



Connecticut Department of Energy and Environmental Protection



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

OPEN BURNING TRAINING PROGRAM

Module 5: OPEN BURNING OF BRUSH AT MUNICIPAL LANDFILLS, MUNICIPAL TRANSFER STATIONS, OR MUNICIPAL RECYCLING CENTERS



Connecticut Department of Energy and Environmental Protection

OPEN BURNING OF BRUSH AT MUNICIPAL LANDFILLS, MUNICIPAL TRANSFER STATIONS, OR MUNICIPAL RECYCLING CENTERS

MODULE OUTLINE

This module will outline the process in which a municipality may apply for a permit from the State of Connecticut's Department of Energy and Environmental Protection (referred to as the "State Agency") to burn brush at a municipal landfill, municipal transfer station or municipal recycling center.

This module will cover the following:

- The Law
- The Parties
- Who can conduct the Open Burning, Where can the burn be conducted, and What material can/cannot be burned?
- The Application/Permit Process
- The Site Inspection
- The Permit has been Granted: Activities - Prior, During and Post Open Burning
- The Application has been Denied
- Permit granted but open burning was not conducted within the Time Period "Window"
- Considerations regarding the management of brush generated as a result of a Natural Hazard Event
- State Level Enforcement
- Take Aways
- Acknowledgements



THE LAW: CONNECTICUT GENERAL STATUTES SECTION 22a-174(f)

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

The commissioner shall allow ... the open burning of brush in municipal landfills, municipal transfer stations and municipal recycling centers, provided a permit for such burning is obtained from the fire marshal of the municipality where the facility is located, except that no burning shall occur (1) when national or state ambient air quality standards may be exceeded; (2) where a hazardous health condition might be created; (3) when the forest fire danger in the area is identified by the commissioner as extreme and where woodland or grass land is within one hundred feet of the proposed burn; (4) where there is an advisory from the commissioner of any air pollution episode; (5) where prohibited by an ordinance of the municipality; and (6) in the case of a municipal landfill, when such landfill is within an area designated as a hot spot on the open burning map prepared by the commissioner.

A permit for the burning of brush at any municipal landfill, municipal transfer station or municipal recycling center shall be issued no more than six times in any calendar year.

The proposed permit to burn brush at any municipal landfill, municipal transfer station or municipal recycling center shall be submitted to the commissioner by the fire marshal, with the approval of the chief elected official of the municipality in which the municipal landfill, municipal transfer station or municipal recycling center is located. The commissioner shall approve or disapprove the fire marshal's proposed permitting of burning brush at a municipal landfill, municipal transfer station or municipal recycling center within a reasonable time of the filing of such application.

The burning of leaves, demolition waste or other solid waste deposited in such landfill shall be prohibited.



THE LAW: CONNECTICUT GENERAL STATUTES SECTION 23-49a

Chapter 449 of the Connecticut General Statutes (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.*

Abstract

- CGS Section 23-49a prohibits open burning when the **forest fire danger is high, very high or extreme**. While Connecticut General Statutes Section 22a-174(f) prohibits burning when the **forest fire danger is extreme**.
 - The State of Connecticut's Department of Energy and Environmental Protection's Bureau of Air Management's Open Burning Program uses as a Condition Applicable to all Permits that no open burning shall occur when the **Forest Fire Danger Level is high, very high, or extreme**.



THE PARTIES: THE STATE AND THE MUNICIPALITY

- Under this type of activity, the State of Connecticut's Department of Energy and Environmental Protection is the Regulator. This State Agency is responsible for either the granting of the permit or the denial of the application.
- The Fire Marshal, with approval of the Chief Elected Official of the municipality, must submit an Open Burning Application to the State Agency. The Fire Marshal is the Applicant.
- The State Agency will review and consider the proposed permit application. The State Agency will make a timely determination, either approving or disapproving the application for the proposed activity. The State Agency will provide written notification to the Fire Marshal, the Applicant, with regards to the final decision of the permit application. If the application is denied, the State Agency will provide reasons for such action.
- "Written" permits are legally required documentation granting permission to the Permittee (the Fire Marshal) to conduct the burning of brush in the open air. Verbal permissions are not permissible under any circumstances.



