



Connecticut Department of Energy and Environmental Protection



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

OPEN BURNING TRAINING PROGRAM

MODULE 2: THE OPEN BURNING OFFICIAL



THE OPEN BURNING OFFICIAL

MODULE OUTLINE

This module will outline the process in which an individual is nominated, trained and certified as a municipal (local) Open Burning Official, as well as related duties and responsibilities.

This Module will cover the following:

- Local Open Burning Official
- Certification Process in becoming an Open Burning Official
- Duties and Responsibilities of an Open Burning Official
- Documents used in the Open Burning Program
- Take Aways



THE OPEN BURNING OFFICIAL (CONT.)

Chapter 446c of the Connecticut General Statutes (CGS) Section 22a-174(f):

“.....Nothing in this subsection or in any regulation adopted pursuant to this subsection shall affect the power of any municipality to regulate or ban the open burning of brush within its boundaries for any purpose.....Local burning officials nominated for the purposes of this subsection shall be nominated only by the chief executive officer of the municipality in which the official will serve and shall be certified by the commissioner. The chief executive officer may revoke the nomination.....”

Abstract

- Per this State Statute, the Chief Executive Officer of a municipality can nominate an individual to serve in the capacity of an Open Burning Official. The Chief Executive Officer can nominate as many individuals he or she deems necessary to carry out this function. The Chief Executive Officer must submit an affidavit to the State of Connecticut’s Department of Energy and Environmental Protection, Bureau of Air Management’s Open Burning Program. This State Agency must certify the nominated Open Burning Official.
- Once the State Agency has determined that the nominated individual has satisfied the requirements of the State’s Open Burning Training Program, the individual will be issued an Open Burning Official Certificate and is then authorized to carry-out the provisions of CGS Section 22a-174(f).

