



County of El Dorado

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Legislation Text

File #: 08-0490, Version: 1

Hearing to consider adoption of amendments to Rule 300-Open Burning to align the requirements with the California Health and Safety Code and the California Code of Regulations; and approve the California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15308.

FUNDING: Not applicable

| | | |
|---------------------------|-----|-----|
| BUDGET SUMMARY: | | |
| Total Estimated Cost | | \$0 |
| | | |
| Funding | | |
| Budgeted | \$0 | |
| New Funding | \$ | |
| Savings | \$ | |
| Other | \$ | |
| Total Funding Available | \$0 | |
| Change To Net County Cost | | \$0 |

Fiscal Impact/Change to Net County Cost:

No impact to net county cost.

Background:

Rule 300 - Open Burning was approved on June 17, 1997, to set requirements for open fires for residential, commercial and agricultural purposes. The Rule adopted, mostly in its entirety, the California Health and Safety (H&S) Code Section 39011 (Agricultural Burning), Section 41700 (Prohibited Discharges) and Sections 41800-41864 (Requirements for Open Burning).

Reason for Recommendation:

The Emergency California-Nevada Tahoe Basin Fire Commission Report Draft, dated March 24, 2008, contains Finding 25 which recommends the use of air curtain burners as a viable solution for forest fuel reduction. The current Rule 300 does not include the entire H&S Code Section 41812. This amendment incorporates the omitted segment of Section 41812. This action streamlines the permitting process for mechanized burners (air curtain burners) and eliminates ambiguity regarding required operational conditions for such equipment.

In addition, this amendment also corrects numerous obsolete references in the Rule and aligns it with Title 17, California Code of Regulations, Section 93113 (Airborne Toxic Control Measure to Reduce

Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning).

This amendment was noticed in the Tahoe Daily Tribune and the Mountain Democrat at least 30 days prior to the hearing.

Action to be taken following Board approval:

Forward the minute order to the AQMD for further processing. The AQMD will forward the amended rule to CARB for inclusion in the District Rules Database.

Contact:

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Concurrences:

County counsel has approved the amendments to Rule 300 - Open Burning and the associated Staff Report.