

## LRAPA Open Burning Rule Revision - Technical Support Document

### Summary of LRAPA Staff Evaluation of Revisions to LRAPA Title 47.

New Provisions	LRAPA Evaluation of Comparison to current SIP approved provisions	Is the revision less stringent?
Revisions throughout title 47	<p>The following minor revisions occur throughout the revised rules:</p> <ul style="list-style-type: none"> <li>- The term “open burning” has been changed to “outdoor burning”. Though “open burning” is currently defined as any burning that is conducted outside or outdoors regardless of the containment, the consensus is that to avoid confusion regarding outdoor burning that may be conducted in some sort of container or enclosure as not “open burning”.</li> <li>- Reference to the Eugene-Springfield Urban Growth Boundary (ESUGB) has been changed to distinguish that Eugene and Springfield each have separate and distinct Urban Growth Boundaries.</li> </ul>	No
47-001 General Policy	<ul style="list-style-type: none"> <li>- The term “areas covered by” the Department of Forestry has been added as a language clarification.</li> <li>- The terms “bonfires and for ecological conversion” has been included on the basis that LRAPA also issues permits for that type of outdoor burning.</li> </ul>	Language Clarification
47-005 Exemptions from These Rules, 1.C.	<ul style="list-style-type: none"> <li>- Added language from DEQ rules that reference agricultural outdoor burning and certain restrictions that may apply. Same requirements – formalized in amended</li> </ul>	No
47-005 Exemptions from These Rules, 2.A.	<ul style="list-style-type: none"> <li>- Language clarification</li> <li>- The language “during the months of November, December, January and February” has been deleted to provide for the option or possibility of change in the Home Wood Heating season advisory set by LRAPA without the requirement of amending the “Outdoor Burning” rules.</li> </ul>	No
47-005 Exemptions from These Rules, 2.B.	<ul style="list-style-type: none"> <li>- Language Clarification</li> <li>- The revision adds that “woody yard trimmings, leaves and grass clippings” shall not be burned as a cooking fire. Provides consistency with the “Recreational Fire”</li> </ul>	No

	requirements. Eliminates defense that the intention of burning that material is on the basis of “Cooking”	
47-005 Exemptions from These Rules, 2.C.	- Defines materials that are prohibited as “Religious Ceremonial fire” material and limits the size of an unpermitted fire. Larger fires would be required to be permitted under the “Bonfire” requirement.	No
47-010 Definitions - “Bonfire”	- LRAPA requires that a permit be obtained for a “Bonfire” to further distinguish between what may be allowed as “recreational” or “religious ceremonial”. Volumes of material that may include milled wood that are of larger volume may be allowed subject to LRAPA permitting and fire suppression agency oversight or authorization.	No
47-010 Definitions - “Eugene and Springfield Urban Growth Boundaries”	- The “and” is included to recognize that Eugene and Springfield each have separate and distinct Urban Growth Boundaries.	No
“Outdoor Burning (alternately referred to as open burning)”	- Recognition of the former definition	
47-010 Definitions - “Outdoor Burning Letter Permit”	- Inclusion of definition	No
47-010 Definitions “Recreational fire”	- Deleted “cooking fires” as cooking fires are specifically defined elsewhere as such	
47-010 Definitions – “Religious Ceremonial Fire”	- Defines the limits of the size of a fire and defines materials allowed as “Religious Ceremonial Fire”. Fires larger and of allowable materials would require a permit from LRAPA. Also would require fire suppression agency of jurisdiction authorization where applicable.	No
Section 47-015, General Open burning Requirements, 1.E.	- Language clarification - The prohibition on the open burning of cardboard and clothing has been included to be consistent with DEQ rules. - The prohibition on the open burning of grass clippings has been included as the open burning of that material “normally emits dense smoke and noxious odors”; grass clippings are generally piled, wet and in a state of decomposition in nature; combustion is inefficient; grass clippings decompose readily.	No
Section 47-015, General Open burning Requirements, 1.G.	- Added “Oregon Administrative Rules” and clarified citation numbers	No
Section 47-015, General Open burning Requirements, 1.I.	- Prohibits outdoor burning in barrels. Staff consensus is that burning in barrels is generally of inefficient combustion; the materials that are burned in barrels are consistently of the materials listed in 47-015-1.E.;	No

