

SOLID WASTE



MANAGING DEBRIS FROM DECLARED DISASTERS



REVISED MARCH 19, 2025

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1 Disaster Declarations

Sites of significant disasters are often declared disaster areas at the county, state, or federal level in areas impacted by a natural event. These declarations may enable those impacted by the disaster to receive additional financial and technical assistance for managing debris. Be sure you understand and meet the necessary requirements in order to obtain available funding for reimbursements. Refer to the websites or call the [Arkansas Department of Emergency Management \(ADEM\) Recovery Branch](#), [Arkansas Department of Energy and Environment's Division of Environmental Quality \(DEQ\)](#), and the [Federal Emergency Management Agency \(FEMA\)](#) for additional information.

2 Debris Management Sites

Although DEQ does not have specific siting requirements for temporary staging areas used during the response and recovery process in a declared disaster, approval should be requested from the property owners for each site or property where you plan to temporarily stage debris that has been collected. Coordinate with your county Office of Emergency Management, the property owner, and city and county officials throughout this process. All staged debris and any consequential environmental effects caused by the staging of debris remain the responsibility of authorities, site managers, or property owners electing to stage debris at these sites.

3 Sorting and Stockpiling Debris Before Disposal

State and federal regulations apply to the disposal of different types of debris. Every effort should be made to separate the debris into piles containing like items. For example:

- Vegetative materials
- Lumber, insulation, bricks, siding, and other debris from buildings
- Household hazardous waste such as paints, chemicals, and cleaning supplies
- Appliances (use duct tape to hold refrigerators and freezers closed), household goods, clothing, food waste, furniture, and other large items
- Electronics

Set the piles as close to the road as possible. Avoid blocking the road or the ditch line.

DEQ is aware that full compliance with these regulations may significantly delay the removal of debris from affected areas. DEQ will provide maximum regulatory flexibility in the aftermath of a disaster.



OPEN BURNING



Appendix 1 & 3: A.C.A. § 8-4-316



Appendix 2: County Application to Burn Vegetative Debris Application

How to Contact DEQ:

For open burning:

www.adeq.state.ar.us/air/compliance/yardwaste.aspx

By phone: (501) 683-0873

By mail: DEQ Office of Air Quality

5301 Northshore Drive

North Little Rock, AR 72118

To Report Inappropriate Burning:

DEQ mobile app

help-air@adeq.state.ar.us

www.adeq.state.ar.us

By phone: (501) 682-0744

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OPEN BURNING



1 Who can open burn vegetative storm debris?

Arkansas Code A.C.A. § 8-4-316 allows a county to seek preauthorization of open burning sites for vegetative storm debris from DEQ to accelerate the cleanup process in the event of a natural disaster. **See front of flyer. Appendix 1: A.C.A. § 8-4-316.**

2 When can I open burn vegetative storm debris?

County officials may conduct open burning of vegetative storm debris when:

- The county has been declared a disaster area.
- DEQ has pre-assessed the site(s) (up to 4 sites) to determine compliance with all state and federal laws.

3 Are there any restrictions?

YES. See front of flyer. **Appendix 1: A.C.A. § 8-4-316.**

4 Can I open burn any non-vegetative storm debris?

NO. The open burning of non-vegetative storm debris, including, but not limited to, tires, lumber, construction debris, demolished structures, household waste, and trade waste is not permitted.

5 How do I proceed?

Complete a County Application to Burn Vegetative Debris Application. **See front of flyer. Appendix 2.** You may also contact DEQ for assistance in completing an application. **See front of flyer: How to contact DEQ.**

- Submit your completed application.
- Contact DEQ to pre-assess any sites prior to open burning.
- Provide a three-day notice prior to open burning.
- Conduct open burning under specific conditions. **See front of flyer. Appendix 1: A.C.A. § 8-4-316.**

6 How long do I have to complete my burning activities once they have been authorized by DEQ?

Open burning is typically expected to be completed within 120 days after the written notice to the DEQ director or issuance of the disaster declaration. However, the DEQ director may extend the completion time requirement.

7 Are there alternatives to burning?

YES. DEQ may recommend alternative methods of vegetative storm debris disposal, including the use of air curtain incinerators (ACIs) or composting. Complaints about inappropriate burning may be reported to DEQ. **See front of flyer.**

ACI BURNING

How to Contact DEQ:

For open burning:

www.adeq.state.ar.us/air/compliance/yardwaste.aspx

By phone: (501) 682-0773

By mail: DEQ Office of Air Quality
5301 Northshore Drive
North Little Rock, AR 72118

To Report Inappropriate Burning:

DEQ mobile app

help-air@adeq.state.ar.us

www.adeq.state.ar.us

By phone: (501) 682-0744



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ACI BURNING



1 — Burning Debris In Air Curtain Incinerators

DEQ allows the use of air curtain incinerators (ACIs) in the removal and disposal of vegetative debris during emergency cleanup operations of debris from a declared disaster. There are two types of ACIs used to burn debris: 1) a trench dug in the ground; or 2) a containment box or chamber made for this purpose. ACIs shall be operated in accordance with the manufacturer's instructions and any applicable DEQ authorization. A copy of the manufacturer's instructions shall be maintained on site and made available to DEQ upon request. Only trees, brush, and other vegetative matter may be burned in an ACI during a declared disaster.

