

Script #1- Introduction and Overview of the State's Open Burning Laws

Slide 1 – Front DEEP Page

Slide 2 – Title Page

Slide 3 – Module Outline

This module will review the governing State statutory authorities regulating the control of open burning within the State and municipalities. These statutory authorities include: Connecticut General Statutes Sections 22a-174(f); 23-48; and 23-49a and Municipal Ordinances.

This module will cover the following:

- Introduction to the State's Open Burning Training Program
- Connecticut General Statutes Sections: 22a-174(f); 23-48; and 23-49a
- Regulations of Connecticut State Agencies Section 22a-174-1 Definitions
- Municipal powers to regulate or ban the open burning of brush
- Take Aways

Slide 4 – Definition of Open Burning

Regulations of Connecticut State Agencies defines "Open Burning" as 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.

It is noted here that open burning typically involves the open burning of brush. However, a barrel burn, a wood burning grill, a chiminea, and a campfire are also considered open burning.

Slide 5 – Introduction to the State's Open Burning Training Program

This web based Open Burning Training Program has been developed by the State of Connecticut's Department of Energy and Environmental Protection's Bureau of Air Management's Open Burning Program.

The purpose of the State's web based Training Program is to assist municipalities in meeting the certification requirements for an Open Burning Official and in the administration of an open burning program at the local level. The Training Program covers a broad range of legal, administrative and program specific topics relevant to regulating the control of open burning at the State and local levels.

Those required to take the State's Open Burning Training and Exam are the nominated individuals who are seeking certification to serve as a local Open Burning Official. Per Connecticut General Statutes Section 22a-174(f), the Chief Executive Officer of each municipality is responsible for nominating all local Open Burning Officials and has the authority to revoke any nomination. All nominations must be certified by the Commissioner of the State of Connecticut's Department of Energy and Environmental Protection, also referred to in this module as the State Agency.

Once certified, the local Open Burning Official can carry out the provisions of Connecticut General Statutes Section 22a-174(f) regulating the control of open burning.

To become certified, nominated individuals are required to complete all of the State's online Open Burning Training Modules and then, take and pass an online Exam.

Slide 6 - Introduction to the State's Open Burning Training Program

The Open Burning Training Program is a web-based training program, consisting of six Training Modules and an Exam. The Training Modules are self paced. Individuals can log in and log out at their convenience and can complete the training over a period of time. The Exam consists of twenty questions which include both multiple choice and true or false questions. A passing score is 90% or better.

The Training Modules are to be taken in the following order:

- **Module 1: Introduction and Overview of the State's Open Burning Laws.** This Module presents relevant Connecticut General Statutes and Regulations concerning open burning. It also includes a discussion on the importance of having municipally enacted Open Burning Ordinances.
- **Module 2: The Open Burning Official.** This Module covers the process by which an individual is nominated, trained, and certified as a local Open Burning Official, as well as outlining related duties and responsibilities.
- **Module 3: Open Burning of Brush on Residential Property.** This module covers the process by which the local Open Burning Official considers this type of permit application; covers the Statutory Authority; presents a model Application/Permitting Process and a model Template Form; sets forth specific actions that are to be taken by the Resident/Permittee; and covers the types of enforcement actions and procedures that can be taken at the local level for violations resulting from authorized and unauthorized open burnings.
- **Module 4: Other Purposes for which Open Burning may be Authorized.** This module covers the remaining types of open burning activities that can be permitted by a municipal Open Burning Official under Connecticut General Statutes Section 22a-174(f). Only the local Open Burning Official can issue open burning permits for the following activities proposed on **non-state-owned properties**: Fire training exercises; Eradication or control of insect infestations or disease; Agricultural purposes; Clearing of vegetative debris following a natural disaster; and Vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space.
- **Module 5: Open Burning of Brush at Municipal Landfills, Municipal Transfer Stations and Municipal Recycling Centers.** This module covers the process by which a municipality may apply for a permit from the State of Connecticut's Department of Energy and Environmental Protection for the purpose of the open burning of brush at municipal landfills, municipal transfer stations, and municipal recycling centers.
- **Module 6: Enforcement of Open Burning Laws.** This module covers the process by which open burning violations are enforced at the State and local levels, reviews the applicable laws and the permitting process, and the enforcement processes when State law or local ordinances are violated.

