



# Wichita County

## Office of Emergency Management

110 Jefferson Street, Wichita Falls, Texas 76306-7140

Phone (940) 763-0820, Fax (940) 763-0746

*Lee Bourgoin, Coordinator/Deputy Sheriff*

### THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY HAS ADOPTED OUTDOOR BURNING RULES

- 1) No person may cause, suffer, allow, or permit any outdoor burning within the State of Texas, except as provided by this subchapter or by orders or permits of the commission. Outdoor disposal or deposition of any material capable of igniting spontaneously, with the exception of the storage of solid fossil fuels, shall not be allowed without written permission of the executive director. 30 Tex. Admin. Code 111.201.
- 2) Burning must be outside the corporate limits of a city or town. 30 Tex. Admin. Code 111.219(2).
- 3) Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s), as defined at § 111.203. 30 Tex. Admin. Code 219(3).
- 4) If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads. 30 Tex. Admin. Code 111.219(4).
- 5) Burning must be conducted downwind of or at least 300 feet (90 meters) from any structure containing sensitive receptors located on adjacent properties unless prior written approval is obtained from the adjacent occupant with possessory control. 30 Tex. Admin. Code 111.219(5).
- 6) Burning shall be conducted in compliance with the following meteorological and timing considerations: (A) The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time. (B) Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period. (C) Burning shall not be conducted during periods of actual or predicted persistent low-level atmospheric temperature inversions. 30 Tex. Admin. Code 111.219(6).
- 7) Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned. 30 Tex. Admin. Code 111.219(7).
- 8) Outdoor burning shall be authorized for fires used solely for recreational or ceremonial purposes, or in the noncommercial preparation of food, or used exclusively for the purpose of supplying warmth during cold weather. Such burning shall be subject to the requirements of 111.219(7), above. 30 Tex. Admin. Code 111.207.
- 9) Outdoor burning shall be authorized for training fire-fighting personnel when requested in writing and when authorized either verbally or in writing by the local air pollution control agency. 30 Tex. Admin. Code 111.205.
- 10) Penalties: \$1,000 minimum fine and up to 180 days in jail *per violation* for individual violators; fines of \$1,000 to \$100,000 per incident for entities. Tex. Water Code 7.177(b-c); 7.187(1)(B); 7.187(2)(C) & 7.187(1)(C). Penalties increase for subsequent violation.

*Notify your local fire department before burning. If the fire department cannot be directly contacted, notify the dispatching agency. You may also call the below numbers to determine if a temporary countywide burn ban is in effect*

#### Local Dispatching Agencies

Iowa Park / Wichita West • Burk / Cameron Gardens - Wichita East • Electra / Kamay / Punkin Center

(940) 592-2181

(940) 569-2231

(940) 495-2131

*“Prepare For The Worst, Hope For The Best”*