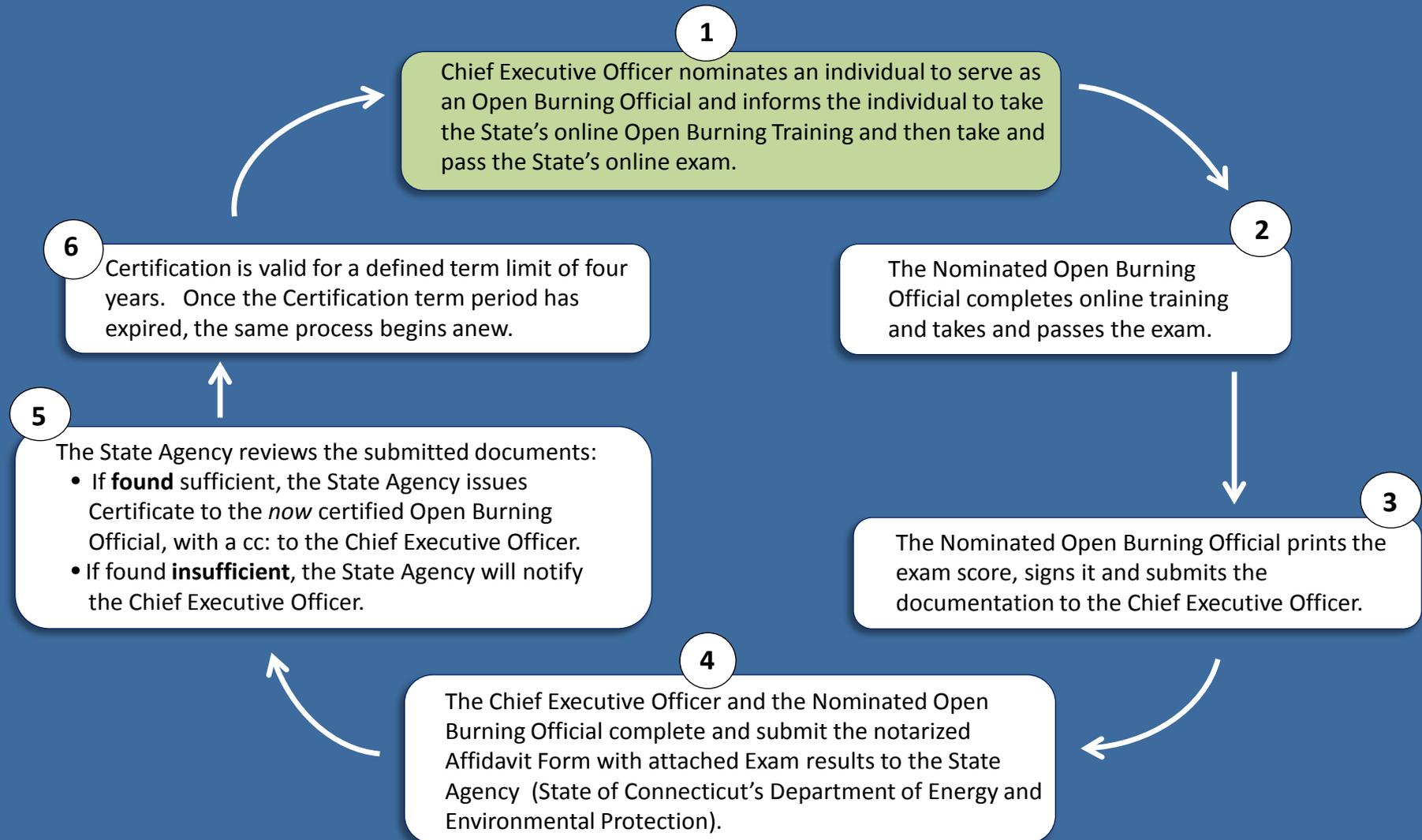


THE OPEN BURNING OFFICIAL (CONT.)

- **Chief Executive Officer of a municipality** must be one of the following: (A) the first selectman; (B) chief administrative officer appointed by the Board of Selectmen; (C) a mayor elected by the electors of the municipality; (D) a warden elected by the electors of a borough; (E) a town, city or borough manager appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses; (F) a chief administrative officer appointed by the mayor. Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.
- **Local Open Burning Official** is the official nominated by the Chief Executive Officer of the municipality and who is certified by the State of Connecticut's Department of Energy and Environmental Protection. The local Open Burning Official is authorized to regulate the control of open burning within the specified municipality.
- **Municipality** is any town, city or borough, consolidated town and city or consolidated town and borough.
- **Open burning** is the burning of any matter, where smoke and other emissions are released directly into the ambient air without passing through an adequate stack or flue. Typically, open burning involves the burning of brush, but a barrel burn, a grill burning wood, a chiminea, or a campfire are also considered open burning.



OPEN BURNING OFFICIAL CERTIFICATION PROCESS



NOMINATING AN INDIVIDUAL

- The Open Burning Official can be anyone the Chief Executive Officer wants to so nominate. Many municipalities nominate their Fire Marshal, Fire officials or Health officials.
- The nominated Open Burning Official **CANNOT** serve in a temporary capacity from the date of his or her nomination by the Chief Executive Officer.
 - The nominated Open Burning Official must take the State Agency's online Open Burning Training Program and then, take and pass the online Exam. The State Agency must certify the individual and only then, can the Open Burning Official serve in this capacity.
- The State Agency recommends that every municipality has a trained and certified Open Burning Official.

Nomination ≠ Certification



OPEN BURNING TRAINING PROGRAM AND EXAM

- Individuals who are nominated by their Chief Executive Officer to serve as an Open Burning Official are required to take the State Agency's online Open Burning Training Program and online Exam.
- The online Open Burning Training Program consists of six modules. The relevant material needed to understand the State's laws concerning open burning and the roles and responsibilities in their implementation can be found in the modules.
- Individuals nominated as an Open Burning Official must pass the exam with a score of 90% or better.
 - The exam can be taken as many times necessary to achieve a passing score.
 - The exam results must be printed and signed by the nominated individual who took the exam. This document serves as the attachment to the State Agency's form entitled *Open Burning Official Certification Program – Affidavit* that will need to be completed by both the Chief Executive Officer and the nominated individual.

State of Connecticut's - Online Open Burning Training Modules

- #1 Introduction and Overview of the State's Open Burning Laws**
- #2 The Open Burning Official**
- #3 Open Burning of Brush on Residential Property**
- #4 Other Purposes of Open Burning that may be Authorized**
- #5 Open Burning of Brush at Municipal Landfills, Municipal Transfer Stations, and Municipal Recycling Centers**
- #6 Enforcement of Open Burning Laws**



AFFIDAVIT

This Affidavit Form, which is a one page document, must be used by the Chief Executive Officer (CEO) of a municipality to nominate an individual to serve as an Open Burning Official (OBO). Please note that the Affidavit has changed and it now consists of only three main sections, not four as described in the audio:

- The first section concerns the CEO. The CEO enters his/her name, title, municipality, and the name of the nominated OBO. The CEO must also certify, to the best of his/her knowledge, whether or not he/she is aware that the nominated individual was arrested for, convicted of, or party to a civil or criminal suit involving arson or any other illegal burning. This section requires the signature of the CEO and a Notary.
- The second section concerns the nominated OBO. The nominated individual enters his/her name and the municipality in which he/she intends to serve into the affirmation statement. The nominated individual must also certify whether or not he/she has been arrested for, convicted of, or party to a civil or criminal suit involving arson or other illegal burning. If the nominated individual indicates that he/she has been involved in such activity, he/she will need to provide a separate attachment describing the details of his/her involvement. This section requires the signature of the nominated individual, the signature of a Notary, and additional contact information.
- The third section identifies the documents that must be submitted to the DEEP and the mailing address where they need to be sent. The DEEP requires original documents so submittals cannot be sent electronically.
- The fourth section, which previously provided the mailing address, has been eliminated and was incorporated into the third section.