Slide 7 - Program consistency considerations

Upon successful completion of the Training Program, municipal Open Burning Officials should conduct a comprehensive assessment and review of their local Open Burning Program to ensure program consistency based on State and local open burning laws.

The review and assessment should include, but not be limited to, the following:

- administrative and enforcement policies and processes;
- application/permit forms;
- existing Open Burning Ordinance or lack thereof;

- completeness and accuracy of information provided to the public concerning open burning;
- municipal web page sites;
- management practices of existing materials; and
- the process by which conditions are determined to be suitable to conduct an open burn, specifically obtaining information on the following two criteria – the State’s *Predicted Air Quality Index Maximums* and the State’s *Forest Fire Danger Level*. Municipalities must establish a process by which the Permittee must determine and/or verify that these two criteria are suitable for open burning to proceed pursuant to their granted permit. It should be noted briefly here that in addition to these two criteria just mentioned, an issued Open Burning Permit will consist of a number of other conditions that must be met by the Permittee. The Permittee is responsible for reading, understanding and abiding by each of the permit conditions. Permit conditions will be covered in more detail in this module and later Training modules.

With regard to establishing a process, please be advised that municipalities **SHOULD NOT DIRECT** Open Burning Permit Holders, also referred to as Permittees, **TO CALL** the State Of Connecticut’s Department of Energy and Environmental Protection’s Emergency Dispatch Center for the purpose of obtaining the State’s *Predicted Air Quality Index Maximums* and the State’s *Forest Fire Danger Level*. This information is available through the State Agency’s website which will be covered more fully in this and some of the other Training modules.

Slide 8 – Overview of the Open Burning Laws

The municipal Open Burning Official must know the law – State Statutes and Regulations and where enacted, their municipal Open Burning Ordinance. This Training Module provides the statutory and regulatory language and presents an abstract summary interpretation of the State’s open burning laws. This Training Module also makes reference to municipally enacted Open Burning Ordinances. It is the responsibility of the municipal Open Burning Official to be knowledgeable of their respective ordinances.

Per the General Statutes of Connecticut, the following provides the statutory basis for regulating open burning:

- General Statutes of Connecticut, Volume 8, Title 22a Environmental Protection, Chapter 446c Air Pollution Control, Section 22a-174(f): Powers of the commissioner. Regulations. Fees. Exemptions. General permits. Appeal of commissioner’s action regarding a permit application.
- General Statutes of Connecticut, Volume 8, Title 23 Parks, Forests and Public Shade Trees, Chapter 449 Fire Wardens, Section 23-48: Kindling fire in the open. Penalty.
- General Statutes of Connecticut, Volume 8, Title 23 Parks, Forests and Public Shade Trees, Chapter 449 Fire Wardens, Section 23-49a. Declaration of burning ban; special burning permit; penalty; exemptions.

Per the Regulations of Connecticut State Agencies Section 22a-174-1 provides certain definitions relevant to open burning. The terms “brush” and “open burning” are defined.

At the local level and per Connecticut General Statutes Section 22a-174(f), municipalities have the authority to regulate or ban the open burning of brush within their boundaries for any purpose. Some but not all of Connecticut’s municipalities have enacted local Open Burning Ordinances. Municipal open burning ordinances provide the ability for more restrictions to be placed on open burning and also can provide for enhanced enforcement tools that can result in a more effective response within the town structure.

Slide 9 – Connecticut General Statutes Section 22a-174(f)

This slide provides the language found in Connecticut General Statutes Section 22a-174(f). This law outlines State and municipal authorities, identifies when open burning of brush cannot occur, and identifies certain other authorized burns.

To assist the reader, the Statute has been highlighted to reflect these “categories”.

Please take the time now to read through this Statute.