WHO CAN CONDUCT THE BURN? WHERE CAN THE BURN BE CONDUCTED?

Who can conduct the burn?

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

Where can the burn be conducted?

- Municipal Landfills
- Municipal Transfer Stations
- Municipal Recycling Centers



WHAT MATERIAL CAN BE BURNED? WHAT MATERIAL CANNOT BE BURNED?

What material CAN be burned?

- Brush only. Per the Regulations of Connecticut State Agencies Section 22a-174-1(19), brush is defined as: *shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point.*



Materials that CANNOT be burned include, but are not limited to, the following examples:

- Branches greater than three inches in diameter
- Organic matter other than brush, for example grass, leaves, tree trunks, root balls and stumps
- Construction and demolition waste, wire
- Other solid waste deposited at the facility
- Furniture, painted materials, treated wood, pallets
- Other



THE PERMIT PROCESS FOR THE OPEN BURNING OF BRUSH AT MUNICIPAL LANDFILLS, MUNICIPAL TRANSFER STATIONS AND MUNICIPAL RECYCLING CENTERS

1 The Fire Marshal, with the assistance of the Chief Elected Official, completes the State Permit Application and submits it (via email) to the State Agency's Open Burning Program. Both the Fire Marshal and Chief Elected Official must sign the application. The Fire Marshal is the Applicant.

2 State Agency receives the Application and assigns staff to conduct an onsite inspection. Onsite inspection is conducted and the Inspection Report is prepared and submitted to the Program managers for their consideration and determination if a permit can be issued.

- If a permit is granted, the State Agency emails to the Fire Marshal (with a cc: to the Chief Elected Official): a copy of the Permit; a standard letter that provides information regarding the open burning permit; and a copy of the Inspection Report. The Fire Marshal is now the Permittee.
- If the application is denied, the State Agency emails to the Fire Marshal (with a cc: to the Chief Elected Official): a standard letter detailing the reasons for the denial; the Application form indicating denial; and the Inspection Report.

3

- On the day before the burn, or on the Friday before a weekend burn, the Permittee should notify the abutting property owners.
- On the morning of the proposed burn between the hours 9 and 10 am, the Permittee must determine if conditions are suitable to conduct a burn by checking the State Agency's website regarding the State's *Predicted Daily AQI Maximum* and the State's *Forest Fire Danger Level*.
- On the day of the proposed burn, or on the Friday before a weekend burn, the Permittee must notify the State Agency.

4 Permittee must adhere to all of the permit conditions and the permit must be available on site during the burn. Permittee should retain a copy of the permit for four years from the date of the permit issuance.



APPLICATION/PERMIT FORM

State Agency Application/Permit Form

The State Agency has a form entitled *Open Burning Application and Permit: To Burn Brush at Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center*. The State Agency's Bureau of Air Management's Open Burning Program has provided this form electronically to all of the Chief Elected Officials. This form is to be used by the Fire Marshal when applying for such an activity.

The Form consists of the following major sections:

- 1) General Statements
- 2) Applicant /Fire Marshal and Chief Elected Official Information, and Certification and Signature Blocks
- 3) Permit Conditions
 - Conditions Applicable to All Permits
 - Additional Conditions if Checked
- 4) Permit is Granted, Signature of State Agency Official and Date
- 5) Application is Denied for the following Reasons, Signature of State Agency Official and Date

