

Grand County Burning Management Plan

Open Burning Policy

General

Grand County Natural Resources Department (GCNRD), under the authority of the authority of the Colorado Department of Public Health and Environment, Air Pollution Control Division (CDPHE/APCD), regulates the open burning of any material in Grand County. Unrestricted open burning of materials has been determined to be detrimental to the environment, public health, and general air quality in Colorado.

Purpose

The purpose of this document is to provide a guideline for the issuance of open burning permits and open burning permit exceptions to applicable entities in Grand County. This document provides definitions to specific terms relative to open burning, discusses the different types of open burning permits, and clarifies to whom the regulations apply. Penalties and enforcement direction relative to violations are included in this document. GCNRD and CDPHE reserve the right to act at variance with this general statement of policy and procedure and to change it at anytime.

Scope

An open burning permit must be obtained by any private individual, company, governmental agency, or other entity prior to conducting any open burning activity, except as provided in this procedure and the Colorado Air Quality Control Commission Regulation No. 1.II.C.1. which states in part as follows: “Except as provided below, no person shall burn or allow the burning of rubbish, wastepaper, wood, or any flammable material on any open premises, or any public street, alley, or other land adjacent to such premises, or any public street, alley, or other land adjacent to such premises, unless an open burning permit is first obtained from the Colorado Department of Public Health and Environment or its authorized agents (Grand County Natural Resources Department)”.

Delegation of Authority

Under mutual agreement, Delegation of Authority has been extended to Grand County Natural Resources Department of Public Health, Air pollution Control Division, for issuing and enforcing open burning permits and enforcement of state burning policies.

Weather Conditions (VERY IMPORTANT)

1. Mild to moderate winds and unstable air masses provide for best smoke dispersal.
2. Approaching winter storms, cold fronts associated with low-pressure systems, disperse smoke well.
3. **DO NOT** burn during clear, calm, cold days.
4. Stationary fronts and high-pressure systems over Colorado cause inversion layers in mountain valleys.

Types of Open Burning Permits

1. Open Burning Permit

- A. Standard – Issued to any individual at a private residence that is not a for profit or agricultural entity.
Cost of Permit \$0
- B. Commercial – Issued to any for profit commercial entity
Cost of Permit \$100.00
Season long Permit \$500.00
- C. Material to be burned includes only clean soil free dry slash. Merchantable wood products not to exceed 20% to total volume of burn pile.
- D. Contact GCNRD at (970) 887-2123 at least 48 hours in advance for an open burn permit. The applicant must read, understand, and sign the permit application form and the permit must be authorized by GCNRD. In most cases, the application will be processed in two (2) working days.
- E. Notification must be given to both GCNRD at (970) 887-2123 and Grand County Dispatch at (970) 725-3311 on the day the burn is to occur. No burn pile is to be ignited until approval is given by GCNRD.

Planned/Prescribed Burns for Forest or Range Management

The Colorado Department of Health and Environment has a Colorado Smoke Management Memorandum of Understanding (MOU) with several agencies for the purpose of permitting prescribed open burning for accepted forest and range practices. These agencies are:

Colorado State Forest Service
U.S. Forest Service
Bureau of Land Management
U.S. Fish and Wildlife Service
National Park Service
United States Air Force Academy
Colorado Division of Wildlife

Such applications are handled separately from standard residential and commercial open burning applications and are reviewed by CDPHE/APCD under the terms of the Colorado Smoke Management Plan. All such permit application should be forwarded to:

Colorado Department of Public Health and Environment
Air Pollution Control Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Exemptions To Obtaining Open Burning Permits

The following sources are exempt from having to obtain an open burning permit per the Colorado Air Quality Control Commission Regulation No. 1, II. C.2:

1. Production Agricultural open Burning

Accepted and historical agricultural open burning methods including, but not limited to, the open burning of ground cover vegetation for the purpose of preparing the soil for crop production and livestock grazing, for the clearing of irrigation ditches and fence lines, and for the controlling of noxious weeds by “Production Agricultural Operations” only. (A courtesy call to local fire jurisdiction or Grand County Dispatch is strongly recommended to facilitate local public inquiries)

2. Recreational Fires

Fires used for the cooking of food for human consumption (barbecues), for instructional or religious purposes (bonfires), or for recreational purposes (campfires). **Note:** Local or statewide fire bans for fire danger may prohibit these types of burns.

3. Training Fires

Fires utilized by fire management agencies for personnel exercises.

Materials For Which Burning Is Prohibited

1. Hazardous or toxic materials (batteries, paint or chemical containers).
2. Construction debris (treated wood, insulated wiring or insulation).
3. Commercial or business waste.
4. Any type of standing structure (except as allowed for fire agency training exercises).
5. Any material that produces excessive smoke (tires, plastics, etc.)

Enforcement

The following enforcement is prescribed when open burning takes place without a permit and will be issued by GCNRD:

1. Open burning occurring without a permit should be documented (based on an on-site inspection at the time the burning is occurring, or later documenting evidence of a previous burn) and, depending upon severity of the violation, either a warning letter or Notice of Violation should be issued.
2. Any applicant for a Permit shall be deemed to have consented to entry upon the real property described in the Permit at any time by any County employee or County designated agent for any purpose related to the Permit, including but not limited to; inspection of the real property to determine suitability for burning; inspection of the slash to be burned; observation of the burn; extinguishment of the fire in the event of adverse conditions or adverse effects of the fire.
3. The County may order with or without any notice immediate termination of any Permit and/or immediate cessation of any burn. Any County wide burning ban may apply, at the discretion of the Board of County Commissioners to burning Permits issued hereunder.
4. Under no circumstances shall the County refund any portion of any Permit fee.