Slide 10 – CGS Section 22a-174(f) - “State Authorities”

Per this Statute, a Summary Abstract of the “State Authorities” concerning open burning follows:

The Commissioner of the State of Connecticut’s Department of Energy and Environmental Protection shall allow the open burning of brush on residential property provided that a permit is granted by a local Open Burning Official of the municipality in which the property is located.

The Commissioner shall allow the open burning of brush in municipal landfills, municipal transfer stations, and municipal recycling centers provided a permit is granted by the State Agency to the Fire Marshal of the municipality where the facility is located.

- Municipalities can obtain up to six permits per calendar year.
- The Applicant is the municipality’s Fire Marshal, with sign off on the application by the municipality’s Chief Elected Official prior to the application submittal to the State Agency’s Open Burning Program. If a permit is granted by the State, the Fire Marshal is then the Permittee.
- The State Agency must make a timely decision upon a submitted permit application.
- The burning of leaves, demolition waste or other solid waste deposited in such landfill is prohibited.

Slide 11 – CGS Section 22a-174(f): “State Authorities” (Cont)

Continuing with the Summary Abstract under “State Authorities”, the State Agency is responsible for authorizing open burning for certain types of open burning activities on state-owned property. These activities include the following:

- Fire training exercises;
- Eradication or control of insect infestations or disease;
- Agricultural purposes;
- Clearing vegetative debris following a natural disaster; and
- Vegetative management, enhancement of wildlife habitat or ecological sustainability.

Whereas the Chief Executive Officer of each municipality is responsible for nominating all local Open Burning Officials, all open burning official nominations must be certified by the Commissioner of the State of Connecticut’s Department of Energy and Environmental Protection.

The Statute indicates that the Commissioner may adopt regulations governing open burning and may authorize or prohibit open burning consistent with this section. The regulations may require the payment of an application fee and inspection fee and may establish a certification procedure for local open burning officials.

However, at this time, there are no regulations pursuant to this Section that governs open burning. The Statute provides the basis for the control of open burning.

Slide 12 – CGS Section 22a-174(f): “Municipal Authorities” (Cont)

Per this Statute, a Summary Abstract of the “Municipal Authorities” concerning open burning follows:

The Chief Executive Officer of each municipality is responsible for nominating all local Open Burning Officials.

The Chief Executive Officer has the authority to revoke any nomination.

As indicated previously, all Open Burning Official nominations must be certified by the Commissioner of the State of Connecticut’s Department of Energy and Environmental Protection.

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.

If the open burning of brush is not banned, the municipal Open Burning Official is responsible for issuing open burning permits to residents and others within such municipality for certain specific types of open burning activities which are authorized under Connecticut General Statutes Section 22a-174(f).

In the administration and implementation of the open burning ordinance at the local level, municipalities must be as or more restrictive than Connecticut General Statutes Section 22a-174(f) or as prescribed by the State Agency’s Open Burning Program.

Municipalities enforce the open burning laws under Connecticut General Statutes Sections 22a-174, 23-48, and 23-49a.

Municipalities may also enforce through locally enacted Open Burning Ordinances.

Slide 13 – CGS Section 22a-174(f): “Municipal Authorities” (Cont)

Continuing with the Summary Abstract under “Municipal Authorities”, only the local Open Burning Official can issue open burning permits for certain specific types of open burning activities proposed on **non-state-owned properties**. Per Connecticut General Statutes Section 22a-174(f), these activities are the following:

- the burning of brush on a residential property;
- fire training exercises;
- eradication or control of insect infestations or disease;
- agricultural purposes;
- clearing vegetative debris following a natural disaster; and
- vegetative management or enhancement of wildlife habitat, or ecological sustainability on municipal property, or any privately-owned property permanently dedicated as open space.

If a municipality allows open burning of brush within its borders, the resident of the property may apply for a permit from the local Open Burning Official to burn brush. Once a permit has been granted, the resident of the property or the agent of the resident can conduct the open burning of brush pursuant to permit conditions.

Brush is defined in the Regulations of Connecticut State Agencies Section 22a-174-1(19) as: shrubs, vegetation or prunings, the diameter of which is not greater than three inches at its widest point.