OPEN BURNING APPLICATION AND PERMIT	STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov	PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER		
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP). 2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire. 3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions. #1		
Fire Marshal's Name: _____ Mailing Address of Fire Marshal: _____ Chief Elected Official's Name: _____	Municipality: _____ Fire Marshal's Telephone No.: _____ Fire Marshal's Email: _____ Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center: _____ Date of Proposed Burning: _____	
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.		
Chief Elected Official's Signature: _____ Date: _____	Fire Marshal's Signature: _____ Date: _____	#2
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE		
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/air ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfire/danger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality. 2. Burning must cease if so directed by the local Fire Marshal or DEEP. 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. 4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned. 5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.	
ADDITIONAL CONDITIONS IF CHECKED	6. A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn. 7. At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions. 8. This permit must be available on site during the burn. 9. Burning must be conducted between the hours of 10 A.M. and 5 P.M. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window. Burning must be conducted on: _____ day(s) between the following dates: _____ From: ____/____/____ to ____/____/____ 10. Notify DEEP in advance of the burn at (860) 424-3436 the morning of the burn or on Friday before a weekend burn.	
<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal <input type="checkbox"/> Burning may not take place when the wind is from the: _____	<input type="checkbox"/> Other conditions: _____	
This permit is GRANTED subject to the conditions indicated above.	DEEP Official Name: _____ Signature of DEEP Official: _____	Date: _____
<input type="checkbox"/> This application is DENIED for the following reasons: _____		
DEEP OFFICIAL SIGNATURE AND DATE: _____		
#5		



APPLICATION/PERMIT FORM: #1 GENERAL STATEMENTS

GENERAL STATEMENTS

- A permit is only valid when signed by a duly authorized representative of the State of Connecticut's Department of Energy and Environmental Protection's, Bureau of Air Management.
- The permit does not relieve the Permittee of any legal liability which may be incurred as a result of the fire.
- Failure by the Permittee to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
<p>1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).</p> <p>2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.</p> <p>3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.</p>				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:				Date of Proposed Burning:
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	<p>1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/aq; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfiredanger; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.</p> <p>2. Burning must cease if so directed by the local Fire Marshal or DEEP.</p> <p>3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.</p> <p>4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned.</p> <p>5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.</p>			
	<p>6. A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn.</p> <p>7. At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions.</p> <p>8. This permit must be available on site during the burn.</p> <p>9. Burning must be conducted between the hours of 10 A.M. and 5 P.M. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window. Burning must be conducted on: _____ day(s) between the following dates: From: ___/___/___ to ___/___/___</p> <p>10. Notify DEEP in advance of the burn at (860) 424-3436 the morning of the burn or on Friday before a weekend burn.</p>			
ADDITIONAL CONDITIONS IF CHECKED	<p><input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal</p> <p><input type="checkbox"/> Other conditions:</p> <p><input type="checkbox"/> Burning may not take place when the wind is from the: _____</p>			
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name:	Date: _____	
		Signature of DEEP Official:		
<input type="checkbox"/> This application is DENIED for the following reasons: 				
DEEP OFFICIAL SIGNATURE AND DATE: _____				



APPLICATION/PERMIT FORM: #2 APPLICANT INFORMATION, CERTIFICATION AND SIGNATURES

Applicant Information, Certification and Signatures

- The Fire Marshal, referred to as the Applicant, must complete the application in full and must provide the following information: their name, mailing address, email and telephone number; the Chief Elected Official's name and municipality; the location of the proposed burn; and the proposed date of the proposed burn.
- Both the Fire Marshal and the Chief Elected Official must sign their names and date the form. Their signatures signify that they certify that the information provided on the application is complete and true to the best of their knowledge, and that they will abide by all conditions of the permit.
- The Fire Marshal submits the form via email to the State Agency's Open Burning Program.

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).				
2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.				
3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:			Date of Proposed Burning:	
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
#2				
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/aa ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfire/danger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.			
	2. Burning must cease if so directed by the local Fire Marshal or DEEP. 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. 4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned. 5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.			
ADDITIONAL CONDITIONS IF CHECKED	<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal			
	<input type="checkbox"/> Burning may not take place when the wind is from the: _____			
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name:		Date: _____
		Signature of DEEP Official:		
<input type="checkbox"/> This application is DENIED for the following reasons:				
DEEP OFFICIAL SIGNATURE AND DATE: _____				



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS

Conditions Applicable to All Permits

- Under this section, there are ten conditions listed as “Applicable to all Permits” that are granted.
- Conditions include: certain situations when no burning must take place; ceasing the burn when so directed by designated entities; certain actions to be taken prior to, during and post burn periods to ensure public health and safety and to minimize adverse impacts to the environment; material that can be burned; requirement that the permit be available on-site during the burn; when the burn can be conducted and suitable weather and wind conditions; and notifying the State Agency in advance of the burn.

