

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

- h) Ensure that adequate firefighting equipment is on-site for extinguishing purposes; and
- i) Ensure that the burn is attended by appropriately trained and qualified VDOT or VDOT Contract personnel at all times until the burn is completely extinguished (smoldering is not allowed); and
- j) Extinguish the open burn for reasons including the following:
 - 1) Unfavorable meteorological conditions (i.e., high winds or air stagnation), or
 - 2) Official declaration by a governmental entity of a pollution alert, code red air quality action day, or air quality health advisory where the burn activity is occurring, or
 - 3) When the emission of smoke, ashes, dust, dirt, odors, or any other substance creates a threat to public health, a nuisance, a pollution problem, a fire hazard, a safety hazard, or impairment to visibility on traveled roads or airports; and
- k) Provide appropriate erosion and siltation control for burn and extinguishment as well as any associated ground disturbance; and
- l) Establish, maintain, and adhere to appropriate siting provisions for the burning of vegetative debris provided in Table 1 of this MOU.

Section 3 - Following all burning activity, VDOT shall:

- a) Store and manage ash and incompletely burned vegetative debris in accordance with all federal and state laws, as well as applicable local laws, ordinances, prohibitions, and restrictions; and
- b) Provide appropriate erosion and siltation control for storage of ash and unburned vegetative debris as well as any associated ground disturbance; and
- c) Provide appropriate fugitive dust control in accordance with 9 VAC 5-40-60 et seq for storage and transportation of ash and unburned vegetative debris; and
- d) Within 180 days of the burn, dispose of ash and incompletely burned vegetative debris at a permitted solid waste management facility (landfill) or use ash as a soil amendment or fertilizer in accordance with 9 VAC 20-80-150 E 2;
- e) Take appropriate action to remedy any vector or nuisance issues created as a result of extended storage of ash or incompletely burned vegetative debris; and
- f) Take appropriate precautions to minimize dust or ash becoming airborne during loading and hauling operations related to disposal of ash and incompletely burned vegetative debris; and