

## **Air Quality Division: Permits: Guidelines for Open Burning**

### **For what purposes can you burn?**

The Permits Section of the Office of Air Quality issues permits for open burning for certain purposes which are outlined in R18-2-602 of the Arizona Administrative Code (A.A.C.). Specifically, A.A.C. R18-2-602 states that open outdoor fires may be permitted only for the purposes of weed abatement, prevention of a fire hazard, or instruction in the methods of fighting fires.

### **How can you burn?**

Your material to be burned shall be dry, readily combustible, and placed in any of the following arrangements in such quantities that it will be completely consumed within the permitted burn hours listed below:

- piled
- collected in a pit
- ignited in place using hand held torches on ditch banks and/or fence rows

Your piled or pit contained material must have a minimum clearance of 50 feet from any structure.

You may start your burn using items such as matches, flares, or hand held torches fueled by liquified petroleum gas such as propane or butane. You may not start your fire using tires, tar paper, oil, or liquified petroleum products such as gasoline or diesel. You may not use any ignition device that causes the production of black smoke.

### **When can you burn?**

You are only allowed to burn between the following hours:

- April through September: Start no earlier than 9:00 am and have the fire out by 4:00 pm.
- October and March: Start no earlier than 9:00 am and have the fire out by 3:00 pm.
- November through February: Start no earlier than 10:00 am and have the fire out by 2:00 pm.

### **You are not allowed to burn at night. Do you have any additional responsibilities?**

You must notify the local fire fighting agency prior to each open burning. Such agency may require you to obtain a permit from them before being allowed to burn and may prohibit open burning when atmospheric conditions or local circumstances make such fires hazardous.

You may not open burn when any air stagnation advisory is in effect in the area of the burn or during periods when smoke can be expected to accumulate to the extent

that it will significantly impair visibility. Such visibility impairment can be anticipated during periods of heavy regional haze and/or calm wind conditions.

Open burning shall be conducted only during wind conditions which prevent dispersion of smoke into populated areas, do not cause a visibility impairment on traveled roads or airports to the extent that a safety hazard results, do not create a public nuisance, and do not cause uncontrollable spreading of the fire.

You may be required by the Director or the Director's Designee to extinguish or abstain from open burning during periods of inadequate smoke dispersion, excessive visibility impairment or at other times when public health or safety could be adversely affected.

You must be present at all times when open burning. Do not set a fire and leave. You may be responsible for any damage caused by a fire started by your open burning. You may be subject to civil penalties from damages caused by fires started by your open burning. You must have available any necessary equipment (i.e., water supply, water hose, shovel, sand, etc.) to control the burn and to put out the fire if the need arises. You must completely extinguish the fire before leaving it unattended.

You must have a copy of the burn permit on-site during open burning, to show that you have authorization to conduct open burning.

You may not conduct open burning in a solid or hazardous waste landfill or their associated collection points.

**Types of material you are not to burn with an open burning permit:**

1. All plastic materials such as:
  - o bottles for household chemicals
  - o grocery and retail bags
2. Waste petroleum products:
  - o waste crankcase oil
  - o transmission oil
  - o used oil
  - o oil filters
3. Hazardous material containers that contained:
  - o pesticides
  - o lead compounds
  - o cadmium compounds
  - o mercury compounds
  - o arsenic compounds
4. Tar Paper
5. Poison Oak
6. Asbestos
7. Poison Ivy
8. Poison Sumac
9. Oleanders
10. Aerosol Spray Cans
11. Flammable Liquids
12. Antifreeze
13. Explosives or Ammunition

14. Polyester
15. Thermal Insulation
16. Tires
17. Electrical Wire Insulation
18. Batteries
19. Hazardous Waste Products:
  - o paints
  - o pesticides
  - o cleaners
  - o stains and varnishes
20. Asphalt Shingles

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#### **R18-2-602. Unlawful Open Burning**