Slide 14 – CGS Section 22a-174(f): “Municipal Authorities” (Cont)

Continuing with the Summary Abstract under “Municipal Authorities”, municipalities are allowed to conduct open burning of brush at a municipal landfill, municipal transfer station, or municipal recycling center, provided that a permit for such burning is obtained by the local Fire Marshal of the municipality where the facility is located.

The permit application, along with the sign-off approval of the chief elected official, must be submitted to the Commissioner of the State of Connecticut’s Department of Energy and Environmental Protection by the Fire Marshal.

A permit for the open burning of brush at a municipal landfill, municipal transfer station, or municipal recycling center shall be issued no more than six times during any calendar year.

The burning of leaves, demolition waste or other solid waste deposited in a landfill is prohibited.

Slide 15 – CGS Section 22a-174(f): “No Open Burning Allowed under Certain Conditions and/or Scenarios”

Per this Statute, a Summary Abstract of the “No open burning of brush shall occur under certain conditions and/or scenarios” follows:

The first scenario is *when national or state ambient air quality standards may be exceeded*. The Federal Environmental Protection Agency sets National Ambient Air Quality Standards. The State of Connecticut’s Department of Energy and Environmental Protection tracks the level of pollutants in the air each day and forecasts the expected air quality. These forecasted numeric values are used to prepare on a daily basis the *Predicted Daily Air Quality Index (AQI) Maximums*. Open burning is prohibited statewide when the AQI is *predicted* to be 75 or higher anywhere in the State.

The second scenario is *where a hazardous health condition might be created*. Hazardous health conditions could potentially be created for citizens that may be at risk for increased health impacts if an open burning permit is issued. Examples of areas that “might” create a hazardous health condition would be locations near nursing homes, hospitals, daycare centers, schools or any location where a citizen has a documented respiratory health issue. Consultation with the local Health Department may assist in this determination.

Slide 16 – CGS Section 22a-174(f): “No Open Burning Allowed under Certain Conditions or Scenarios” (Cont)

Continuing with the Summary Abstract of the “No open burning of brush shall occur under certain conditions and/or scenarios”,

The third scenario is *when the forest fire danger in the area is identified by the commissioner as extreme and where woodland or grass land is within one hundred feet of the proposed burn*. The State of Connecticut’s Department of Energy and Environmental Protection Forestry Division broadcasts daily predictions for forest fire danger in the State. Per this Statute, 22a-174(f), no open burning can occur if the forest fire danger level is **extreme**. However, found in Connecticut General Statutes Section 23-49a, is language which states that open burning is not allowed if the forest fire danger level is **high, very high or extreme**. To address this inconsistency, the State of Connecticut’s Department of Energy and Environmental Protection’s Open Burning Program has chosen to abide by the more stringent prohibition of open burning as per Connecticut General Statutes Section 23-49a.

The fourth scenario is *where there is an advisory from the commissioner of any air pollution episode*. Air pollution episodes are emergency periods when the State Agency expects air pollution levels to exceed the

ambient air quality standards by a large amount, creating a potential for increased health impacts. These are rare events where the Air Quality Index would significantly exceed 75.

The fifth scenario is *where prohibited by an ordinance of the municipality*. A municipal Open Burning Ordinance can place greater restrictions than found in State Statute or ban the open burning of brush occurring within a municipality.

The sixth scenario is *in the case of a municipal landfill, when such landfill is within an area designated as a hot spot on the open burning map prepared by the commissioner*. The open burning map is no longer in use by the State Agency and this scenario no longer applies as a condition to prohibit open burning.

Slide 17 – CGS Section 22a-174(f): “No Open Burning Allowed under Certain Conditions or Scenarios” (Cont.)

When an open burning permit is issued, the Permittee must abide by each of the conditions as found on the Permit. Among the conditions include two critical conditions that must be determined prior to conducting a permitted burn. The State’s *Predicted Daily Air Quality Index (AQI) Maximums* and the State’s *Forest Fire Danger Level* must be checked to determine if conditions are suitable for open burning to be conducted. It is important to note that if EITHER of these conditions is reported as not being suitable for open burning to occur, the burn CANNOT proceed for that day.

