



Outdoor Burning Guidelines

Purpose

Outlines Outdoor Burning Guidelines in accordance with Texas Commission on Environmental Quality (TCEQ) and Chambers County.

I. General Guidelines

A. Before burning is conducted, the following attachments should be reviewed:

RULE §111.219 General Requirements for Outdoor Burning

Outdoor Burning—When Should You Notify the TCEQ?

B. By looking at the “Outdoor Burning” chart, determine if TCEQ needs to be notified.

C. If TCEQ requires notification, or there is a question as to whether you should notify them, they can be contacted at **713-767-3714** to inquire if any special authorization to burn is required.

D. If authorization is granted, please forward this information to Chambers County dispatch before burning: **409-267-8318**.

E. Chambers County will notify the appropriate fire department.

II. Burn Bans

A. If an outdoor burning ban is in effect per Commissioners Court Order or by Executive Order of the County Judge, outdoor burning is not allowed in the unincorporated areas of Chambers County.

B. Exceptions will only be granted for:

- firefighter training;
- planting or harvesting of agriculture crops; or
- that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

C. If the requested exception falls into one of the above allowable categories, the landowner must contact TCEQ for approval. Many times TCEQ will not grant any approvals during a Burn Ban. However, if the landowner wishes to claim an exemption that does not normally require a TCEQ permit, Emergency Management will assist in this process. 409-267-2445.

D. Chambers County will notify the appropriate fire department.

Texas Administrative Code

<u>TITLE 30</u>	ENVIRONMENTAL QUALITY
<u>PART 1</u>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<u>CHAPTER 111</u>	CONTROL OF AIR POLLUTION FROM VISIBLE EMISSIONS AND PARTICULATE MATTER
<u>SUBCHAPTER B</u>	OUTDOOR BURNING
RULE §111.219	General Requirements for Allowable Outdoor Burning

Outdoor burning which is otherwise authorized shall also be subject to the following requirements when specified in any section of this subchapter.

(1) Prior to prescribed or controlled burning for forest management purposes, the Texas Forest Service shall be notified.

(2) Burning must be outside the corporate limits of a city or town except where the incorporated city or town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments.

(3) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s).

(4) If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.

(5) Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control.

(6) Burning shall be conducted in compliance with the following meteorological and timing considerations:

(A) The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.

(B) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.

(C) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions.

(7) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

Source Note: The provisions of this §111.219 adopted to be effective September 16, 1996, 21 TexReg 8509.

Outdoor Burning—When Should You Notify the TCEQ?

Purpose of Burning	Notify the TCEQ	Who Else to Notify	Rule Section
Fire Training			
Statewide	In writing, 10 working days prior	1	111.205(a)
Dedicated facility, used at least once per week	Every year	1	111.205(b)
Dedicated facility, used less frequently	Every year	1	111.205(c)
Disposal			
Domestic waste	Not required	2	111.209(1)
Diseased animal carcasses	Not required	2	111.209(2)
Animal remains and associated medical waste	Not required	2	111.209(3)
Plant growth on-site	Not required	2, 4	111.209(4)
Plant growth at designated burn site	Orally or in writing, by fire department employee; must be 24 hours before event	2, 4	111.209(5)
Crop residue	Orally or in writing, when possible	2, 4	111.209(6)
Brush, off-site, by county or city	In writing; also notify orally when possible	2, 4	111.209(7)
Prescribed burns			
Other than coastal salt marsh	Orally or in writing, when possible	2, 3, 4	111.211(1)
Coastal salt marsh	15 working days prior, in writing; oral notification also required	4	111.211(2)(A)
Other			
Oil spills	Spill notification and prior approval, in writing; oral notification also required	2	111.213
Ceremonial fires	Not required	2	111.207

Note: This table shows notification requirements only.

1. If there is a local air pollution control agency, notify that agency.
2. Check local ordinances, and notify any other government having jurisdiction over the area—for example, the county fire marshal, local fire department, or local law enforcement officials.
3. Notify the Texas Forest Service before conducting prescribed burns for forest management.
4. Before conducting the burn, determine whether any “structures containing sensitive receptors” (for example, residences, greenhouses, stables, etc.) are within 300 feet of and in the general direction downwind from the site of the burn. If so, obtain written permission from the occupants or operators of those structures before you begin the burn.

Burn Ban Exemption Notification

This is not a Burn Permit. Chambers County does not issue Burn Permits or Exceptions to Burn Bans.

Date burn will be conducted:

Landowner Name:

Contact Number:

Physical Location:

Fire District:

The above named landowner wishes to claim exemptions according to TCEQ rules and in accordance with Burn Ban Exemptions outlined in the Proclamation or Court Order. Check those that apply:

- firefighter training;
- planting or harvesting of agriculture crops (area around burn must be “disked”, person conducting burn must be present, and TCEQ **RULE §111.219 must be followed**);
- prescribed burns conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

***BURN ONLY IN UNPOPULATED AREAS AND WHEN WEATHER AND WIND CONDITIONS ARE FAVORABLE.**

****CONTACT CHAMBERS COUNTY DISPATCH AT 409-267-8318 PRIOR TO BURNING UNDER EXEMPTION.**

*****THE ATTACHED TCEQ OUTDOOR BURNING REQUIREMENTS MUST BE FOLLOWED AT ALL TIMES (RULE §111.219).**

I, _____ (Person conducting burn) certify that this information is true and correct, and that I legally meet one or more of the exemptions listed above.

Signature: _____