OPEN BURNING OFFICIAL CERTIFICATION PROGRAM AFFIDAVIT

CHIEF EXECUTIVE OFFICER:

I _____ of the Municipality of _____
Chief Executive Officer Title
_____, hereby affirm that _____
Nominated Open Burning Official

has my approval, pending certification by the Department of Energy and Environmental Protection, to issue Open Burning Permits for only the purposes specified in section 22a-174(f) of the Connecticut General Statutes in the aforementioned municipality. Please check the appropriate box.

I certify, to the best of my knowledge and upon inquiry with the aforementioned Nominated Open Burning Official, that I am not aware of the nominated individual being arrested for, convicted of, or being a party to a civil or criminal suit involving arson or any other illegal burning.

I am aware that the nominated individual named above has been arrested for, convicted of, or been a party to a civil or criminal suit involving arson or other illegal burning. However, having been provided with information regarding such arrest, conviction or suit, which information is attached to this nomination form, I nevertheless nominate such individual to serve as an Open Burning Official for the municipality noted above.

Signature of Chief Executive Officer _____

Duly sworn before me this day: _____

Signature of Notary: _____

NOMINATED OPEN BURNING OFFICIAL:

I _____, Nominated Open Burning Official for the Municipality of _____,

hereby affirm that that I will abide by the requirements of section 22a-174(f) of the Connecticut General Statutes, as well as other related statutes and regulations of the State of Connecticut that regulate open burning, including, but not limited to, issuing open burning permits for only the purposes specified in section 22a-174(f). Please check the appropriate box.

I certify that I have not been arrested for, convicted of, or been a party to a civil or criminal suit involving arson or other illegal burning.

I state that I have been arrested for, convicted of, or been a party to a civil or criminal suit involving arson or other illegal burning. Details pertaining to my involvement are included on a separate page attached to this Affidavit form.

Signature of Nominated Open Burning Official: _____

Duly sworn before me this day: _____

Signature of Notary: _____

Nominated Open Burning Official (Name): _____

Mailing Address: _____

Phone: () _____ - _____ Alternate Phone: () _____ - _____

Email: _____

This notarized Affidavit, the printed and signed Exam Results, as well as any supporting documents, if indicated above, should be addressed and mailed to the: Department of Energy and Environmental Protection, Bureau of Air Management - Open Burning Program, 79 Elm Street, Hartford, CT 06106-5127

DEEP/Bureau of Air Management 08.16.2013

1

2

3

AFFIDAVIT (CONT.)

Once the DEEP's Open Burning Program staff is in receipt of the submitted materials, the documents will be reviewed for completeness and sufficiency.

- If the Affidavit and/or attachments are determined to be **insufficient**, the DEEP will notify the Chief Executive Officer in writing of the deficiencies. The Chief Executive Officer can resubmit corrected materials to the DEEP for their review and consideration.
- If the DEEP has determined that the Affidavit and attachments are **sufficient**, the DEEP will certify the nominated Open Burning Official. The DEEP will mail a cover letter to the nominated Open Burning Official, with a copy to the Chief Executive Officer, which provides notification that the individual is now certified as an Open Burning Official. Attached to the letter sent to the Open Burning Official will be a certificate and a smaller business card certificate.



OPEN BURNING OFFICIAL'S CERTIFICATE – NOTIFICATION LETTER

The State Agency sends a **Letter** to the newly certified Open Burning Official, with a cc: to the Chief Executive Officer, containing the following information:

- Attached to the **Letter** is their Certificate and Certification Card;
- The certification period's expiration date;
- Statement indicating that the individual named on the Certificate has been certified and is authorized to carry-out the provisions of CGS Section 174(f) to regulate the control of open burning for the specified municipality; and
- Provides notice that prior to the close of the expiration date, the process of being certified as an Open Burning Official begins anew.



Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

79 Elm Street • Hartford, CT 06106-5127 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

Date:

OBO Name
Title (if any)
Address
Town, CT ZIPCODE

RE: Open Burning Official Certification

Dear _____:

Please find enclosed your Open Burning Official Certificate and Certification Card for the Municipality of _____. This certification period will expire on month/day/year.

The Open Burning Official Certificate indicates that the individual identified on the Certificate has been certified as an Open Burning Official and is authorized to carry-out the provisions of Connecticut General Statutes Section 22a-174(f) to regulate the control of open burning within the specified municipality.

Be advised that when the certification period ends, the process begins anew with the nomination, training, testing and certification of an individual to serve as a local Open Burning Official.

If you have any questions, please call the State's Open Burning Program at (860) 424-3702 or email at deep.ctopenburning@ct.gov

Sincerely,

XXXXXXX
DEEP, Bureau of Air Management
DEEP Title

Cc:
Chief Executive Officer

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www.ct.gov/deep
Affirmative Action/Equal Opportunity Employer



OPEN BURNING OFFICIAL'S CERTIFICATE AND CARD (CONT.)