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).				
2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.				
3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:			Date of Proposed Burning:	
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/aqi ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfiredanger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.			
	2. Burning must cease if so directed by the local Fire Marshal or DEEP.			
	3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.			
	4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned.			
	5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.			
	6. A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn.		7. At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions.	
	8. This permit must be available on site during the burn.			
	9. Burning must be conducted between the hours of 10 A.M. and 5 P.M. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window. Burning must be conducted on: _____ day(s) between the following dates: From: ___/___/___ to ___/___/___			
	10. Notify DEEP in advance of the burn at (860) 424-3436 the morning of the burn or on Friday before a weekend burn.			
ADDITIONAL CONDITIONS IF CHECKED	<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal		<input type="checkbox"/> Other conditions:	
	<input type="checkbox"/> Burning may not take place when the wind is from the: _____			
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name:	Date: _____	
		Signature of DEEP Official:		
<input type="checkbox"/> This application is DENIED for the following reasons:				
DEEP OFFICIAL SIGNATURE AND DATE: _____				

#3



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS (CONT.)

Conditions Applicable to All Permits

1. Burning must **not** take place:

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

Predicted Daily AQI Maximums for Friday, September 07, 2012 (NA=Not Available)		
Town	Fine Particles (PM _{2.5})	Ozone (O ₃)
Bridgeport	46	
Cornwall	36	77
Danbury	39	109
East Hartford	42	67
Greenwich		104
Groton	29	47
Madison		51
Middletown		54
New Haven	32	67
Stafford		45
Stratford		106
Waterbury	36	
Westport		101



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS (CONT.)

Conditions Applicable to All Permits (cont)

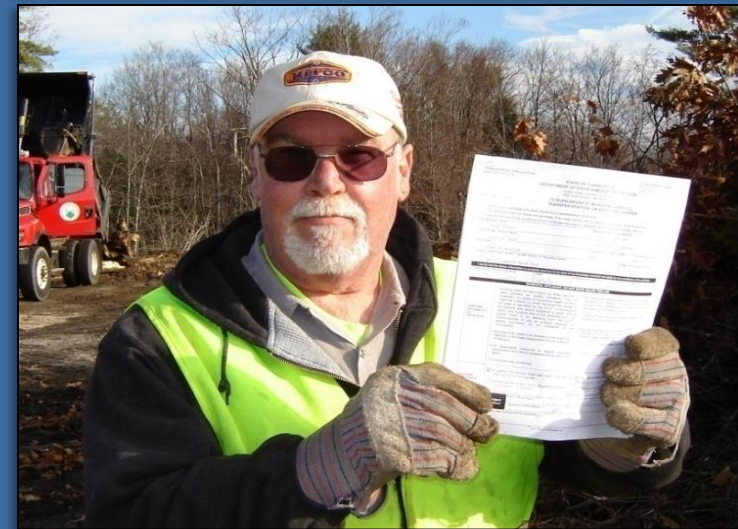
2. Burning must cease if so directed by the local Fire Marshal or the State of Connecticut's Department of Energy and Environmental Protection.
3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.
4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned.
5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS (CONT.)

Conditions Applicable to All Permits (cont)

6. A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn.
7. At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions.
8. The permit must be available on site during the burn.



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS (CONT.)

Conditions Applicable to All Permits (cont)

9. Burning must be conducted between the hours of 10 A.M. and 5 P.M. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window. Burning must be conducted on: ____ day(s) between the following dates:

From: ____/____/____ to ____/____/____

9. Notify DEEP in advance of the burn at (860) 424-3436 on the morning of the burn or on Friday before a weekend burn.



APPLICATION/PERMIT FORM: #3 PERMIT CONDITIONS (CONT.)

