



## **OPEN BURNING TRENCH BURNS**

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These guidelines are to be followed when a person proposes to perform a trench burn within the City of Rockwall.

All open burning operations for the purposes of these guidelines and any other guidelines or requirements of the Fire Department, shall conform to the 2015 International Fire Code, as adopted and amended by the City of Rockwall. These guidelines do not replace, nor supersede any codes and/or ordinances adopted by the City of Rockwall, or determinations and positions of the Rockwall Fire Marshal Division.

### **General Requirements**

- 1) An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.
- 2) All outdoor burning shall be done in accordance with Texas Outdoor Burning Rule Title 30 Texas Administrative Code (30 TAC) Sections 111.201 through 111.221. If a conflict should arise between this code and the Texas Outdoor Burning Rule Title 30 Texas Administrative Code (30 TAC) Sections 111.201 through 111.221, then the more stringent rule shall apply. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.
- 3) Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
- 4) The fire code official is authorized to order the extinguishment of the open burning, that creates or adds to a hazardous or objectionable situation.
- 5) 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 shall not be burned.
- 6) Approved on-site fire-extinguishing equipment, such as a water truck, shall be available for immediate utilization, or as otherwise required by the Fire Department. The fire-extinguishing equipment that is available on site shall be comparable to the size of the fire.

### **Trench Burns**

- 7) Trench burns shall be conducted in air curtain trenches and in accordance with the State requirements for trench burns.
- 8) Commence or continue burning only when the wind direction and other weather conditions are such that the smoke and other pollutants will not present a hazard to any public road, landing strip, or navigable water (e.g., lake, river, stream, or bay) or have an adverse effect on any off-site structure containing "sensitive receptors" (e.g., a residence, business, farm, or greenhouse).
- 9) Post someone to flag traffic if at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway.
- 10) Keep fires downwind of, or at least 300 feet away from, any neighboring structure that contains sensitive receptors. This requirement may be waived only with the prior written approval of whoever owns or rents the adjacent property and either resides or conducts business there.
- 11) Burning shall be conducted in compliance with the following meteorological and timing considerations:



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- a) Begin burning no earlier than one hour after sunrise, end it the same day and no later than one hour before sunset, and make sure that a responsible party is present while the burn is active and the fire is progressing.
- 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.

### **Attendance**

12) Trench burning shall be constantly attended until the fire is extinguished with no remaining embers.

### **Submittal Requirements**

- 13) Please upload the following documents when submitting your permit online:
- a) Site Plan, showing proposed burn site area, to include property lines, buildings, obstructions, and roadways. Indicate distance to any structure on the property and any adjoining property.
  - b) Copy of General Operating Permit from TCEQ
  - c) Authorization to Operate Letter

### **Additional Information**

- 14) The party responsible for the burn remains liable for damages, injuries, or other consequences that may result from burning, even when it is carried out in compliance with these regulations.
- 15) A person commits an offense if the person intentionally or knowingly, with respect to the person's conduct, violates the General Requirements for Allowable Outdoor burning or any other rule promulgated by the Texas Commission on Environmental Quality regarding outdoor burning. An offense is punishable for an individual by a fine of not less than \$1,000 or more than \$50,000, confinement in the county jail for a period not to exceed 180 days, or both. An offense is punishable for a person other than an individual by fine of not less than \$1,000 or more than \$100,000.