

MOU Implementation Guide

Centralized Burning of Vegetative Debris

This Guide is intended to provide the VDOT Maintenance staff with a summary of the key requirements in the “*Memorandum of Understanding between the Virginia Department of Environmental Quality and the Virginia Department of Transportation for Centralized Burning of Vegetative Debris from VDOT Roadside Maintenance Operations*” and to assist with implementation of the requirements.

1.0 Pre-Burning Requirements

- 1.1 Document reason(s) for not utilizing other disposal methods: the residency should periodically examine why they are not considering other available vegetative waste management alternatives including mulching, chipping, composting, recycling, and energy recovery and put a note in the file to that effect.
- 1.2 Sell merchantable timber: if state maintenance forces anticipate clear cutting more than 0.5 acre of timber of greater than 4” in diameter in a single operation, the sale of such timber shall then be coordinated through district procurement to solicit bids.
- 1.3 Obtain burn site approval: if the burn site is determined by the District to be included on the list of pre-approved “Regular Burn Sites” (Attachment 1) no further approval is required. If the selected burn site is not on the list, then the District will evaluate the site against the siting criteria in Table 1 to ensure it meets all the stated criteria. For any new burn sites where burning is expected to be conducted more than once per year, then the District will coordinate with the Maintenance Division and Environmental Division to update the list of approved frequent burn sites. Upon receipt of agreement by the Maintenance Division, the Environmental Division will annually submit the updated list of “Regular Burn Sites” (to include new sites and dropped sites) to:

Virginia Department of Environmental Quality
Division of Air Quality
629 East Main Street
Richmond VA 23219

If no changes have been made to the burn list over the previous year, then this submission is not required until the following year.

- 1.4 Limit accumulation of vegetative debris: at “Regular Burn Sites”, limit accumulation to less than 180 days between burns (270 days in VOC Emission Control Areas or during burn bans).
- 1.5 Control vector or nuisance issues: remedy any pest, odor or visual problems resulting from accumulation of vegetative debris. Typically, complaints from adjacent property owners would dictate when such issues need control.
- 1.6 Provide erosion and siltation control: if ground disturbance (clearing) for accumulation area exceeds 10,000 ft² at locations west of Interstate 95, or 2,500 ft² east of I-95, the District Hydraulics Section will develop and obtain an E&S Plan and any required related permits, and the District Environmental Section will obtain any other required environmental permits.

- 1.7 Provide fugitive dust control: maintenance staff must wet and/or cover vegetative debris as necessary to control dust emissions during debris transportation and accumulation.
- 1.8 Notify City or County Fire Marshall and Virginia Department of Forestry: maintenance staff should notify these organizations as a courtesy to prevent false alarm situations.
- 1.9 Provide VDEQ notification: Designated District staff shall complete the notification form in Attachment 2 and provide to the local VDEQ Regional Office at least 5 business days before commencement of a burn.

2.0 Burning Requirements:

- 2.1 Burn only acceptable vegetative debris: burning is strictly limited to tree cuttings, limbs, branches, sticks, twigs, bark, stumps, roots, leaves, shrubs, weeds, grass generated within VDOT rights-of-way.
- 2.2 Do not burn or use liquid accelerants (e.g. diesel, motor oil, etc.) or other prohibited materials (e.g. building debris, treated wood, painted wood, paper, cardboard, asphaltic materials, tires, metal, garbage, etc.) to start or maintain burning vegetative debris.
- 2.3 Do not conduct burning in violation of the 4:00 p.m. Burning Law or in VOC Emission Control Area during May, June, July, August, and September (see Attachment 1 regarding VOC control areas for Regular Burn Sites or check with the district environmental section for infrequent burn sites).
- 2.4 Do not conduct more than one burn event per 60-day period at each Regular Burn Site.
- 2.5 Limit burn to 72 hours or less; the burn must be extinguished after that period.
- 2.6 Burn only dry materials to minimize smoke.
- 2.7 Firefighting equipment must be readily available on-site: preferably have water available or at a minimum CO2 fire extinguishers.
- 2.8 Burning must be attended at all times by appropriately trained and qualified VDOT or VDOT Contract personnel at all times until the burn is completely extinguished (smoldering is not allowed).
- 2.9 Burn areas must be extinguished if:
 - 1) Wind speeds increase to greater than 20 mph; or
 - 2) An official pollution alert, code red air quality action day, or air quality health advisory is declared for the area; or
 - 3) Nuisance from smoke, a fire hazard, or impairment to visibility on traveled roads or airports, occurs.