Additional Conditions if Checked

- Burning may be initiated only in the presence of the municipality's Fire Marshal.

- Burning may not take place when the wind is from the:

- Other conditions that are entered by DEEP and could include, but not be limited to, the following:
 - A condition based on input from the municipality.
 - Notify adjacent neighbors of the plans to burn.
 - Pre and Post notification to others as identified.
 - Burn pile to be separated so as to ensure the ability of the pile to effectively and safely burn within the one day time frame of 10 A.M. and 5 P.M.
 - Burn pile should be sufficiently seasoned to prevent excessive fugitive emissions.



THE SITE INSPECTION

- Upon receipt of the permit application, State Agency staff from the Bureau of Air Management's Open Burning Program will verify that the Applicant has provided the information requested on the form and that both the Fire Marshal and the Chief Elected Official have signed the application form. An application is considered incomplete if it has not been signed by both parties.
- Program staff will schedule and conduct an inspection of the site.
- The site inspection is done to verify the accuracy of the information submitted by the Applicant. The inspection allows an onsite assessment of the proposed activity. Program staff will evaluate, at a minimum, the following:
 - If the site of the proposed activity is located at a municipal landfill, municipal transfer station or a municipal recycling center;
 - The location and the size of the proposed burn pile;
 - The composition of the proposed burn pile;
 - The diameter of the brush;
 - Any potential impacts to adjacent properties and/or roads and other activities of concern; and
 - Any detection of non-native invasive insects, specifically the Emerald Ash Borer or the Asian Longhorned Beetle.



THE SITE INSPECTION (CONT.)

- Upon completion of the site inspection, Program staff will prepare an Inspection Report. In this Report, the standard informational fields are entered – type of inspection; Log number; Source Name and Address; Contact name and Number; Date and Time of Inspection; and Report File Name.
- Program staff will then write narrative, describing their inspection and any on-site contact with facility staff on the day of the inspection. The size of the brush pile is recorded, as well as any observations made with regard to the composition of the proposed burn pile. The Inspection Report will make note if the application has been deemed sufficient and will include recommendations. The Report is then forwarded for supervisory and managerial review and the application is acted upon by the managerial designee. The application will either be granted or denied.

TYPE OF INSPECTION	OB	LOG NUMBER: 11-0504	
SOURCE NAME	TOWN OF NORFOLK- RECYCLING CENTER		
ADDRESS	599 GREENWOODS ROAD EAST, NORFOLK 06058		
CONTACT NAME	SUSAN M. DYER- FIRST SELECTWOMAN		
TELEPHONE NUMBER	xxx-xxx-xxxx		
DATE OF INSPECTION	7/25/11	START TME: 1: 53 P.M	END TIME: 2:20 P.M
REPORT FILE NAME	11NORFOLK OB0725.OB		

INSPECTION REPORT:

7/25/11-
1:53- 2:20 P.M.

I stopped at the Norfolk Recycling Center located at 599 Greenwoods Road East and performed an inspection of the brush pile that the DEP had received an open burning application and certificate for. On site, I spoke to John Bottass- Public Works Employee.

The pile is approximately 40' X 35' X 15' in size. All visible brush was compliant with regulatory requirements when I left the site.

The open burning application is filled out properly, the Fire Marshal is the applicant and both the Fire Marshal and First Selectman signed the application. The burn window assigned to this application is one day between the following dates: 8/3/11 to 9/3/11. The permit number is #11-00504.

RECOMMENDATION: Grant open burning certificate #11-0504 with special conditions: "A staffed fire fighting truck with water must be stationed at the burning site" and "At the completion of the burn period all embers and coals must be extinguished and wetted to prevent smoldering and fugitive ash emissions."



