

RULE SUMMARY

Subject: **Revisions to Open Burning Rules to Reflect S.L. 2013-413 (521)**

Rule Citation	What is Changed	Purpose of Change (Why)	Who is Affected and How	Impacts
<p>15A NCAC 02D .1901, Open Burning: Purpose: Scope;</p> <p>15A NCAC 02D .1902, Definitions;</p> <p>15A NCAC 02D .1903(b)(2)(F), Open Burning Without An Air Quality Permit</p>	<p>The proposed change to .1903 adds an option of open burning at an offsite location that meets the requirements listed in Section 28(b) of the Session Law. The amendments to rules, .1901 and 1902 update the name of the North Carolina Forest Service.</p>	<p>The amendment is in response to S.L. 2013-413, which requires the Commission to adopt rules that pertain to open burning for land clearing or right-of-way maintenance to be substantively identical to the provisions of Section 28(b) of the Act. It gives the small businesses involved in land clearing an option to burn land clearing debris at an offsite location so long as setback, pile size, and burn frequency requirements specified by the session law are met The amendments to .1901 and 1902 are of technical nature.</p>	<p>The amendments will bring benefits for the land clearing contractors by adding flexibility to land clearing operations.</p> <p>It is anticipated that this option might be used in situations when land clearing is required within city limits and open burning is prohibited by city ordinance or the setback requirements for onsite burning cannot be met.</p> <p>The amendments do not initiate any changes to Division of Air Quality (DAQ) and local programs operations and will have insignificant impact on the state or local budgets.</p>	<p>The fiscal impacts are estimated to be de minimus.</p> <p>The amendments will have insignificant impact on those conducting landscaping operations.</p> <p>The amendments will have insignificant impact on the state or local budgets.</p>