Shown on this slide is the information that is provided on the State Agency’s website for the State’s *Predicted Daily Air Quality Index (AQI) Maximums* and the State’s *Forest Fire Danger Levels*. Links to these sites are provided later in this Module and the links are also provided on the model open burning application/permit templates that have been developed for use by municipal Open Burning Officials. The purpose of this slide is to just briefly introduce these two critical determining conditions and the importance of making sure that these conditions have been checked prior to conducting an authorized open burn. For now, be aware that conditions to conduct open burning are restrictive. As shown in the Open Burning Advisory Matrix, you will note that the only occasion when open burning is allowed is when the State’s *Predicted Daily Air Quality Index Maximums* are below 75 throughout the State AND when the State’s *Forest Fire Danger Levels* are reported as low or medium.

As an introduction and briefly discussed here, an issued Open Burning Permit includes a number of other permit conditions that can be categorized under the following major sections:

- *When a permit is not valid under certain conditions;*
- *General conditions that are applicable to all permits, such as when burning can only be conducted between the hours of 10:00 am and 5:00 pm on a sunny or partly sunny day with a wind speed between five and fifteen miles per hour. It is noted here that the start and end times have been established to reflect optimum times for burning to be conducted based on ambient conditions, and environmental and safety considerations. A 10 am start allows for conditions to occur where the temperature and air inversions allow for better air mixing and dispersion. A 5 pm end requires the Permittee to plan and implement measures to ensure the burn is completely extinguished so as to prevent excessive smoke and fugitive ash emissions and before an evening temperature inversion begins. Sunny and partly sunny days allow smoke to release to the atmosphere.*
- *Special conditions as identified by the Open Burning Official, such as the time window as to the actual burn period which is defined by a certain period.*

There will be more in-depth discussions concerning permit conditions in the other Training modules.

Slide 18 – CGS Section 22a-174(f): “Authorized burn without a Permit”

Per this Statute, a Summary Abstract of the “Authorized burn without a Permit” follows:

The burning of non-processed wood for campfires and bonfires is not prohibited and do not require a permit so long as they do not create a nuisance and are in accordance with any restrictions imposed on such burning by a municipality.

Campfires and bonfires are not defined in state statutes or regulations.

Non-processed wood is considered to be any untreated, natural wood up to and including rough cut lumber.

Processed wood is considered to be any wood that has been milled and/or planed and includes recycled wood, and/or glued wood, and/or treated wood, pallets, crates and/or wood scraps from these types of materials.

Nuisance is considered to be the unreasonable, unwarranted, or unlawful use of one’s property in a manner that substantially interferes with the use or enjoyment of another individual’s real property, without an actual trespass or physical invasion to the land.

Municipalities may impose further restrictions for these types of open burning, and these restrictions can be found in municipal Open Burning Ordinances. Examples include, but are not limited to, the following: limiting the size of such fires; requiring that all such fires have the written permission of the property owner prior to ignition; setback distances from structures and/or property lines; lot size; and requiring campfires and/or bonfires to be permitted.

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.

Slide 19 – CGS Section 23-48: Kindling fire in the open. Penalty

Another State Statute that regulates the control of open burning is Connecticut General Statutes Section 23-48 and is entitled - Kindling fire in the open. Penalty.

Please take the time now to read through this Statute.

A summary abstract of this Statute follows:

It is a misdemeanor offense to conduct an open burn without express authorization under state or local law.

It is a misdemeanor offense to burn materials that are prohibited from being burned by any provision of the Connecticut General Statutes, regulations of the State or local ordinance.

Any person violating this Statute is subject to fines not more than two hundred dollars or imprisonment not more than six months or both.

Open burning laws of the State or municipality may be enforced by any peace officer within that peace officer’s area of jurisdiction. Note that this will not appear in a peace officer’s “ticket book” since it is not an infraction, but a misdemeanor crime, and violators are subject to arrest, processing and assignment of a court date and fine.