APPLICATION/PERMIT: #4 PERMIT GRANTED

- Once the decision has been made to grant the permit, the Program staff will email the Fire Marshal (now referred to as the permittee), with a cc: to the Chief Elected Official, the following documents:
 - A Letter providing further information on the Permit;
 - A Copy of the Permit; and
 - A Copy of the State Agency's Inspection Report.
- Upon receipt of the permit, the Fire Marshal and the municipality can now make arrangements and initiate actions to conduct the burn. Implementation actions must include the prior, during and post burn time periods.

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).				
2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.				
3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:			Date of Proposed Burning:	
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/aqi ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfiredanger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.			
	2. Burning must cease if so directed by the local Fire Marshal or DEEP.			
ADDITIONAL CONDITIONS IF CHECKED	3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken.			
	4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned.			
5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.				
<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal		<input type="checkbox"/> Other conditions:		
<input type="checkbox"/> Burning may not take place when the wind is from the:				
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name:		Date: _____
		Signature of DEEP Official:		#4
<input type="checkbox"/> This application is DENIED for the following reasons:				
DEEP OFFICIAL SIGNATURE AND DATE: _____				



PERMIT GRANTED: PRIOR TO THE BURN ACTIVITY

Prior to the open burning activity, the following actions must be followed:

- **On the day before the proposed burn, or on the Friday before a weekend burn,** the Permittee should notify the abutting property owners.
- **On the morning of the proposed burn and prior to the proposed burn,** the Permittee must determine the following conditions so as to ensure that conditions are suitable to conduct an open burn:
 - Air Quality – the “*Predicted Daily AQI Maximums*”:** This information is available on the State’s Agency’s AQI website. The Permittee needs to review the Table entitled “*Predicted Daily AQI Maximums*”. This Table provides forecasted numerical values for Fine Particles and/or Ozone. This Table is updated daily and should be checked between the hours of 9:00 a.m. and 10:00 a.m.
 - Forest Fire Danger Level:** This information is available on the State Agency’s Forest Fire Danger Level website.
- **On the morning of the proposed burn, or on the Friday before a weekend burn,** and once the Permittee has determined that conditions are suitable to conduct a burn, the Permittee must notify the State Agency’s Open Burning Program at (860)424-3436.
- **On the day of the burn,** all reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.



PERMIT GRANTED: PRIOR TO THE BURN ACTIVITY



- Open burning is PROHIBITED statewide when:

- The AQI is predicted to be 75 or higher anywhere in the State as found on the State Agency's website www.ct.gov/deep/aqi AQI Table entitled "*Predicted Daily AQI Maximums*", AND/OR
- The State's Forest Fire Danger Level is high, very high or extreme as reported on the State Agency's website www.ct.gov/deep/forestfiredanger

Predicted Daily AQI Maximums for
Friday, September 07, 2012
(NA=Not Available)

Town	Fine Particles (PM _{2.5})	Ozone (O ₃)
Bridgeport	46	
Cornwall	36	77
Danbury	39	109
East Hartford	42	67
Greenwich		104
Groton	29	47
Madison		51
Middletown		54
New Haven	32	67
Stafford		45
Stratford		106
Waterbury	36	
Westport		101

Daily Forest Fire Danger Report

The Forest Fire Danger Level for Friday, August 31, 2012 is **MODERATE**

Next scheduled update: Friday, September 7th, 2012 unless conditions warrant a return to daily updates.



PERMIT GRANTED: DURING THE BURN ACTIVITY

DURING THE BURN ACTIVITY

- Burning must be conducted between the hours of 10 a.m. and 5 p.m. on a sunny or partly sunny day with the wind speed between 5 and 15 miles per hour. The burn pile must be sized so as to be completely consumed within this window.
- A staffed fire-fighting truck with water must be stationed at the burning site for the duration of the burn. The truck should have a sufficient amount of water to contain a fire if necessary, and to be able to completely extinguish all embers and coals.
- The permit must be available on site during the burn.
- During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke during the burn are to be taken.



