for burn permit be denied, provide the applicant with a variance pamphlet
BURN INVESTIGATION REPORT

Date: ____ / ____ / _____  Time: ________________

Inspector: __________________________________________________________________________

Name of Responsible Person: __________________________________________________________________________

Address: __________________________________________________________________________

Location of Burn: __________________________________________________________________________

Type of Burn:

__ Agricultural Wastes  __ Fire Hazard Reduction in High Fire Areas
__ Forest Management  __ Fire Hazard Abatement
__ Range Improvement  __ Residential Dry Vegetation
__ Wildlife & Game Habitat Improvement  __ Right of Way
__ Disease & Pest Prevention  __ Confiscated Marijuana
__ Water Delivery Systems (Irrigation)  __ Fire Training
__ Wildland Vegetation Management  __ Recreational (Camping/Cooking/Festive)
__ Russian Thistle (Tumbleweeds)
__ Other (Describe):

Burn Day: Yes ___ No ___  Burn Permit Issued: Yes ___ No ___

Burn Permit#: _________  Date Issued: ____ / ____ / ______

Type of Burn Permit: _____________  Issued by: ________________________________

Local Fire Protection Agency Notified Prior to Conducting Burn: Yes ___ No ___

Names of Persons Attending the Burn:
1. ________________________________________________________________________
2. ________________________________________________________________________
3. ________________________________________________________________________

Size of Burn: _____'W  X  _____'L  X  _____'H

Description of Materials Being Burned: ________________________________

__________________________________________________________________________________

Nuisance Potential: Yes ___ No ___  Explain: ________________________________

__________________________________________________________________________________
Statement of responsible person: __________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

Statement of Investigator: __________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

Burn Conducted In Compliance:       Yes ___  No ___

Rule(s) Violated: ___________  Burn Permit Condition(s) Violated: ______________

Notice of Violation Issued:        Yes ___  No ___  NOV # ___________

Photographic Evidence Attached: Yes ___  No ___

Fire Protection Agency Response: Yes ___  No ___

Incident Report #: ______________  Citation #: _________________________
OPEN BURNING ASSESSMENT REPORT

Name of Person:_________________________ Date:__/__/__

Ranch/Business/Agency:________________________________________________________

Address:___________________________________________________________________

Phone:_________________________ Type of Assessment: Field ___ Phone ___

Type of Burning:

__ Agricultural Wastes __ Fire Hazard Reduction in High Fire Areas
__ Forest Management __ Fire Hazard Abatement
__ Range Improvement __ Residential Dry Vegetation
__ Wildlife & Game Habitat Improvement __ Right of Way
__ Disease & Pest Prevention __ Confiscated Marijuana
__ Water Delivery Systems (Irrigation) __ Fire Training
__ Wildland Vegetation Management __ Recreational (Camping/Cooking/Festive)
__ Russian Thistle (Tumbleweeds)
__ Other (Describe):

Summary of Findings: _______________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________

Action Recommended: _______________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________
                                                                 ___________________________________________________________________

Issuance of Burn Permit Recommended: Yes ___ No ___

Date Fire agency notified ___/___/____ Date copy sent to Fire Agency ___/___/____

Person contacted/Phone # _____________________________________________________________________

Inspector/Phone # _______________________________________________________________________

ENF-2 8/95