



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
Pam Slater	District 3
Ron Roberts	District 4
Bill Horn	District 5

COMPLIANCE ADVISORY

NOTICE OF REPEAL OF DISTRICT RULES 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, AND 112 AND ADOPTING NEW RULE 101 - BURNING CONTROL

On September 25, 2002, the Air Pollution Control Board amended District Regulation VI, Burning Control, by repealing existing burning control Rules 101 through 112 and replacing them with a single, new Rule 101- Burning Control.

New Rule 101 will continue to require open burning in San Diego County be conducted in a manner that minimizes emissions and smoke. It incorporates many of the requirements of the repealed Rules 101 through 112 and reflects current practices of the California Department of Forestry and Fire Protection. It incorporates changes to the state Smoke Management Guidelines for Agricultural and Prescribed Burning contained in the California Code of Regulation (Title 17). It also incorporates existing practices of local fire protection agencies in regulating open burning activities.

One of the primary additions to new Rule 101 is the inclusion of state-mandated Smoke Management requirements. New Rule 101 requires a Smoke Management Plan be submitted by the Land Manager to the Air Pollution Control District on an annual basis for prescribed burns greater than ten acres or that will produce more than one ton of particulate matter emissions. The Land Manager means any federal, state, local, or private entity that administers, directs, oversees, or controls the use of public or private land, including the application of fire to the land. For assistance in calculating the particulate matter emissions or other information regarding the Smoke Management Plan, please visit www.arb.ca.gov/smp/smp.htm, or contact the Air Pollution Control District's Compliance Division at (858) 650-4554.

Specific changes in the requirements as a result of the new rule are as follows:

- Incorporates certain provisions from the California Air Resources Board's guidelines for prescribed burning (Title 17, California Code of Regulation, beginning at section 80100).
- Prohibits open burning of pesticide, fertilizer or chemical containers; drugs and illegal contraband; metal salvaging materials; and other specified materials including but not limited to: hospital or infectious waste, dead animals, manure, rubber, oil filters, appliances, tires, tar paper, plastics, etc.

- Allows firefighting and aviation firefighting training burning at night.
- Allows fireworks displays, special effects pyrotechnics, and oil spill remediation fires.
- Makes the agricultural crop value consistent with the California Code of Regulation and clarifies the crop value definition.
- Allows open burning for fire hazard abatement under specified conditions in lieu of removal by light-duty truck.
- Clarifies the types of open burning activities for which permits are required from the designated fire agency.
- Allows open burning to begin at 7:00 a.m. during the summer months.
- Adds criteria used by the District to declare a permissive-burn day.
- Adds other minor changes for clarification and consistency with state law and District policies.

Copies of new Rule 101 can be obtained by calling (858) 650-4700 or visiting the District's web site at www.sdapcd.co.san-diego.ca.us under Information / Notices / Advisories. If you have any questions concerning this rule, please contact Jimmie Cooksey at (858) 650-4554.