2 — Do I need authorization for use of an ACI?

YES. The operation of ACIs may require a permit. [Please contact DEQ's Office of Air Quality for further information.](#)

3 — Where can I operate an ACI?

The location of the burn area shall be at least 500 feet from any dwelling other than a dwelling or structure located on the property on which the burning is conducted. The location of the burn area shall be assessed by DEQ and meet all the requirements.

4 — How long can I operate a portable ACI?

Federal requirements begin to apply after eight weeks of ACI use. If it is anticipated that the ACI will need to operate beyond the initial eight weeks, apply for a general permit, or contact [DEQ's Office of Air Quality](#) to request an extension and the [United States Environmental Protection Agency \(EPA\) Region 6](#). DEQ will assist the counties in communicating with EPA. When the ACI is no longer in use, it must be removed from the site.

5 — Are there any environmental controls that must be maintained during the operation of an ACI?

YES.

6 — What records do I need to keep?

Record the dates, times, and operating hours of when the ACI is used. Dispose of ash generated by the ACIs in a permitted Class 1 Landfill or through an approved alternative plan. Keep records showing that you complied with all operating instructions and followed requirements for the ACI.



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ASBESTOS



1

Asbestos Abatement

Renovations, demolitions, and response actions of a regulated facility are subject to CAR. 20 CAR § 860-101 entitled the Arkansas Asbestos Abatement Rule. To review CAR. 20 CAR § 860-101, **click on this link or scan the QR code below:** www.adeg.state.ar.us/regs/files/rule-21-clean.pdf

2

A thorough inspection must be conducted of that facility and a Notice of Intent (NOI) must be submitted for the renovation and/or demolition of the facility in accordance with CAR. 20 CAR § 860-101.

The thorough inspection must be conducted by an Arkansas certified asbestos abatement inspector working for an Arkansas licensed asbestos abatement firm, and the NOIs must be submitted in accordance with CAR. 20 CAR § 860-101.

3

NOIs can be submitted online via SEEK. To create a SEEK account and submit NOIs, **click on this link or scan the QR code below:** <https://seek.ee.arkansas.gov>.

To watch SEEK tutorial videos, **click on this link or scan the QR code below:** https://www.youtube.com/playlist?list=PL_Kh5gezDm_d5SI1Qy5Y8JS5lohmnrt

4

When planning for demolition and renovation activities of regulated facilities, please be sure to contact an Arkansas licensed asbestos abatement consulting firm.

5



Learn more about CAR. 20 CAR § 860-101

6



Visit our SEEK website

7



Watch SEEK Tutorials

Appendix 1: A.C.A. § 8-4-316, CAR. 20 CAR § 860-101

Open Burning of Vegetative Storm Debris



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A.C.A. § 8-4-316**Storm Debris Burning Request**

- (1) A county judge may select up to four (4) sites that may 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. Authorized sites can be found at www.adeg.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 DEQ director may authorize additional open burning sites if a request is received.

A.C.A. § 8-4-316**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 and/or,
 - (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 is prohibited.
- (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 after the disaster is declared.
 - (a) If burning can not be completed in one hundred twenty (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 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.

Appendix 3:

Environmental Controls for Open Burning



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Environmental Controls for Open Burning

When open burning of vegetative debris is conducted, the following environmental controls are required to be maintained.

- Prevailing winds at the time of a burn event must be away from any city, town, or airport where ambient air may be affected by smoke from the burning.
- The location of the burn area shall be at least five hundred (500) feet from any dwelling other than a dwelling or structure located on the property on which the burning is conducted. The location of the burn area shall be at least one thousand (1000) feet from a school. The owner of the residence or school administrator may waive these requirements.
- If there is a potential or actual violation of federal or state air quality standards, the DEQ Director may require that:
 - Any and all burning be stopped; and/or
 - Any and all burning be rescheduled; and/or
 - An authorized open burning site be relocated.
- Open burning shall occur during daylight hours, Monday through Friday.
- All open burning shall be conducted in a manner as to not create a nuisance to surrounding communities.
- During open burning, adequate firefighting personnel shall be available to respond to an emergency.
- Open burning may only be conducted if the county is in attainment with the National Ambient Air Quality Standards.
- Open burning may not be conducted if a burn ban is in effect for the county.