



PERMIT FOR AGRICULTURAL BURNING

EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Administrative Office: 2700 "M" Street Suite 302, Bakersfield, CA 93301
Phone: (661) 862-5250 • Fax: (661) 862-5251 • ekapcd@kerncounty.com
Tehachapi Field Office: Phone: (661) 823-9264 • Fax: (661) 823-0167

PERMIT NUMBER: **1000001**

PERMIT IS HEREBY GRANTED TO: **AMERICAN RANCH LLC**

ACRE AND LOCATION: **20 – ABC STREET, WELDON**
15 – DEF AVENUE, LAKE ISABELLA

MATERIALS ALLOWED TO BE BURNED: **APPLE, ALFALFA, TUMBLEWEED, GRAPE**

GLEN E. STEPHENS, P.E.
AIR POLLUTION CONTROL OFFICER

REVOCABLE: This permit does not authorize emission of air contaminants in excess of those allowed by Rules and Regulations of EKAPCD.

By:

For Period: 1-1-17 To 1-1-18

RESTRICTIONS:

- a. This permit is valid for agricultural burning only.
- b. This permit expires as indicated above.
- c. Permit may be suspended at any time by State or local authorities, or by proclamation.
- d. Permittee is responsible for smoke. Creating a nuisance is a violation that is subject to penalties.
- e. This permit is valid for igniting materials listed on the permit. **Call local Fire Department for "Burn Day" status before igniting any fire.**
- f. Permittee Must Not Burn during hot or dry periods when winds are strong enough that burning would be considered unsafe. Example: wind extends a light flag or cloth. The fire shall be: (a) attended at all times by at least one prudent and responsible person; (b) confined within cleared firebreaks or barriers adequate to prevent it from escaping control.
- g. This permit does not relieve the permittee from using reasonable and prudent care to prevent damage to the property of others or injury to persons as prescribed by law. In the event of negligence, which results in escape of the fire requiring suppression action, the Permittee will be held liable for suppression costs and/or penalties.
- h. **This permit is valid on those days declared to be a Permissive "Burn Day" by the California Air Resources Board (ARB) and when burning on the lands identified herein is allowed by the local fire protection agency, pursuant to Section 41855 of the Health and Safety Code. Permittee must receive permission from both the EKAPCD (661-862-5250) and local fire protection agency to burn on a "Marginal Burn Day" declared by ARB. This permit is not valid on "No Burn Day" declared by ARB.**

GENERAL BURN PERMIT CONDITIONS:

The conditions and requirements outlined below are for your guidance. It is your responsibility to be familiar with the exact conditions and requirements that apply to this permit. This permit does not relieve the permittee from any duty to use reasonable and ordinary care to prevent damage to the property of others or injury or nuisance to persons as prescribed by law. It is a violation of law and liability is imposed upon anyone who allows a fire to burn uncontrolled upon his land regardless of what may have caused it.

1. **All ignition and burning shall comply with any special conditions given at the time of authorization.**
2. **Permittee is responsible for monitoring and managing the smoke created by the burn.** Burning shall cease immediately if the smoke impacts sensitive receptor areas. Active burns may be extinguished at the owner's expense if it becomes necessary for public health and safety or if the burn creates a nuisance as determined by the District or any public officer. Creating a nuisance will result in the issuance of a Notice of Violation to the permittee.
3. **This permit is valid only for the materials listed on the permit.** The burning of any other types of materials, such as petroleum wastes; demolition or construction debris, garbage and residential rubbish; landscape wastes; tires; tar; wood wastes; chemically treated, painted, or stained wood; or other combustible or flammable solid, liquid, or gaseous wastes is prohibited.
4. **Minimum material drying times are required.** In order to burn with minimum smoke production, the material to be burned shall be allowed to dry as follows: 6 weeks for trees and large branches (greater than two inches in diameter); 3 weeks for pruning and small branches (less than two inches in diameter); 1 week for all other material.
5. **Materials shall be properly dried and loosely stacked to facilitate efficient combustion.** Piles shall be free of dirt, soil, and visible surface moisture in order to avoid smoldering or excessive smoke.
6. **Burns are to be ignited by the use of approved ignition devices that will ignite with minimum smoke production.** Approved ignition devices include: matches, paper, and flame producing devices (i.e. propane or gas burners). The spraying or dousing of materials with any accelerant such as gasoline or diesel fuel or using other types of flammable materials (e.g. motor oil or tires) is prohibited.
7. **Burning is limited to materials produced in commercial agricultural operations.** Regardless of where they are produced, waste materials from landscaping, family orchards, or private garden crops cannot be burned. Such waste materials should be disposed of by other legal methods such as recycling, chipping, mulching, composting, or re-incorporation into the soil.
8. **Materials may not be transported from one location to another for burning.** Materials may only be burned at the location where they were produced.
9. **Paper pesticide, fertilizer, and seed sacks shall only be burned in the field where they are emptied.** The burning of plastic sacks or jugs, cardboard boxes, and packing materials is prohibited. They must be disposed by recycling or proper waste disposal. Commercial applicators are not eligible to obtain agricultural burn permits for burning these and other materials.
10. **Burn area or materials shall not be left unattended until the burn is extinguished or dead out.** The application of common sense and reasoning are required in burning so that the fire does not escape control. Burning shall be attended by a sufficient number of able-bodied adults with adequate tools and equipment to control the fire at all times. Fire shall be confined by cleared firebreaks or barriers adequate to prevent it from escaping control.
11. **This permit may be revoked or suspended for violations of any burn permit condition, rule requirement, or if necessary for the protection of public health and safety.** Any person who violates any provision of the District's Rules and Regulations can be subject to significant penalties plus the costs associated with extinguishing the fire.

The issuance of this permit shall not be construed as imposing on the issuing agency, any official, or any employee thereof any responsibility whatsoever for damages incurred by the use of the permit.

REFERENCED AUTHORITY:

EKAPCD Open Burn Rule 416, Agricultural and Prescribed Burning Rule 417, and Nuisance Rule 419
State of California Public Resource Code §4291, Code of Regulations Title 17, and H&SC §41802 and §41804