Slide 20 – CGS Section 23-49a: Declaration of burning ban; special burning permit; penalty; Exemptions

Another State Statute that regulates the control of open burning is Connecticut General Statutes Section 23-49a and is entitled - Declaration of burning ban; special burning permit; penalty; Exemptions.

Please take the time now to read through this Statute.

Slide 21 – CGS Section 23-49a (Cont)

A Summary abstract of this Statute follows:

This Statute creates additional prohibitions on open burning when the State Forest Fire Warden declares the following conditions exist within the State: the forest fire danger is high to extreme or during a drought emergency.

It is noted here that per the Connecticut General Statutes Section 23-33, the Commissioner of the Department of Energy and Environmental Protection is the ex officio State Forest Fire Warden.

The State Forest Fire Warden shall make public announcement of the fact that such forest fire danger exists. Provisions of this section shall be in affect until cancelled by said Warden.

Notwithstanding any provision of subsection (a) of this section to the contrary, this Section allows an owner of the land or an agent of such owner to apply to the State Forest Fire Warden or designee for a *special burning permit* during such period of a burning ban.

The applicant for a *special burning permit* must demonstrate that: the proposed burn is of immediate necessity; the burn will not be in conflict with federal, state or local regulatory authority; and the applicant has the necessary equipment and manpower to confine the fire. If the State Forest Fire Warden or his designee make a finding that the proposed burning satisfies these three criteria, then the State Forest Fire Warden may issue a special permit stating the location, time and conditions under which such burning is to be effected.

Slide 22 – CGS Section 23-49a (Cont.)

This Statute also covers the following: Any person who violates any of the provisions of subsection (a) of this section shall be fined not more than two hundred dollars or imprisoned not more than six months or both. It is a misdemeanor offense. Open burning laws of the state or municipality may be enforced by any peace officer within that peace officer's area of jurisdiction. Nothing contained in this statute shall limit the ability of any duly authorized public authority from carrying out their assigned duties where the use of fire is necessary to the reduction of a health or fire hazard.

Slide 23 – Regulations of Connecticut State Agencies: Section 22a-174-1. Definitions

Per the Regulations of Connecticut State Agencies Section, the following definitions are found:

Regulations of Connecticut State Agencies Section 22a -174 -1 (19) provides the definition of brush. Brush is defined as shrubs, vegetation or prunings, the diameter of which is not greater than three inches at the widest point.

Regulations of Connecticut State Agencies Section 22a -174 -1(83) provides the definition of open burning.

Slide 24 – Municipalities powers

Per Connecticut General Statutes Section 22a-174(f), except for actions on state-owned property, municipalities have the authority to regulate or ban the open burning of brush within their boundaries for any purpose.

Municipalities regulate or ban open burning of brush through permitting, state law and local open burning ordinances.

Municipalities may enforce the open burning laws under CGS Sections 22a-174(f), 23-48 and 23-49a and may establish other enforcement tools through local ordinances.

Municipal Open Burning Ordinances must be as, or more restrictive than Connecticut General Statutes or as prescribed by the State Agency's Open Burning Program. By having a local ordinance in place, municipalities are better able to administer the provisions of the open burning law more effectively and efficiently.

Municipalities should revisit their Open Burning Ordinances to ensure consistency with CGS Sections 22a-174(f); 23-48; and 23-49a.

Slide 25 – Municipal Powers

Where local Open Burning Ordinances have been enacted, the organizational structure of municipal ordinances include, but are not limited to, the following major sections: Purpose and Scope; Definitions; Administration; Regulations; Enforcement, Penalty, Appeal; and an Ordinance History which includes dates for Public hearing, Adoption, and the Effective Dates.

In addition to having in place a local Open Burning Ordinance, municipalities are encouraged to have an Open Burning Enforcement Response Strategy to efficiently and effectively manage violations of state and local open burning laws. The Strategy should consider establishing a response structure that covers all periods of the week, for example evenings and weekends.