	eliminates the premise that burning in a barrel is not “open”.	
Section 47-015, Residential Open Burning Requirements, 2.	- Identifies the beginning and end dates of the outdoor burning season for all of Lane County and includes the term “restrictions’ to clarify that though there is a definite outdoor burning season there are restriction within that time frame.	No
Section 47-015, Residential Open Burning Requirements, 2.A.	- Eliminates the term “between sunrise and sunset” to avoid misinterpretation of the hours set by the LRAPA outdoor burning advisory. The LRAPA outdoor burning advisory is generally set such that open burning is allowed to commence a minimum of several hours after sunrise and is required to be extinguished at least several hours prior to sunset.	No
Section 47-015, Residential Open Burning Requirements, 2.B.	- Prohibits outdoor burning within the Eugene Urban Growth Boundary. Presently, the outdoor burning of woody yard trimmings is allowed (advisory contingent) within the Eugene Urban Growth Boundary from the period of October 1 through 31 and from March 1 through June 15, on residential tax lots of 0.5 acres or more. In parts of the Eugene Urban Growth Boundary there are areas that are a patchwork of within the city of Eugene (where open burning is prohibited). Staff consensus is that with the availability of curbside pickup of yard debris and the availability of wood waste recycling facilities and increasing population density it is appropriate to eliminate outdoor burning within the Eugene Urban Growth Boundary except on parcels 2 acres or larger.	No
Section 47-015, Residential Open Burning Requirements, 2.D.	- Includes in LRAPA rules the City of Florence ordinance. Would provide for but not necessarily require LRAPA enforcement of the City of Florence ordinance. Consensus was to formalize Florence ordinance in LRAPA regulations	No
Section 47-015, Residential Open Burning Requirements, 2.E.	- Oakridge City ordinance included as clarification. The Oakridge City ordinance currently states that outdoor burning shall be conducted in accordance with LRAPA regulations. LRAPA outdoor burning advisory is set to prohibit burning in the months of November through February. Respective City of Oakridge or LRAPA enforcement options would not change. Consensus was to formalize the actual requirement in LRAPA regulations. Also, the November through February open burning restriction would apply within the surrounding Oakridge Urban Growth Boundary.	No

Section 47-015, Residential Open Burning Requirements, 2.F.	<ul style="list-style-type: none"> <li>- Prohibits the outdoor burning of fallen leaves within the respective city limits. Staff consensus is that alternatives such as decomposition or re-use as mulch are reasonable. If adopted would encourage cities to develop alternatives to burning, options for management. When burned, leaves are generally piled, are wet and of a state of decomposition before outdoor burning may be allowed and emit significant smoke. The outdoor burning of leaves creates unwarranted smoke intrusion. The outdoor burning of woody yard trimmings with attached leaves would still be allowed.</li> </ul>	No
Section 47-015, Residential Open Burning Requirements, 2.G.	<ul style="list-style-type: none"> <li>- Formalizes the prohibition of the outdoor burning of grass clippings inside respective fire districts. The outdoor burning of fallen leaves and woody yard trimmings would still be allowed.</li> </ul>	No
Section 47-015, Residential Open Burning Requirements, 2.H.	<ul style="list-style-type: none"> <li>- Formalizes the prohibition of the outdoor burning of grass clippings throughout Lane County. The outdoor burning of fallen leaves and woody yard trimmings would still be allowed. The 47-015-2.G. districts are generally of the valley. There are some fire districts, e.g., Deadwood, that are not specifically listed in 2.G. as well as some "Unprotected Areas", e.g., Culp Creek area to which the prohibition on the burning of grass clippings.</li> </ul>	No
47-015-6. Forest Slash outdoor burning 6.B(4)	<ul style="list-style-type: none"> <li>- Requirements would be the same. The reference to specific cites is deleted to eliminate the need to amend LRAPA rules in the event of changes in wordings or citations in DOF rules.</li> </ul>	No
47-020 Outdoor Burning Letter Permits (OBLP) 2.	<ul style="list-style-type: none"> <li>- Increases permit fee to \$1000 from \$100. Current permit fee for these types of burns was set in the mid 1990's. At that time there were multiple agencies or groups that would submit separate and distinct permit applications. Most of those agencies or groups presently belong to a coalition and submit a joint application that includes multiple burn sites in different areas of the county. The high profile nature of these burns require significant staff time in permitting, outreach, monitoring and complaint response.</li> <li>- Maintains on a case by case basis the option for Director to compromise the permit fee.</li> </ul>	No

<p>47-020 Outdoor Burning Letter Permits (OBLP) 4.</p>	<ul style="list-style-type: none"> <li>- Increases the permit fee to \$10 per cubic yard of material and the minimum fee to \$100. Current permit fee for these types of burns was set in the mid 1990's. Encourages more rigorous evaluation of alternatives to open burning as a means of disposal. Encourages more effort in pre-planning salvage efforts in demolition or land-clearing projects. More realistic in costs associated with LRAPA permitting and compliance assurance.</li> </ul>	<p>No</p>
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