



Arkansas Code Annotated §8-4-316

Storm Debris Burning Request

1. A county judge may select up to four (4) sites which must be pre-authorized by the Division of Environmental Quality (DEQ) for the purpose of burning disaster declared vegetative storm debris.
2. Submit an application to DEQ at least three (3) days before burning occurs. Pre-assessed sites can be found at <https://www.adeq.state.ar.us/emergency/burn-sites.aspx>. This reporting may be waived by the DEQ director.
3. If the scope of the disaster warrants additional burn sites, the director may authorize additional open burning sites if a request is received.

Arkansas Code Annotated §8-4-316 (e-g)

Storm Debris Burning Requirements

1. Open burning shall occur during daylight hours only, Monday through Friday.
2. No open burning during state or federal holidays.
3. The burning shall be conducted in a manner as to not create a nuisance to surrounding communities.
4. Adequate firefighting personnel shall be available to respond to an emergency.
5. Open burning may be conducted if:
 - a. The county is in attainment with the National Ambient Air Quality Standards (NAAQS); and
 - b. A burn ban is not in effect for the county
6. The director may require that:
 - a. A designated open burning site be relocated.
 - b. Any and all burning shall be stopped in response to actual or potential violations of state or federal air quality standards.
7. The open burning of non-vegetative storm debris, including but not limited to tires, lumber, construction debris, demolished structures, household waste, and trade waste, **shall not be permitted**.
8. DEQ may recommend alternative methods of vegetative storm debris disposal, including air curtains or composting.
9. Open burning shall be completed within one hundred twenty (120) days.
 - ▷ If burning can't be completed in 120 days, the county judge in the affected area can make a written request for an extension ten (10) calendar days before the expiration of the original open burning request.



Siting Criteria For Pre-Authorization (FEMA Reimbursements Criteria)

Sites must meet the below siting criteria to be approved and eligible for federal reimbursement.

1. It is not in a wetland. Utilize the free U.S. Fish & Wildlife Service's National Wetlands Inventory Map to determine identity <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.
2. It is at least fifty (50) feet from a property line.
3. It is at least one hundred (100) feet from a stream, including intermittent streams, ponds, lakes, springs, sinkholes, rock outcrops, well or water supply. Berms have to be built if closer.
4. It is at least three hundred (300) feet from an extraordinary resource water.
5. It is at least five thousand (5,000) feet away from any airport runway used only by piston-engine aircraft. If less, written consent from the airport manager is required.
6. It is at least ten thousand (10,000) feet from any airport runway used by turbojet aircraft. If it is less, written consent from the airport manager is required.
7. The grade of the slope cannot exceed 15% (8.5 degrees).
8. The runoff will not enter waters of the state.
9. The runoff will not go onto adjacent property (if it will, written consent of affected adjacent property owner is required).
10. The site can be secured to minimize uncontrolled dumping after operating hours, i.e. fencing and gates.
11. The smoke will not obstruct roadways, railways, or air traffic.

State and Federal Siting Requirements

12. It is at least five hundred (500) feet from a residence or business (occupied or not) unless written permission by the owner of the residence or business is provided.
13. It is at least one thousand (1,000) feet from a school, hospital, daycare, or nursing home.