- The one page Attachment has on it both the **Open Burning Official Certificate** and a **business sized card Certificate** containing the same information.
- The Open Burning Official Certificate indicates that the individual identified on the Certificate has been certified as an Open Burning Official and is authorized to carry-out the provisions of Connecticut General Statutes Section 22a-174(f) to regulate the control of open burning within the specified municipality. The Certificate identifies to whom the certificate has been issued to; the municipality; the date of issuance and the date of expiration. It is signed by a duly authorized representative of the State Agency.



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
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OPEN BURNING OFFICIAL CERTIFICATE

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
79 Elm Street, Hartford, CT 06106-5127

This certifies that the individual identified below has been certified as an Open Burning Official and is authorized to carry out the provisions of Connecticut General Statutes Section 22a-174(f) to regulate the control of open burning within the specified municipality.

ISSUED TO: *Name of Open Burning Official*
MUNICIPALITY: *City/Town/Borough*
DATE OF ISSUANCE: *xx/xx/20xx*
DATE OF EXPIRATION: *January 31, 2017*

X _____
COMMISSIONER'S DESIGNEE

OPEN BURNING OFFICIAL CERTIFICATE
DEPARTMENT OF ENERGY
AND ENVIRONMENTAL PROTECTION
79 Elm Street, Hartford, CT 06106-5127

This certifies that the individual identified below has been certified as an Open Burning Official and is authorized to carry out the provisions of Connecticut General Statutes Section 22a-174(f) to regulate the control of open burning within the specified municipality.

ISSUED TO:
MUNICIPALITY:
DATE OF ISSUANCE:
DATE OF EXPIRATION: January 31, 2017

X _____ COMMISSIONER'S DESIGNEE



OPEN BURNING OFFICIAL CERTIFICATION PERIOD

- The Open Burning Official Certificate is a defined four year term with a hard end date. The first four year term begins in **2013** and ends on **January 31, 2017**. The next four year term will be from **February 1, 2017** until **January 31, 2021**, and then, the next full certification process begins again.
- The Open Burning Official's appointment by the Chief Executive Officer is valid only within the Certification Period. All terms will end on the same hard end date:

2013

Online training and exam is made available.
Open Burning Officials are certified until January 31st, 2017.

2017

The Certification Process of becoming an Open Burning Official begins anew – Affidavit; Training and Exam; and Certification. The new training and exam will be made available in advance of the January 31st, 2017 end date so that there will be no gaps in certification.

2021

The Certification Process begins anew - Affidavit; Training and Exam; and Certification. The new training and exam will be made available in advance of the January 31st, 2021 end date so there are no gaps in certification.



OPEN BURNING OFFICIAL CERTIFICATION PERIOD (CONT.)

- Individuals can be nominated and certified at any time within a Certification Period.
 - For example, a nominated Open Burning Official can be certified at ANY time during the first defined certification period, beginning in 2013 and ending January 31, 2017. An individual can be nominated and certified in the years 2013, 2014, 2015, 2016 but their certification will expire on January 31st, 2017.
- Upon expiration of the Certification Period, the Open Burning Official may no longer perform this function for the municipality. The process must begin anew - the Chief Executive Officer must nominate an individual to serve as an Open Burning Official; the nominated individual needs to take the training and pass the exam; the Chief Executive Officer and nominated Open Burning Official need to complete and submit the Affidavit and attached exam results to the State Agency; and the State Agency will need to review and determine if a certificate can be issued to the nominated individual.



REVOCATION OF APPOINTMENT

- The Open Burning Official's appointment is valid only within the certification period *unless* the Chief Executive Officer revokes the appointment. The Chief Executive Officer can revoke the nomination at will. CGS Section 22a-174(f) does not require cause for removal, it states: *"The chief executive officer may revoke the nomination."*
- The State Agency has developed a *template* for use by the municipalities for the purpose of revoking an Open Burning Official's Appointment. The template can be used as the official notification to the Open Burning Official that their appointment has been revoked effective on such a month, day, year. The template cites CGS Section 22a-174 (f) under which this action has been taken. The letter is signed by the Chief Executive Officer, with a copy being mailed to the State Agency.

MUNICIPAL LETTERHEAD

Date:

OPEN BURNING OFFICIAL NAME
ADDRESS
TOWN, CT ZIP CODE

RE: Revocation of Open Burning Official Nomination

Dear Open Burning Official Name:

Please be advised that this letter serves as official notification that your nomination as the [town] Open Burning Official has been revoked effective mm/dd/yyyy.

This action has been taken pursuant to subsection (f) of section 22a-174 of the Connecticut General Statutes, which authorizes the Chief Executive Office to revoke the nomination.