PERMIT GRANTED: POST BURN

Post Burn

- At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions.
- In some cases, this may include spreading out the embers to ensure the fire has been extinguished.



PERMIT GRANTED: POST BURN

Post Burn

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



PERMIT GRANTED BUT BURN WAS NOT CONDUCTED WITHIN THE TIME PERIOD WINDOW

- A permit to conduct open burning of brush at municipal landfills, municipal transfer stations or municipal recycling centers shall be issued no more than six times in any calendar year.
- There may be occurrences where a permit has been granted but the burn could not be completed in the window as indicated on the permit. This may be due to reasons beyond the control of the Permittee. For example, national and state ambient air quality standards may have been exceeded and/or forest fire danger levels were too high for burning to occur over an extended period of time. As a result, the permit expired and was no longer valid.
- For those municipalities that burn up to six times per year and where permits were not used due to conditions beyond their control, the municipality should contact the State Agency prior to the fifth and sixth permit request to evaluate the situation. The State Agency will coordinate with the municipality on appropriate next steps.



APPLICATION/PERMIT: #5 APPLICATION DENIED

Application Denied

- If the decision has been made to deny the application, the State Agency Program staff will email the Fire Marshal/the Applicant (with a cc: to the Chief Elected Official), the following:
 - A Letter stating that the application has been denied and reasons for denial;
 - A Copy of the submitted Application indicating the reasons that the application has been denied; and
 - A Copy of the State Agency's Inspection Report.

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).				
2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.				
3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:				Date of Proposed Burning:
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/aqi ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfiredanger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.			
	2. Burning must cease if so directed by the local Fire Marshal or DEEP. 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. 4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned. 5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.			
ADDITIONAL CONDITIONS IF CHECKED	<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal			
	<input type="checkbox"/> Burning may not take place when the wind is from the: _____			
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name:		Date: _____
		Signature of DEEP Official:		
<input type="checkbox"/> This application is DENIED for the following reasons: <div style="border: 2px solid red; padding: 5px; min-height: 100px; margin-top: 5px;"> DEEP OFFICIAL SIGNATURE AND DATE: _____ / ____ / ____ #5 </div>				



APPLICATION/PERMIT: #5 APPLICATION DENIED (CONT.)

Application Denied (cont)

- Reasons for denial can include, but are not limited to, the following:
 - Municipality has already received six burn permits within the calendar year.
 - Composition of the proposed burn pile consisted of branches greater than three inches in diameter; contained materials not permitted to be burned; other material composition issues.
 - The proposed burn site was not located at a municipal landfill, municipal transfer station, or municipal recycling center.
 - The proposed burn could potentially result in adverse impacts to the public's health and safety (i.e., nearby roads, airports, at risk communities – schools, elderly housing).

OPEN BURNING APPLICATION AND PERMIT		STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION 79 Elm Street, Hartford, CT 06106-5127 Email: deep.ctopenburning@ct.gov		PERMIT NUMBER:
TO BURN BRUSH AT MUNICIPAL LANDFILL, MUNICIPAL TRANSFER STATION OR MUNICIPAL RECYCLING CENTER				
1. This is a valid permit only when signed by a duly authorized representative of the Department of Energy and Environmental Protection, Bureau of Air Management (DEEP).				
2. The permit does not relieve the permittee of any legal liability, which may be incurred as a result of the fire.				
3. Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.				
Fire Marshal's Name:		Mailing Address of Fire Marshal:		
Chief Elected Official's Name:				
Municipality:		Fire Marshal's Telephone No.:	Fire Marshal's Email:	
Location of Municipal Landfill, Municipal Transfer Station, or Municipal Recycling Center:				Date of Proposed Burning:
I certify that the above information is complete and true to the best of my knowledge and that I will abide by the conditions of the permit.				
Chief Elected Official's Signature:		Date:	Fire Marshal's Signature:	Date:
MUNICIPAL APPLICANT: DO NOT WRITE BELOW THIS LINE				
CONDITIONS APPLICABLE TO ALL PERMITS	1. Burning must not take place: (a) when national or state ambient air quality standards may be exceeded; (b) where a hazardous health condition might be created; (c) when the AQI is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums" as found at www.ct.gov/deep/air ; (d) when the forest fire danger level is identified by DEEP as high, very high, or extreme as found at www.ct.gov/deep/forestfire/danger ; (e) where there is an advisory from DEEP Commissioner of any air pollution episode; (f) where prohibited by an ordinance of the municipality.			
	2. Burning must cease if so directed by the local Fire Marshal or DEEP. 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. 4. Only brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned. 5. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burning area, and wetting down of the surrounding area.			
ADDITIONAL CONDITIONS IF CHECKED	<input type="checkbox"/> Burning may be initiated only in the presence of the municipality's Fire Marshal			
	<input type="checkbox"/> Burning may not take place when the wind is from the: _____			
This permit is GRANTED subject to the conditions indicated above.		DEEP Official Name: _____		Date: _____
		Signature of DEEP Official: _____		
<input type="checkbox"/> This application is DENIED for the following reasons: <div style="border: 2px solid red; padding: 5px; margin-top: 5px;"> _____ _____ _____ </div>				
DEEP OFFICIAL SIGNATURE AND DATE: _____				#5



