

Memorandum of Understanding
VDEQ & VDOT
Centralized Burning of Vegetative Debris from VDOT Roadside Maintenance Operations

Consistent with the intent of the Virginia Air Pollution Control Law (§ 10.1-1300 et seq. of the Code of Virginia), and the Virginia Waste Management Act (§ 10.1-1400 et seq. of the Code of Virginia), VDEQ and VDOT enter into this Memorandum of Understanding (MOU) under 9 VAC 5-130-60 to govern under what conditions VDOT, and its contractors, may perform centralized burning of vegetative debris generated from VDOT roadside maintenance operations.

Vegetative Debris is defined by this MOU as naturally occurring plant material generated during on-site maintenance of the right-of-ways maintained by VDOT. Vegetative Debris is limited to tree cuttings, limbs, branches, sticks, twigs, bark, stumps, roots, leaves, shrubs, bushes, weeds, grass, and grass clippings generated (in raw or reduced form) from VDOT right-of-ways.

Through this MOU, VDEQ grants VDOT a waiver from the provision of 9 VAC 5-130-40(A)(8), requiring vegetative debris to be burned onsite (where the vegetative debris was produced). If the vegetative debris is not managed onsite in accordance with 9 VAC 5-130-40(A)(8), VDOT shall ensure that VDOT personnel comply with the requirements of this MOU through policies and procedures, and that VDOT's contractors comply with the requirements of this MOU through the enforcement of related contracts.

The following articles describe VDOT's and VDEQ's responsibilities as they relate to the implementation of this MOU. It shall be understood that each condition is applicable to both *Regular Burn Sites* and *Infrequent Burn Sites* unless indicated otherwise.

- A *Regular Burn Site* is defined by this MOU as a state-owned property where burning is expected to occur greater than once per year.
- An *Infrequent Burn Site* is defined by this MOU as a state-owned property or other property approved by the owner for VDOT burning activity that is established to serve a defined maintenance activity and where burning will be limited to no more than one event per year.