Respectfully,

Chief Executive Officer
Town of [xxxxxx]
ADDRESS
TOWN, CT ZIP CODE

cc:
State of Connecticut
Department of Energy and Environmental Protection
Bureau of Air Management
Open Burning Program
79 Elm Street/5th Floor
Hartford, CT 06106-5127



REVOCATION OF CERTIFICATION

- Once the State Agency is in receipt of the copy of the **Revocation Letter** that was sent from the Chief Executive Officer to that municipality's Open Burning Official, the State Agency will then send its own letter to the Open Burning Official.
- The purpose of the State Agency's letter is to inform the Open Burning Official that they are no longer Certified as an Open Burning Official for that specified municipality and that their name will be removed from the State Agency's record as being listed as a Certified Open Burning Official for that specified municipality.
- If the Chief Executive Officer wants to nominate another individual, they may do so at any time. The same nomination and certification process will apply.



79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

Date:

OPEN BURNING OFFICIAL NAME
ADDRESS
TOWN, CT ZIP CODE

RE: Revocation of Open Burning Official Certification

Dear OPEN BURNING OFFICIAL NAME:

Please be advised that the Department is in receipt of a copy of the letter that was sent to you by the Chief Executive Officer concerning the revocation of your appointment as the Open Burning Official for that municipality.

Based on that action, the Department has revoked your Certification as an Open Burning Official, effective mm/dd/yyyy.

Should you have any questions concerning this matter, please contact the State's Open Burning Program at (860) 424 - 3702 or email at deep.ctopenburning@ct.gov

Respectfully,

Commissioner or his/her Designee for the Open Burning Program

cc:
Chief Executive Officer
Town of [xxxxxx]
ADDRESS
TOWN, CT ZIP CODE



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: OVERVIEW

- Except for actions on state-owned property, municipalities have the authority to regulate or ban the open burning of brush for any purpose within their boundaries.
- The municipal Open Burning Official is responsible for making permitting decisions with regard to a number of open burning activities as identified in CGS Section 22a-174(f). There are six discrete types of open burning activities that could be permitted by the local Open Burning Official.
- In addition to permitting, the Open Burning Official is responsible for related administrative duties such as records retention; developing local procedures, forms, and applications; advising the public in an official capacity as needed; and where designated, initiating enforcement actions.

Per CGS Section 22a-174(f)...Open Burning may be engaged in for any of the following purposes if the open burning official with jurisdiction over the area where the burning will occur issues an open burning permit:

- **Open burning of Brush on Residential Property**
- **Fire Training Exercises**
- **Eradication or Control of Insect Infestations or Disease**
- **Agricultural Purposes**
- **Clearing Vegetative Debris following a Natural Disaster**
- **Vegetative Management or Enhancement of Wildlife Habitat or Ecological Sustainability on Municipal Property or on any Privately owned Property Permanently Dedicated as Open Space**



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES

- The local Open Burning Official must abide by Connecticut General Statutes (CGS) and Regulations (RCSA) that regulate open burning. These include:
 - CGS Section 22a-174(f) which provides the basis whereby open burning can occur.
 - CGS Section 23-48 which provides the basis for related open burning enforcement actions, specifically the kindling of fire in the open, penalty, and local ordinances.
 - CGS Section 23-49a which provides for the declaration of a burning ban, special burning permit, penalty, and exemptions.
 - RCSA Section 22a-174-1(19) and (83) which provides the definition of brush and the definition of open burning, respectively.
- In addition to State Statutes, some municipalities have enacted local ordinances and procedures which the local Open Burning Official must be knowledgeable of and be able to interpret and administer.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES (CONT.)

- **Open burning is strictly regulated by Connecticut law.** Through the permitting of this type of activity, municipalities are able to regulate the control of open burning within their boundaries, ensuring public health and safety and minimizing adverse impacts to residents and the environment.
- **Health and Safety Concerns and Adverse Environmental Impacts.** Open burning can also create smoke and odor nuisances. The open burning of woody brush releases fine particulates into the air. In some cases, the incomplete combustion of the wood can result in frequent periods of excessive smoking and emissions of fine particulate matter. The fine particulates, which when inhaled into the lungs, can aggravate existing heart and lung diseases to cause cardiovascular symptoms, asthma attacks and bronchitis. Potentially hazardous health conditions may be created when smoke impacts neighbors of potentially sensitive groups (younger and older individuals) that may be found in community settings, such as day care centers, schools, and retirement communities. When an open burn is poorly executed or where an open burn gets out of control, lives can be lost or serious injury can result, as well as loss and/or damage to property.
- **Alternatives to Open Burning.** The State Agency encourages the use of recycling and alternate methods for disposal of brush. Some alternatives include the legal disposal (contact the recycling coordinator of the municipality for more information) or recycling of brush; chipping; composting; cutting for forest products; and/or piling the brush to use for protective cover for wildlife.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES:

