



Ohio Administrative Code

Rule 1501:3-13-01 Kindled fire waivers and certified prescribed fire managers.

Effective: January 28, 2019

(A) The chief of the division of forestry may issue waivers that expand the times and places for kindled fires as set forth in division (C) of section 1503.18 of the Revised Code to the following eligible persons:

(1) Persons certified by the chief of the division of forestry as an Ohio certified prescribed fire manager under paragraph (C) of this rule;

(2) Persons with a valid permit under agency 3745 of the Administrative Code and are burning materials with an air curtain destructor;

(3) Persons burning their own property who have obtained written approval from the local fire department having jurisdiction and who have submitted said approval to the chief of the division of forestry.

(B) After meeting at least one of the three eligibility criteria in paragraph (A) of this rule, persons must then submit a completed request for a kindled fire waiver to the chief of the division of forestry that includes the following:

(1) The date of the request;

(2) The person's name and residential address;

(3) The address or geographical coordinates where the person wishes to kindle a fire; and

(4) The person's certification that the site where the kindled fire is to take place has a site plan that includes required weather parameters. The site plan shall include a description of the site demonstrating its suitability for natural resource planning, including:



- (a) The fuel types to be burned (e.g., grass, leaves, brush, etc.);
 - (b) The equipment and personnel to be used;
 - (c) Site monitoring plans from the time when the kindled fire is prepared to when it is fully extinguished;
 - (d) Worker and general public safety considerations;
 - (e) Notification plan for emergency services in the event of an emergency; and
 - (f) Any contingency plans.
- (C) Ohio certified prescribed fire managers.
- (1) Certification. Certification as an Ohio certified prescribed fire manager requires a person to submit to the chief of the division of forestry adequate documentation, as determined by the chief of the division of forestry, demonstrating that the applicant has:
- (a) A minimum of six hours of training in wildland fire suppression;
 - (b) A minimum of twenty-four hours of training in prescribed fire management; and
 - (c) Prior professional experience in the amount of at least ten wildfires on at least ten days, ten prescribed fires on at least ten days, or a combination thereof.
- (2) Recertification. Once issued a certification number, an Ohio certified prescribed fire manager shall be issued a waiver under paragraphs (A)(1) of this rule if the person:
- (a) Serves as the manager for at least two prescribed fires on at least two separate days over a five-year rotating schedule that begins after initial certification;
 - (b) Participates in an operational role for at least five prescribed fires on at least five separate days



over a five-year rotating schedule that begins after initial certification; or

(c) Maintains a prescribed fire burn boss type 2 national qualification as certified by a national wildfire coordinating group member agency.

(3) Reporting. Ohio certified prescribed fire managers shall:

(a) Within one-hundred and twenty days of a completed burn, provide the chief of the division of forestry with a report of the results of any burn activities using a form approved by the chief of the division of forestry; and

(b) Within thirty days of a completed burn, provide the chief of the division of forestry with a report about any escaped fires resulting in a response from emergency service personnel or that could result in any criminal or civil actions.

(D) Waiver denial or withdraw.

(1) The chief of the division of forestry may deny or withdraw the issuance of a waiver to anyone otherwise eligible under paragraph (A) of this rule if the person:

(a) Endangered public safety;

(b) Violated previous waiver conditions;

(c) Conducted a restricted burn without receiving a burn waiver under this rule;

(d) Conducted a burn without obtaining permissions required under Chapter 3745. of the Revised Code; or

(e) Does not satisfy the recertification or reporting requirements under paragraph (C) of this rule.

(2) The chief of the division of forestry shall issue any decision regarding waiver denial or withdraw in writing, which shall include:



- (a) An explanation of the evidence examined and reason for denial or withdraw of the waiver;
- (b) In the case of an Ohio prescribed fire manager, requirements for obtaining recertification; and
- (c) In all other cases, the necessary steps to obtain a waiver.