

AIR POLLUTION CONTROL DISTRICT
REGULATORY COMPLIANCE DIVISION

POLICIES AND PROCEDURES

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Topic: Ag and Non-Ag Burning - Disease and Pest Prevention

Distribution: All Policy Holders

This policy and procedure provides guidance in the enforcement of APCD rules relating to prescribed burns used in the prevention of disease and pests. It is the policy of the APCD to allow Disease and Pest Prevention burning as regulated under Rules 313.A. and 401.C. and Article 2, Chapter 3, Part 4, Division 26 of the California Health and Safety Code.

APPLICABILITY

The provisions and exemptions provided in open burning regulations apply to the prescribed open outdoor burning of materials for the prevention of disease or pests which might adversely affect agricultural operations and/or the health and safety of individuals.

Disease and pest prevention is addressed on a non-agricultural basis in Section 41801 of the Health and Safety Code (HSC) where it states that a public officer may set or permit a fire when such fire is necessary for disease or pest prevention where there is an immediate need for and no reasonable alternative to burning.

It is also addressed on an agricultural basis in HSC Section 39011, and Rule 401.C.4. where it stipulates that open outdoor fires may be used in agricultural operations for disease and pest prevention.

WHAT CANNOT BE BURNED?

The burning of construction and/or demolition debris, petroleum products, tires, tar paper, plastic, household trash, and waste foreign to land being cleared for agricultural use is prohibited. Almost anything processed or manufactured is prohibited.

REQUIREMENTS

The following conditions apply to prescribed open burning for disease and pest prevention operations:

1. A permit to burn must be obtained from a public fire department, fire protection agency or other agency authorized to issue such permits by the Air Resources Board. A list of agencies authorized to issue burning permits is provided as Appendix A to Policy and Procedure VI.

2. Agricultural burning is permitted only on days designated as permissive burn days by the Air Resources Board (Policy and Procedure VI.A.1, Burn Day Determination). The Air Pollution Control Officer may permit agricultural burning on a No-Burn Day if denial of such permission would threaten the applicant with imminent and substantial economic loss. Normally, non-agricultural burning must be conducted only on permissive burn days.

APCD policies regarding permits to conduct burning on days designated as No-Burn days are outlined in the "Burning on a No-Burn Day", Policy and Procedure VI.A.2.

3. Materials to be burned must be arranged so as to burn with a minimum of smoke, be loosely stacked to allow maximum drying and provide good combustion.
4. Materials to be burned must be free of dirt and moisture which would hinder complete combustion.
5. Prior to burning, materials should be dried for the minimum recommended periods listed below:
 - a) Six (6) weeks for trees and large branches 3" to 8" in diameter
 - b) Four (4) weeks for small trees and branches 1" to 3" in diameter
 - c) Three (3) weeks for prunings, small branches and materials 1/4" to 1" in diameter
 - d) Ten (10) days for wastes from field crops and very fine materials less than 1/4"
6. Use an approved ignition device that does not produce black smoke, such as butane, propane, LPG or diesel oil burners. All ignition devices using the following burning agents will be approved:
 - Ethylene glycol/potassium permanganate,
 - gasoline/diesel,
 - propane/butane, and
 - phosphorus
 - The following are examples of devices using the above agents:

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| - helicopter torches | - orchard torches |
| - propane torches | - drip torches |
| - flame throwers | - jellied petroleum devices |
| - diesel sprayers | - commercial grenade devices |
| - common fuses | - matches |

Any device not listed above must be approved for use by the APCO prior to its application or use. Igniting tires or pouring diesel fuel on the materials are NOT acceptable ignition methods!

7. Prescribed open outdoor burning will not commence prior to sunrise, and no additional waste material/fuel will be added to any fire after two hours before sunset. Any time limits stipulated within the Burn Permit must be strictly adhered to.

8. All fires shall be thoroughly extinguished before being left by the attendant(s). Adequate provisions should be made for the immediate extinguishment of the fire should it threaten to spread out of control.
9. Regardless of permit, no fires shall be started any time when the weather conditions are such that it would be unsafe to burn or cause a hazard to vehicular traffic flow.

NOTE: Any open burning which meets the definition of "Wildland Vegetation Management Burning", as defined in Rule 401.B., shall be conducted in compliance with the requirements of Rule 401.D. even though such burning may also be conducted under another provision of Rule 401 or any other APCD rule (e.g., Rule 312 or Rule 313). Forest Management, Range Improvement and other agricultural burning not meeting the definition of Wildland Vegetation Management Burning do not need to comply with the requirements of Rule 401.D.