OPEN BURNING THAT MAY BE AUTHORIZED

Pursuant to CGS Section 22a-174(f), the local Open Burning Official reviews, evaluates and makes determinations on the issuance of open burning permits on non-state-owned property for certain open burning activities. A summary for each type of activity that may be authorized is provided:

- **Open Burning of Brush on Residential Property:** The burning of brush on a residential property is allowed provided that the open burning is conducted by the resident of the property, or designated agent of the resident, and a permit for such burning has been obtained from the local Open Burning Official. Brush is defined as “shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point”. This type of activity is the most commonly issued permit by the local Open Burning Official.
- **Fire Training Exercises:** At the local level, the types of live fire training exercises that are permitted include, but are not limited to, the following: the intentional burning of structures, whole and/or partial burns, motor vehicles and other types of conveyances (i.e., small airplanes); simulated containment fires using dumpster burns; and the suppression of flammable/combustible liquids. These live Fire Training Exercises should be conducted pursuant to the most current edition of the National Fire Protection Association (NFPA) 1403 Standard on Live Fire Training Evolutions.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES:

OPEN BURNING THAT MAY BE AUTHORIZED (CONT.)

Summary of the types of open burning that may be authorized (CONT.):

- **Eradication or control of insect infestations or disease:** In Connecticut, there are known insects and diseases where the use of open burning may be the best management practice for the control or eradication of an insect infestation or disease.
- **Agricultural purposes:** Connecticut farmers depend on productive agricultural land to optimize their potential harvest. Overgrown hedgerows, invasive plants, and undesirable growing stock all contribute to loss of productive farmland. The use of open burning for agricultural purposes includes, but is not limited to, the following: the clearing of brush and unwanted plant material from hedgerows and cropland; reclaiming previously active farmland to enhance existing or to establish new farming operations; controlling invasive plant material and invasive plant seed; controlling insects and diseases; pruning and culling fruit trees, bushes and Christmas trees; and conducting frost damage control. Agriculture and farming are defined in Connecticut General Statutes Section 1-1(q).



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES:

OPEN BURNING THAT MAY BE AUTHORIZED (CONT.)

Summary of the types of open burning that may be authorized (CONT.):

- **Clearing of vegetative debris following a natural disaster:** The types of natural disasters that could impact the State include hurricanes, tornadoes, and ice storms. During a natural hazard event, a portion of the waste stream will be green waste/vegetative debris. The most immediate impact of such storms is that a massive amount of living forest biomass turns into dead fuel which dramatically increases fuel loading, a major factor for forest fire risk. The use of this type of permit is for a prescribed burn to be conducted for the purpose of “clearing” vegetative debris from a tract of land on which the debris is located.
- **Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space:** There are certain landscapes and biological conditions where open burning is used as an ecological management tool for the purpose of achieving a desired ecosystem outcome. Municipal property is any property owned by a municipality. Privately owned property permanently dedicated as open space means property in which a permanent conservation restriction easement has been placed on the deed and recorded with the Town Clerk's Office.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES:

OPEN BURNING THAT MAY BE AUTHORIZED (CONT.)

- The State Agency has revised the model application/permit form for the permitting of Open Burning of Brush on Residential Property. This form can be modified by the local Open Burning Official, but any modifications made must be as, or more restrictive than CGS Section 22a-174(f) or as prescribed by the State Agency.
- The State Agency has developed model application/permit forms for each of the other types of open burning activities that a local Open Burning Official may authorize, with the exception of the activity concerning “clearing vegetative debris following a natural disaster”. These forms can be modified by the local Open Burning Official, but any modifications made must be as, or more restrictive than CGS Section 22a-174(f) or as prescribed by the State Agency.