CONSIDERATIONS REGARDING THE MANAGEMENT OF BRUSH GENERATED AS A RESULT OF A NATURAL HAZARD EVENT

- **Hurricanes and other natural hazard events can generate significant quantities of “green” vegetative wastes, including tree toppings and brush.** While the State Agency does not promote open burning as a brush management practice, the State Agency recognizes there could be an increased need for open burning of brush resulting from such natural hazard events. The open burning of brush should be considered when all other preferable management options are exhausted.
- **The State of Connecticut encourages municipalities to plan and prepare properly for natural disasters.** It is strongly recommended that municipalities contact the State Agency’s Open Burning Program as part of their Pre-Disaster Planning. The purpose of this contact is to ensure that their proposed open burning locations at a municipal landfill, municipal transfer station or municipal recycling centers are suitable to conduct open burning of brush.
- **FEMA will not reimburse illegal disposal activities of storm generated debris.** Therefore, if the State Agency has not issued a permit to the municipality for the purpose of conducting a burn at one of these facilities, then the burn is illegal and not FEMA reimbursable.
- **A well executed disaster recovery effort is critical to ensuring that the most important services of a community are reinstated promptly.** By undertaking natural disaster preparedness planning, municipalities will be ready both to maximize their community’s potential for FEMA reimbursement, and to maximize the potential for processing and recycling disaster debris.



STATE LEVEL ENFORCEMENT

- A permit condition as found in the permit to burn brush at a municipal landfill, municipal transfer station or municipal recycling center states the following: **“Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions.”**
- Examples where the State Agency’s Bureau of Air Management may determine that an enforcement action is necessary against a municipality can include, but is not limited to, the following scenarios:
 - When a Permittee fails to adhere to the conditions of the permit;
 - When a municipality issues a permit and burns brush on municipal property other than a municipal landfill, municipal transfer station or municipal recycling center; and
 - When a municipality burns without a permit.
- In the event of an alleged violation, the State Agency’s Open Burning Program staff may come upon a burn while in the field and/or may respond to a complaint and will investigate. Program staff will speak with appropriate municipal officials to determine if a violation did occur. If a violation did occur, the following enforcement activities could be considered:
 - Issuance of a Notice of Violation
 - Issuance of Administrative Orders (includes both Unilateral Order and Consent Order with penalties)
 - Referral to the Attorney General’s Office or Chief State’s Attorney
 - Arrest/fine under Connecticut General Statutes sections 23-48 and/or 23-49a.



TAKE AWAYS

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



ACKNOWLEDGEMENTS

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

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





STATE OF CONNECTICUT
DEPARTMENT OF ENERGY &
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127
www.ct.gov/deep
Daniel C. Esty, Commissioner

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Connecticut Department of Energy and Environmental Protection