

Appendix

Open Burning of Storm Debris Conditions for “Extraordinary Circumstances” Approvals Issued to Communities Demonstrating a Severe Economic Hardship for the Disposal of Storm Debris Under rules 3745-19- 03(D)(3) or 3745-19-04(C)(3) of the Administrative Code

If a community is located in an area that was declared a state of emergency by the governor for a natural disaster, such an ice storm, tornado or flood, and the community has demonstrated a severe economic hardship in accordance with the community hardship table below, that would prevent disposal techniques such as chipping or the use of an air curtain destructor, Ohio EPA under paragraph (D)(3) of rule 3745-19-03 or paragraph (C)(3) of rule 3745-19-04 of the Administrative Code, may allow for the open burning of trees and vegetative wastes provided the local community meets the following guidelines. The local community must request and receive an Ohio EPA open burning permit from the director and the community must follow the following guidelines for open burning of the vegetative material, trees and tree limbs.

1. The material burned must be limited to vegetative material, trees and tree limbs resulting from a natural disaster.
2. All material to be burned shall be dry and in a state to sustain good combustion.
3. No burning shall take place within:
 - a. one hundred feet of any uninhabited structure or powerline;
 - b. three hundred feet of a frequently traveled municipal or township road;
 - c. five hundred feet of any state highway;
 - d. one thousand feet of any interstate highway;
 - e. one-half mile from any school or day care;
 - f. one mile from any hospital, nursing home or any other type of health care facility;
 - g. one thousand feet from any inhabited building;
 - h. one thousand feet from any fuel storage facility with three or less tanks or above ground petroleum or natural gas pipeline; or
 - i. one-half mile from any fuel storage facility with three or more tanks.
4. All fires must be attended at all times during burning until completely extinguished.
5. Burning may not be conducted during unfavorable meteorological conditions such as:
 - a. high winds;
 - b. temperature inversions;
 - c. air stagnation; or

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- a. when a pollution alert or ozone action day has been declared.
6. If at any time a fire creates:
 - a. a threat to public health;
 - b. a nuisance; or
 - c. a fire hazard;the burning shall be extinguished.
7. All burning shall comply with other federal, state, and local laws, rules, and ordinances.
8. Adequate firefighting equipment shall be on-site for extinguishing purposes during burning times.
9. Burning shall be conducted during daylight hours only, and all fires shall be extinguished prior to sunset.
10. The pile to be burned shall be less than or equal to five thousand cubic yards and only one pile may be burned at a time.
11. The district office of Ohio EPA or the local air agency along with the local fire department and health department must be notified at least twenty-four hours in advance of the date and time of the burning.
12. The open burning permit shall be made available at the burning site to state and local officials upon request.
13. The open burning permit shall be valid for no longer than three months from the date of issuance.
14. Any change in the plan must receive an additional approval from the Ohio EPA district office or local air agency, unless the change is to reduce open burning.
15. The Director may add conditions to an approval letter, as necessary, to prevent a public nuisance or protect the public health or the environment. Such conditions may be based on local air quality conditions, including whether the area is a nonattainment county or has been redesignated from nonattainment to attainment status.

Ohio Environmental Protection Agency
Permit Requirements for Air Curtain Destructors Employed for Landscape Waste

The accumulation and open burning with air curtain destructors (ACDs) of storm debris shall be allowed by municipalities upon receipt of written permission from Ohio EPA or the appropriate local air agency, provided the following conditions are met:

1. The material to be burned shall be limited to vegetative material, trees and tree limbs.
2. The ACD shall be at least 0.5 mile from any hospital, day care, nursing home or any other type of health care facility.
3. The ACD shall be at least five hundred feet from any inhabited building not located on said premises.
4. All material to be burned shall be dry and in a state to sustain good combustion.

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1. Burning may not be conducted during unfavorable meteorological conditions such as high winds, temperature inversions, air stagnation, when a pollution alert or ozone action day has been declared. The open burning shall not create a nuisance. The emission of smoke, ashes, dust, dirt, odors or any other substance in such a matter or amount as to endanger the health, safety or welfare of the public or cause unreasonable injury or damage to property, is a public nuisance and is prohibited.
1. All material shall be burned in an open pit which shall be constructed as follows:
 - a. The pit shall be rectangular in shape with four vertical walls.
 - b. The maximum length shall be no longer than the blower manifold.
 - c. The maximum width shall be less than ten feet. A width of six to eight feet is recommended.
 - d. The nozzles are to be directed down into the pit at a twenty-five to thirty degree angle from the horizontal.
2. The ACD may be shut off during start-up for a maximum of twenty-five minutes. Otherwise, the ACD must remain in operation until the fire has been completely extinguished. Smoldering will not be allowed.
3. The burn pit is not to be loaded above two-thirds of its total depth.
4. The loading of the pit shall be done in such a way as to minimize the amount of soil entering the pit.
5. The community must have personnel present at all times when open burning is taking place.
6. The Ohio EPA or local air agency inspector shall be notified when open burning will take place and shall be allowed complete access to the site before, during and after the operation of the ACD.

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Community Hardship Table

Village/Township/City Size	Population	Controlled Burning Option	Open Burning Option*
Small Community	Population of less than 5,000	Open burning of storm debris allowed using air curtain destructor if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$5,000.	Open burning of storm debris if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$5,000
Medium Community	Population of greater than 5,000, but less than 25,000	Open burning of storm debris allowed using air curtain destructor if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$10,000.	Open burning of storm debris allowed if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$10,000.
Large Community	Population greater than 25,000	Open burning of storm debris allowed using air curtain destructor if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$20,000.	Open burning of storm debris allowed if the following conditions apply: (1) area was declared a state of emergency by the governor and (2) disposal of storm debris using other disposal methods exceeds \$20,000.

*Allowed only if specifically approved by the director in response to community's demonstration of severe economic hardship.