LOCAL OPEN BURNING OFFICIAL APPLICATION AND PERMIT FOR OPEN BURNING OF BRUSH ON RESIDENTIAL PROPERTY		PERMIT NUMBER:
APPLICANT INFORMATION		TOWN OF:
Applicant Name:	Applicant Signature:	
Applicant's Address:	Home Phone:	
Applicant's Email:	Cell Phone:	
Applicant to Check Box for Declaration:		
<input type="checkbox"/> I DECLARE THAT I AM A RESIDENT OF THE ADDRESS AS ENTERED ON THIS FORM, THAT THIS PROPERTY HAS A CERTIFICATE OF OCCUPANCY, AND THAT I WILL ABIDE BY THE CONDITIONS OF THIS PERMIT AS SET FORTH IN THIS DOCUMENT.		
PERMIT CONDITIONS		
<ul style="list-style-type: none"> • This is a valid permit only when signed by the Local Open Burning Official. • The permit DOES NOT relieve the permittee of any legal liability, which may be incurred as a result of the fire. • Failure to adhere to the conditions of the permit may result in penalties and/or other enforcement actions. 		
This Permit is NOT Valid Under the Following Conditions	<ul style="list-style-type: none"> • When national or state ambient air quality standards may be exceeded. • Where a hazardous health condition might be created. • When the Air Quality Index (AQI) is predicted to be 75 or higher anywhere in the State as indicated in the Table entitled "Predicted Daily AQI Maximums for Month/Day/Year" as found at www.ct.gov/deep/aqi • When the Forest Fire Danger Level is high, very high, or extreme, as found at www.ct.gov/deep/forestfire/danger • When there is an advisory from the State of Connecticut's Department of Energy and Environmental Protection of any air pollution episode. 	
	General Conditions: Applicable to All Permits	<ol style="list-style-type: none"> 1. Open burning is limited to the burning of brush only, on residential property upon which the permittee resides. Only Brush (defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point) may be burned. Burning on property not zoned or classified as residential is prohibited. 2. Burning must cease if so directed by any member of the Town Fire Marshal's Office, any Officer of the Fire Department, any designated municipal official responsible for enforcing the open burning laws and ordinances, or any Official of the State Department of Energy and Environmental Protection. 3. During the burn, all reasonable measures to assure complete combustion and reduce excessive smoke are to be taken. 4. At no time during the burn should the fire be left unattended. 5. At the completion of the burn period, all embers and coals must be extinguished and wetted, so as to prevent smoldering and fugitive ash emissions. 6. All reasonable safety precautions are to be taken, including the clearing of grass and trees in the burn area, wetting down of the surrounding area, and the placement of fire extinguishers and hose lines. 7. This permit must be immediately available on site during the burn. 8. Burning may only be conducted between the hours of 10:00 A.M. and 5:00 P.M. on a sunny or partly sunny day with the wind speed between five and fifteen miles per hour. The burn pile must be completely extinguished by 5:00 P.M. and all embers and coals must be extinguished and wetted (see Condition 5 above). 9. Burning may not create a nuisance to nearby properties.
THIS SECTION TO BE COMPLETED BY THE LOCAL OPEN BURNING OFFICIAL		
Special Conditions: Applicable if Checked	<input type="checkbox"/> Burning may be initiated only in the presence of the Open Burning Official. <input type="checkbox"/> A fire crew and appropriate apparatus must be stationed at the burning site. <input type="checkbox"/> Burning may not take place when the wind is from the ____ direction. <input type="checkbox"/> Burning must be conducted on: ____ day(s) between the following dates: From: ____ / ____ / ____ to ____ / ____ / ____ <input type="checkbox"/> Final verbal approval must also be obtained on the day of and prior to the burning by calling _____. <input type="checkbox"/> List municipal Open Burning Ordinance Requirements:	
	<input type="checkbox"/> Violation of the terms and conditions of this permit may cause the forfeiture of your ability to qualify for a permit in the future. <input type="checkbox"/> Other conditions:	
<input type="checkbox"/> This application is DENIED for the following reason(s):		
<input type="checkbox"/> This permit is GRANTED		
Local Open Burning Official's Signature:	Town:	Date:



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: PERMIT APPLICATION DECISIONS AND RECORDS RETENTION

- The local Open Burning Official must retain and maintain the records of open burning activities under their jurisdiction. This includes retaining all open burning permits **ISSUED, DENIED or WITHDRAWN** for a recommended period of four years. Municipalities should consult with their Records Retention Schedule.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: CAMP FIRES, BONFIRES AND FIRE BREAKS

- **Campfires and Bonfires**

- The burning of **non-processed wood** for campfires and bonfires is not prohibited if the burning is conducted so as **not to create a nuisance and in accordance with any restrictions imposed on such burning by the municipality.**
 - Campfires and bonfires are not defined by State statutes or regulations.
 - Municipalities may impose further restrictions for these types of open burning, and these restrictions can be found in municipal Open Burning Ordinances, where enacted.

- **Fire breaks**

- Fire breaks for the purpose of controlling forest fires and controlled fires in salt water marshes to forestall uncontrolled fires are not prohibited and do not require a permit.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: NOT AUTHORIZED TO ISSUE PERMIT RE/CERTAIN ACTIVITY

- The local Open Burning Official does **NOT** have the authority to issue a permit for the burning of brush at a municipal landfill, municipal transfer station or municipal recycling center.
 - For this activity to occur, a permit must be issued by the State of Connecticut's Department of Energy and Environmental Protection to the municipality seeking such authorization. The municipality's Fire Marshal must submit a permit application to the State of Connecticut's Department of Energy and Environmental Protection, Bureau of Air Management, Open Burning Program. The State Agency shall approve or disapprove the application within a reasonable period of time of the filing of such application.
 - For this type of permitted activity, the open burning of brush can only occur at a municipal landfill, municipal transfer station or municipal recycling center.
 - Municipal brush sent to a contracted facility **DOES NOT** qualify for this type of permit.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: ENFORCEMENT