- A. Notwithstanding the provisions of any other rule in this Chapter, it is unlawful for any person to ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire.
- B. "Open outdoor fire," as used in this rule, means any combustion of combustible material of any type outdoors, in the open where the products of combustion are not directed through a flue. "Flue," as used in this rule, means any duct or passage for air, gases or the like, such as a stack or chimney.
- C. The following fires are excepted from the provisions of this rule:
  1. Fires used only for cooking of food or for providing warmth for human beings or for recreational purposes or the branding of animals or the use of orchard heaters for the purpose of frost protection in farming or nursery operations.
  2. Any fire set or permitted by any public officer in the performance of official duty, if such fire is set or permission given for the purpose of weed abatement, the prevention of a fire hazard, or instruction in the methods of fighting fires.
  3. Fires set by or permitted by the state entomologist or county agricultural agents of the county for the purpose of disease and pest prevention.
  4. Fires set by or permitted by the federal government or any of its departments, agencies or agents, the state or any of its agencies, departments or political subdivisions, for the purpose of watershed rehabilitation or control through vegetative manipulation.
- D. Permission for the setting of any fire given by a public officer in the performance of official duty under subsections (C)(2), (3), or (4) shall be given, in writing, and a copy of such written permission shall be transmitted immediately to the Director of the Department of Environmental Quality and the control officer, if any, of the county, district or region in which such fire is allowed. The setting of any such fire shall be constructed in a manner and at such time as approved by the Director, unless doing so would defeat the purpose of the exemption.
- E. The following fires may be excepted from the provisions of this Section when permitted in writing by the Director of the Department of Environmental Quality or the control officer of the county, district or region in which such fire is allowed:
  1. Fires set for the disposal of dangerous materials where there is no safe alternative method of disposal.
    - a. "Dangerous material" is any substance or combination of substances which is able or likely to inflict bodily harm or property loss unless neutralized, consumed or otherwise disposed of in a controlled and safe manner.
    - b. Fires set for the disposal of dangerous materials shall be permitted only when there is no safe alternative method of disposal, and when the burning of such materials does not result in the emission of hazardous or toxic substances either directly or as a product of combustion in amounts which will endanger health or safety.
  2. Open outdoor fires for the disposal of ordinary household trash in an approved waste burner in nonurban areas of less than 100 well spread out dwelling units per square mile where no refuse collection and disposal service is available.
    - a. An "approved waste burner" is an incinerator constructed of fire resistant material with a cover or screen which is closed when in use having openings in the sides or top no greater than 1 inch in diameter.
    - b. Open burning of the following materials is forbidden: Garbage resulting from the processing, storage, service or consumption of food; asphalt shingles; tar paper; plastic and rubber products (such as waste crankcase oil, transmission oil and oil filters); transformer oils; and hazardous material containers including those that contained inorganic pesticides, lead, cadmium, mercury, or arsenic compounds.

- F. The Director of the Department of Environmental Quality or the air pollution control officer, if any, of the county, district, or region may delegate the authority for the issuance of allowable open burning permits to responsible local officers. Such permits shall contain conditions limiting the manner and the time of the setting of such fires as specified in the Arizona Guidelines for Open Burning and shall contain a provision that all burning be extinguished at the discretion of the Director or his authorized representative during periods of inadequate atmospheric smoke dispersion, periods of excessive visibility impairment which could adversely affect public safety, or periods when smoke is blown into populated areas so as to create a public nuisance. Any local officer delegated the authority for issuance of open burning permits shall maintain a copy of all currently effective permits issued including a means of contacting the person authorized by the permit to set an open fire in the event that an order for extinguishing of open burning is issued.
- G. Nothing in this rule is intended to permit any practice which is a violation of any statute, ordinance, rule or regulation.

**Historical Note**

Adopted effective May 14, 1979 (Supp. 79-1). Amended effective October 2, 1979 (Supp. 79-5). Correction, subsection (C) repealed effective October 2, 1979, not shown (Supp. 80-1). Former Section R9-3-602 renumbered without change as Section R18-2-602 (Supp. 87-3). Amended effective September 26, 1990 (Supp. 90-3). Former Section R18-2-602 renumbered to R18-2-802, new Section R18-2-602 renumbered from R18-2-401 effective November 15, 1993 (Supp. 93-4).