Penalties

1. Any person who burns or permits a burn on any property owned or controlled by such person, for noncommercial purposes, in violation of this Open Burning Management Plan without first having obtained a permit as required shall be subject to a civil penalty of not more than one hundred dollars per day for each day during which such violation occurs, pursuant to C.R.S. 25-7-123.1(3)(a).
2. Any person who burns or permits to burn an any property owned or controlled by such person, for commercial purposes, in violation of this Open Burning Management Plan without first having obtained a permit as required shall be subject to a civil penalty of not more than ten thousand dollars per day or each day during which such violation occurs, pursuant to C.R.S. 25-7-123.1(3)(b).
3. Any person who violates any compliance order issued in connection with open burning shall be subject to the injunctions, civil penalties, and criminal penalties set forth in C.R.S. 25-7-121, C.R.S.25-7-122 and C.R.S. 25-7-122 .1 as now enacted or hereafter amended.

Definitions

CDPHE: Colorado Department of Public Health and Environment.

GCNRD: Grand County Natural Resources Department.

Open Burning: Burning of any material or substance in the ambient air, other than a properly designed furnace, such as an incinerator or equipment connected to a stack or chimney.

Commercial Burning: The burning of any materials, which are the result of any commercial profit or non-profit activity, or the burning of any materials at a commercial/industrial location.

Non-Commercial Burning: The burning of any materials at a residence which are specific to that individual household or property and which are not the result of any commercial profit or non-profit activity.

Planned/Prescribed Burn: Burns in which fire is broadcast over a large area and is not contained to a specific pile or isolated area. Usually planned and implemented by state and federal land management agencies.

Production Agriculture: property that has produced not less than \$5,000 of gross market value agricultural product (food and/or fiber) in four of the past five years. Property that has been deemed to be in production agriculture will no longer be considered as such if sold for development of any kind. Family transfers for estate purposes, etc. that continue to function as an integral part of the property deemed to be in production agriculture, will continue to be defined as production agriculture.

Agricultural Open Burning: The open burning of ground cover vegetation for the purpose of preparing the soil for crop production and livestock grazing, for the clearing of irrigation ditches, fence lines, controlling noxious weeds and other accepted/historical practices. For “Production Agricultural Operations Only”.

Forest Land Agriculture: Forested land that consists of least 40 acres and is used to produce tangible wood products, is subject to a forest management plan, and is not classified as a farm or ranch.

Merchantable Wood Products: Wood products, in sufficient quantities for which a local market exists.

Slash: Limbs, tops and other woody debris resulting from harvest or removal of trees and shrubs. Excludes stumps, root balls and excessive quantities of merchantable wood products.

Unless defined above, the definition section set forth in C.R.S. 25-7-103 shall be applicable to any word or term described in this plan.

Required Slash Piling and burning Guidelines

Safety Considerations:

- A.** Obtain proper permits from Grand County natural Resources Department (Unless otherwise exempt).
- B.** Notify GCNRD and Grand County Dispatch on day of burn.
- C.** Attendance is mandatory at burn pile location for duration of burn

Suggested Slash Piling and Burning Guidelines:

- A.** Identify smoke sensitive and susceptible parties. e.g., highways, airports, population centers and recreation areas.
- B.** Cease burning if smoke drifts towards sensitive areas during test burn, or if weather changes.

USE COMMON SENSE!!!!

Location Of Slash Piles

- 1.** Locate pile in large, open areas to provide for vehicle access and monitoring.
- 2.** Locate piles two (2) times the pile diameter from nearest forest cover or property boundary. Maintain ample clearance from overhead and underground utilities. Contact local utility provider.

Size and composition of Slash Piles

- 1.** Build compact piles that are at least as tall as they are wide.
- 2.** Separate wood larger than 6" in diameter for firewood or other uses.
- 3.** Stumps, trucks or root balls should be buried or chipped if possible.
- 4.** Minimize soil in piles by pushing slash with a brush rake dozer blade or pile by hand.
- 5.** Construct piles that will burn in one (1) day.

Ignition Of Slash Piles

1. Fuses and propane burners provide relatively safe ignition.
2. **DO NOT** use gasoline to ignite piles.
3. Begin operations early in the day to ensure burn is complete by mid afternoon.
4. Test burn one representative pile and visually monitor smoke dispersal from a distance prior to igniting all piles.

Weed Prevention

1. Seed burned area with native vegetation and grasses to prevent the infestation and spread of noxious weeds.
2. Under state law, landowners are responsible for controlling noxious weeds on their property.
3. Contact the Natural Resources Conservation Service for seeding information and to purchase seed.

Effective Date

This ordinance shall become effective on February 1, 2001

For More Information Contact

Grand County Natural Resources Department	887-2123
Colorado State Forest Service	887-3121
Natural Resource Conservation Service	724-3456
Colorado Department of Public Health & Environment	(303)-692-3174

