

FOR IMMEDIATE RELEASE

Open Burning Regulation Proposed on Navajo Nation.

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Fort Defiance, AZ – Proposing open burning regulation to discourage open burning disposal practices where alternative disposal methods are feasible and practicable and to encourage best practicable burning methods to minimize emissions where other disposal practices are not feasible.

Pursuant to the Navajo Nation Air Quality Pollution Prevention and Control Act [4 N.N.C. §1103], the Air Quality Control Program (AQCP) of Navajo Nation Environmental Protection Agency (NNEPA), is proposing an Open Burning Regulation to regulate open burning of household waste, i.e., burn barrels, etc. Not affected are residential fires for heating and cooking, and fires for cultural or traditional purposes located outside and within structures. Public comments concerning the proposed regulation are now being accepted by AQCP of NNEPA. Public comment period is for 30 days from Monday, March 23 to Thursday, April 23rd.

The regulation is set for legislative approval by the Navajo Nation Council Resource Subcommittee in April. A person may engage in open burning of household waste, provided that a permit is obtained as identified in Open Burning Regulation, Subpart III – Open Burn Permitting, which explains the permit program, permit requirement, application process, and permit issuance.

Failure to obtain an Open Burn Permit will result in an administrative penalty of \$100 for each open burn conducted without a permit, while failure to abide by permit conditions established will result in an administrative penalty of \$50 for each violation. A field citation will specify violations of the Open Burn Permit, and will assess penalties, and provide a schedule for compliance.

Conditions of an Open Burn Permit require all burn materials to be dry as possible to prevent smoldering smoke emissions into the atmosphere, separation of non-combustibles to the greatest extent practical, and natural or artificial induced draft to reduce smoldering. The permit will specify the permit must be available on-site during the open burning, shall be valid only for the person named on the permit and at the location described, is non-transferrable, and shall become void if the person issued to moves to another location.

Permits issued for household waste burning will be effective for three years at a cost of \$10.00, and may be used repeatedly during that three-year period; while a single-event burn permit will be issued at \$5.00.

Households within a 10-mile radius of a transfer station or refuse station will be required to use those facilities, and will be denied an Open Burning Permit as a method of trash disposal.

Dependent on burn ban determinations, exemptions occur, such as agricultural burning, forestry or silvicultural burning, outdoor fires set for recreational purposes, fires set for firefighter training, open burning for the disposal of deceased animals or other material by order of a public health official, flaring of natural gas at oil and gas wells to avoid a safety hazard.

The Open Burning Regulation will prohibit the burning of materials such as junked motor vehicles, tires or rubber materials, plastic products or Styrofoam, asphalt or composition roofing, tarpaper, petroleum products or paints, pesticides, batteries, pathogenic wastes, hazardous waste, and manure, to name a few. For a complete list of other prohibited materials and disposal alternatives, please visit the Air Quality Control Program website.

A copy of the proposed Open Burning Regulation can be found on the World Wide Web at <http://www.navajonationepa.org/airqtv>.

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