**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OPEN BURNING PERMIT APPLICATION**

*(Please type or print legibly)*

FFD Permit # \_\_\_\_\_

1. Applicant Name: \_\_\_\_\_  
 a. Mailing Address: \_\_\_\_\_  
 b. City, State, Zip : \_\_\_\_\_  
 c. Phone # / Fax # : \_\_\_\_\_

2. Physical location of burn (Please provide answer for one of the following)  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ County: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Description of burning location:  Residential  Agricultural  Construction  
 Landfill  Fire training  Range Land  
 Other (state: \_\_\_\_\_)

4. Type of material to be burned:  Brush  Grass  Crop  
 Cut tree, please state diameter \_\_\_\_\_ Inches  
 Other, please explain \_\_\_\_\_

5. Quantity of material to be burned (i.e. acres, pile, etc.) \_\_\_\_\_

6. Material to be burned shall be:  Piled  Collected in a pit  
 Placed in an approved waste burner  
 Ignited in place (field burning)  
 Ditch burning

7. **Burning hours: April through September            0900 a.m. to 4:00 p.m.**  
**October through March                                 0900 a.m. to 4:00 p.m.**  
**November through February                         10:00 a.m. to 2:00 p.m.**

8. How long will it take to burn all material: \_\_\_\_\_ (Number of days)

9. Purpose(s) of burning:  Weed abatement  Fire prevention  Range improvement  Crop removal  
 Others (Please explain) \_\_\_\_\_

10. What types of actions will be taken to minimize fire emissions including any Emission Reduction Techniques (ERTs)? ERTs include, but are not limited to:

- Minimize the material to be burned;
- Prevent fire from spreading by lining the area where open burn is conducted and application of fire retardant foam, or water;
- Allow the material to dry before burning;
- Minimize soil content in slash piles by constructing piles under dry soil conditions or by using hand piling methods;
- Burn in piles;
- Use an air curtain destructor operated pursuant to manufacturer specifications and meeting applicable state or local opacity requirements;
- Extinguish the smoldering burns;
- Burn prior to precipitation;

Other (Please provide a description of the techniques you will be using to minimize the emissions from your open burning activities): \_\_\_\_\_

11. Distance to residences and businesses closest to burn: \_\_\_\_\_ (in feet or miles)  
Piles or pit material shall be no less than 50 feet from any structure.

12. Please provide a map of the burn location, depicting the burn area, traveled roads, airports, and the distance from nearby buildings/structures (including fuel tanks, gas lines) that are under your ownership or another persons ownership. **(Waved if address number is clearly mark)**

13. Fire controls available: \_\_\_\_\_

14. The Fry Fire District shall be notified prior to the setting of the fire at the phone numbers listed below.

15. Fires shall be attended at all times. All fires shall be extinguished before leaving them unattended.

16. Nearest local fire department: Fry Fire District

17. Local fire department phone #: (520) 378-2665 or (520) 378-2222 **EMERGENCY DAIL 911**

I certify that I have knowledge of the facts herein set forth, that the same are true, accurate and complete to the best of my knowledge and belief. I further state that I will assume responsibility for conducting open burning in accordance with the Arizona Administrative Code, Title 18, Chapter 2, A.R.S. 36-789 and any open burning permit issued thereof. I also understand that the Fry Fire District may revoke this permit at anytime.

**Permit is only valid from May 15, 2004 to May 14, 2005.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name of signer: \_\_\_\_\_

Fry Fire District Authorization Signature: \_\_\_\_\_



## CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS

I certify that I have knowledge of the facts herein set forth, and in this report that the same are true, accurate, and complete to the best of my knowledge and belief. I acknowledge that all information not identified by me as confidential shall be treated by the Arizona Department of Environmental Quality as a public record.

Name (Print/Type): \_\_\_\_\_

(Signature): \_\_\_\_\_ Date: \_\_\_\_\_

### *Certification of Truth, Accuracy, and Completeness* *Arizona Administrative Code R18-2-304.H*

*R18-2-304.H. Certification of Truth, Accuracy, and Completeness. Any application form, report, or compliance certification submitted pursuant to this Chapter shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this Article shall state that, based on information and belief formed after reasonable inquiry, the statement and information in the document are true, accurate, and complete.*

By my signature I, \_\_\_\_\_ hereby certify that based on information and belief formed after reasonable inquiry, the statements and information in this document are true, accurate, and complete.

Name (Print/Type): \_\_\_\_\_

(Signature): \_\_\_\_\_ Date: \_\_\_\_\_