Many municipalities have on their website links to their open burning program. Typical for these sites is the following: general information concerning the municipality's open burning program; sometimes applications and instructions are made available for downloading; a link to the municipal Open Burning Ordinance; and the process by which a Permittee activates their permit.

Slide 26 – Take Aways

Each of the Training Modules will end with a section entitled "Take Aways". The purpose of this section is to reinforce key information and concepts.

"Open Burning" means the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the ambient air without passing through an adequate stack or flue.

In Connecticut, regulating the control of open burning is found in the following: Connecticut General Statutes Sections 22a-174(f), 23-48, and 23-49a; Regulations of Connecticut State Agencies Section 22a-174-1 Definitions; and where enacted, municipal Open Burning Ordinances.

Efficient and effective program implementation at the local level requires the certified Open Burning Official to be knowledgeable and conversant of State and local open burning laws. This understanding of the law provides the basis by which the local Open Burning Official can make informed decisions and to ably carry-out their functions and duties, specifically permitting decisions and where delegated, enforcement actions.

The objective of the State's Open Burning Training Program is to provide training and guidance to municipal Open Burning Officials so that they can carry out the provisions of CGS Section 22a-174(f) to regulate the control of open burning.

Once certified, municipal Open Burning Officials should conduct a comprehensive assessment and review of their local open burning program to ensure program consistency based on State and local open burning laws.

Slide 27 – Take Aways

Continuing with the Take Aways,

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. If open burning is not banned, the municipal Open Burning Official is responsible for issuing open burning permits to residents within such community. Only the Open Burning Official can issue open burning permits for certain activities as identified in Connecticut General Statutes Section 22a-174(f).

Open burning laws of the State or municipality may be enforced by any peace officer within that peace officer's area of jurisdiction. Municipalities may establish other enforcement tools through locally enacted Open Burning Ordinances.

The burning of non-processed wood for campfires and bonfires is not prohibited providing that such activity is conducted in a manner consistent with any local restrictions imposed on such burning and that it does not create a nuisance.

Municipalities are allowed to conduct open burning of brush at a municipal landfill, municipal transfer station, or municipal recycling center, provided a permit for such burning is issued by the Commissioner of the State of Connecticut's Department of Energy and Environmental Protection. Municipalities can be issued six open burning permits per year.

The Commissioner of the State of Connecticut's Department of Energy and Environmental Protection is responsible for authorizing open burning for certain activities as identified in Connecticut General Statutes Section 22a-174(f) on state-owned properties.

Slide 28 – Take Aways

A permit is not valid and no open burning of brush can occur under certain conditions as identified in Connecticut General Statutes Sections 22a-174(f) and 23-49a.

Prior to conducting an authorized burn, both the State's *Predicted Air Quality Index Maximums* and the State's *Forest Fire Danger Level* must be checked to determine if conditions are suitable for a burn to occur. Municipalities must establish a process by which the Permittee verifies and/or confirms that these two criteria can allow for open burning to proceed pursuant to their permit.

Municipalities should not direct and/or instruct open burning permittees to call the State Of Connecticut's Department of Energy and Environmental Protection's Emergency Dispatch Center for the purpose of obtaining the State's *Predicted Air Quality Index Maximums* and the State's *Forest Fire Danger Level*. The State of Connecticut's Department of Energy and Environmental Protection has established websites to obtain this information. These website links are listed on this slide and are also found on the model open burning application/permit templates that have been provided to municipal officials.

The State of Connecticut's Department of Energy and Environmental Protection Bureau of Air Management is responsible for administering the Open Burning Program.

Slide 29 – Acknowledgments

The State of Connecticut’s Department of Energy and Environmental Protection gratefully acknowledges the assistance and the valued contributions of the External Review Committee for their efforts in developing this Open Burning Training Program. Their expertise and opinions were critical to the development of this Training Program. In addition, many others provided their technical assistance and offered suggestions and recommendations that were very helpful in this effort.

Listed here are the individuals.

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- Town of Woodstock, Connecticut - Fire Marshal’s Office, Richard Baron
- State of Connecticut:
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Slide 30 – DEEP End Page