Municipal Level

- State Statutes (Sections 22a-174(f); 23-48; and 23-49a) and local Open Burning Ordinances are used to enforce the State's open burning laws and where enacted, local ordinances.
- Municipalities must determine the appropriate enforcement response based on their municipal resources, structure, and available staff. Municipalities are encouraged to have a clear enforcement hierarchy that is well-known and easily available.
- To provide for an effective enforcement response, municipalities should designate an enforcement official to enforce requirements and deal with open burning complaints. This designated enforcement official has the authority to enforce the State's open burning laws and local burning regulations.
- Municipalities are free to designate an enforcement official of their choosing.
 - **The Open Burning Official may or may not be the municipal-designated enforcement official.**
 - Others that may be considered to serve in this enforcement role include the following: Fire Marshal; Fire Department Official; Police Department; Peace Officer; and local Health Department Official.



OPEN BURNING OFFICIAL'S DUTIES & RESPONSIBILITIES: ENFORCEMENT (CONT.)

State Level

- Should the Open Burning Official fail to abide by the requirements of CGS Section 22a-174(f), as well as other related statutes and regulations of the State of Connecticut that regulate open burning, the State of Connecticut's Department of Energy and Environmental Protection can take enforcement actions against the municipality.
- Where a local Open Burning Official neglects their duties or acts beyond the scope of their authority, the State Agency may consider taking enforcement actions against the municipality that could include the following:
 - Issuance of a Notice of Violation
 - Issuance of Administrative Orders (includes both Unilateral Order or Consent Order with penalties)
 - Referral to the Attorney General's Office or Chief State's Attorney
 - Arrest/fine under CGS Section 23-48 and/or CGS Section 23-49a



DOCUMENTS USED IN THE OPEN BURNING PROGRAM

Title of Document	Type of Document	Description
Open Burning Official Certification Program Affidavit	Form	State Agency Affidavit Form used by the Chief Executive Officer of a municipality to submit the name of the Nominated Open Burning Official to the State Agency's Open Burning Program for their review and consideration.
Cover letter re/Open Burning Official Certification	Form	State Agency Form Letter used by the State Agency to notify the Nominated Open Burning Official of issuance of certification; Chief Executive Officer is cc'd on the letter. Attached to this letter is the Open Burning Official's Certificate.
Open Burning Official Certificate and Certificate Card	Form	Issued by the State Agency to the Nominated Open Burning Official.
Revocation Notice to the Municipality's Open Burning Official	Template	Template that can be used by the Chief Executive Officer to notify an Open Burning Official that their appointment has been revoked; State Agency is cc'd on the letter.
State Agency Revocation of Certificate	Form	Form used by the State Agency to notify the Open Burning Official of his/her revocation of Open Burning Official Certificate for the specified municipality.
Burn Brush at Municipal Landfill, Municipal Transfer Station or Municipal Recycling Center Application and Permit	Form	State Agency Form used by the Fire Marshal and Chief Elected Official of a municipality to submit their permit application to the State Agency for their review and consideration. The State Agency uses this Form to grant or deny the application.



DOCUMENTS USED IN THE OPEN BURNING PROGRAM (CONT.)

Title of Document	Type of Document	Description
Guidance Document	Guidance	<p>State Agency Guidance document(s) to be used by the local Open Burning Official and the applicant for the following activities:</p> <ul style="list-style-type: none"> • Open burning for agricultural purposes; • Fire training exercises; • Eradication or control of insect infestations or disease; • Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space.
Model Application/Permit Templates	Model Templates	<p>State Agency Templates that can be used by the local Open Burning Official in considering applications for the following proposed activities:</p> <ul style="list-style-type: none"> • Open burning of brush only on residential property; • Fire training exercises • Agricultural purposes; • Eradication or control of insect infestations or disease; • Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space.



TAKE AWAYS

- Individuals are **NOMINATED** to serve in the capacity of an Open Burning Official by a municipality's Chief Executive Officer and are **CERTIFIED** by the State of Connecticut's Department of Energy and Environmental Protection.
- The Open Burning Certification Period has a defined term length of four years, the first term beginning 2013 and ending January 31, 2017. The next term begins February 1, 2017 and ending January 31, 2021, and next four year term begins again, and then so on.
- The local Open Burning Official is responsible for:
 - knowing the State's open burning laws, as well as related local ordinances where enacted, and is authorized to carry out the provisions of CGS Section 22a-174(f) to regulate the control of open burning within the specified municipality;
 - issuance or denial of open burning permits for only those types of activities as found in CGS Section 22a-174(f). Only the local Open Burning Official can issue open burning permits for these types of activities proposed on non-state-owned properties.
- The local Open Burning Official cannot issue permits to burn brush at a municipal landfill, municipal transfer station or municipal recycling center. The State of Connecticut's Department of Energy and Environmental Protection is responsible for issuance of this type of permit to the municipality.





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