3.0 Post-Burn Requirements:

- 3.1 Store ash in accordance with the siting requirements in Table 1
- 3.2 Control fugitive dust for ash storage, loading and hauling: keep ash piles covered and/or adequately moist.
- 3.3 Use or dispose of ash within 180 days; options include:
 - dispose in permitted landfill
 - use ash as soil amendment or fertilizer

- use ash for odor control for carcass disposal (material can be spread over top of the carcass prior to pickup or burial)
- 3.4 Notify VDEQ Regional Office within 1 business day if the burn was not performed or burning was performed inconsistent with these BMPs or the terms of initial notification.
- 3.5 Document quantity of ash produced: estimate quantity of ash at 10 lbs ash per cubic yard of vegetative debris and write onto the facility copy of the VDEQ notification form and maintain on file for two years.

4.0 References

1. Joint VDOT/VDEQ Centralized Debris Burning MOU
2. Attachment 1: Pre-approved Regular Burn Sites
3. Attachment 2: VDEQ Notification Form
4. Table 1: Burn Site Siting Criteria

Attachment 1 – Pre-approved Regular Burn Sites

This is the file that will be in pdf format:



VDOT Master Burn
Site List-DRAFT.xls

Attachment 2 - Notification of Proposed Burn (form)

Notification of Proposed Burn

This notification is made pursuant to the *Memorandum of Understanding (MOU)* between the Virginia Department of Environmental Quality and the Virginia Department of Transportation for *Centralized Burning of Vegetative Debris 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.

To: VDEQ Regional Air Compliance Manager & VDEQ Regional Waste Program Manager

- Blue Ridge Regional Office
 Piedmont Regional Office
 Tidewater Regional Office

- Northern Regional Office
 Southwest Regional Office
 Valley Regional Office

From: VDOT _____ District,
_____ Residency
_____ Area Headquarters

Date of proposed burn: _____ Estimated duration (not to exceed 72 hours):

Type of Burn Site: Regular Burn Site Infrequent Burn Site

Specific location of proposed burn:

Activity generating vegetative debris:

- Routine Roadside Maintenance Emergency Roadside Maintenance
 Bridge Maintenance Other (Describe: _____)

Estimated quantity of vegetative debris to be burned: _____ cubic yards

Is there any other material not included in the definition of vegetative debris included? Yes No

Will an Air Curtain or other Special Incineration Devices be used ? Yes No

If Yes, Describe:

I certify that all adjacent property owners have received notification of burning activity at this location, that required notifications have been made to the local office of the Virginia Department of Forestry and local City or County fire Marshall, and that all other conditions of the aforementioned *Memorandum of Understanding* have been and will continue to be met in relation to this burn event.

Signature: _____ Date: _____

Name: _____ Phone: _____

Title: _____

TO BE COMPLETED FOLLOWING THE BURN EVENT. THE COMPLETED FORM MUST BE MAINTAINED ON FILE.

Estimated quantity of ash and incompletely burned vegetative debris generated by the burn: _____ cubic yards

Table 1 - Siting Criteria

Siting Criterion	Vegetative Debris Storage	Vegetative Debris Burning	Ash*** Storage
Storage pile area not to exceed 1/3 acre	√		√
Storage pile not to exceed 15' in height above base grade	√		√
Minimum of 50-foot firebreak (e.g., a clear zone absent of any structure or tree line, etc.) maintained between storage pile and any structure or tree line	√	√	√
Minimum 50-foot setback from any property line	√		√
Minimum 100-foot setback from any regularly flowing surface water body, river, floodplain*, or wetland	√	√	√
Minimum 200-foot setback from water wells or other drinking water sources	√	√	√
Maximum 4:1 slope within the area of the vegetative debris; and within 50 feet of the vegetative debris	√	√	√
Minimum 300-foot setback from any roadway** or residential structure		√	

* VDOT and VDEQ agree that the floodplain (as it relates to this MOU) is defined by the edge of "bank full" condition which is generally referred to as the 2-year floodplain.

** Or as distant as practical provided no significant smoke is allowed to create deleterious driving conditions.

*** Ash storage provisions also apply to incompletely burned vegetative debris.

