



General Assembly

February Session, 2000

***Raised Bill No. 80***

LCO No. 817

Referred to Committee on Planning and Development

Introduced by:

(PD)

***An Act Concerning Open Burning In Municipalities.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (f) of section 22a-174 of the general statutes, as amended  
2 by section 2 of public act 99-225 is repealed and the following is  
3 substituted in lieu thereof:

4 (f) The commissioner shall allow [the open burning of brush in the  
5 state provided a permit for such burning is obtained from the fire  
6 marshal of the municipality where the brush is proposed to be burned  
7 and further provided such burning is restricted to residential property  
8 where the open burn permittee resides, or at a municipal landfill,  
9 municipal transfer station or municipal recycling center, except that no  
10 open burning of brush shall occur] residents of any municipality, by  
11 permit, to burn brush on the property where they reside and he shall  
12 allow the burning of brush at a municipal landfill, transfer station or  
13 municipal recycling center except (1) when national or state ambient  
14 air quality standards may be exceeded; (2) where a hazardous health  
15 condition might be created; (3) when the forest fire danger in the area  
16 is identified by the commissioner as extreme and where woodland or  
17 grass land is within one hundred feet of the proposed burn; (4) where

18 there is an advisory from the commissioner of any air pollution  
19 episode; (5) where prohibited by an ordinance of the municipality; and  
20 (6) in the case of a municipal landfill, when such landfill is within an  
21 area designated as a hot spot on the open burning map prepared by  
22 the commissioner. A permit for the burning of brush at any municipal  
23 landfill, municipal transfer station or municipal recycling center shall  
24 be issued no more than six times in any calendar year. The proposed  
25 permit to burn brush at any municipal landfill, municipal transfer  
26 station or municipal recycling center shall be submitted to the  
27 commissioner by the fire marshal, with the approval of the chief  
28 elected official of the municipality in which the municipal landfill,  
29 municipal transfer station or municipal recycling center is located. The  
30 commissioner shall approve or disapprove the fire marshal's proposed  
31 permitting of burning of brush at a municipal landfill, municipal  
32 transfer station or municipal recycling center within a reasonable time  
33 of the filing of such application. The burning of leaves, demolition  
34 waste or other solid waste deposited in such landfill shall be  
35 prohibited. The commissioner shall require the payment of an  
36 application fee and inspection fee in accordance with regulations  
37 adopted by the commissioner in accordance with chapter 54. Nothing  
38 in this subsection or in any regulation adopted pursuant to this  
39 subsection shall affect the power of any municipality to regulate or ban  
40 the open burning of brush within its boundaries for any purpose.  
41 Notwithstanding any other provision of this section, fire blocks for the  
42 purpose of controlling forest fires, fires for the purpose of fire-training  
43 exercises and controlled fires in salt water marshes to forestall  
44 uncontrolled fires may be authorized with the written approval of the  
45 commissioner.

***Statement of Purpose:***

To require the Commissioner of Environmental Protection to issue permits for open burning.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*