

**SUBPART 5 - OPEN BURNING AND ABRASIVE BLASTING SOURCES**

**§2105.50 OPEN BURNING**

- a. **General.**
1. No person shall conduct, or allow to be conducted, the open burning of any material, except where the Department has issued an open burning permit to such person in accordance with this Section or where the open burning is conducted solely for the purpose of non-commercial preparation of food for human consumption, recreation, light, ornament, or provision of warmth for outside workers, and in a manner which contributes a negligible amount of air contaminants.
  2. Any open burning shall be tended by a responsible person at all times.
  3. This Section shall not allow or permit any open burning which would not otherwise be allowed or permitted under any applicable municipal or local ordinance, or County or local fire code.
- b. **Discovery of Fire.** Immediately upon the discovery of any open burning, the person responsible for the property on which such burning occurs shall immediately extinguish, or cause the extinguishment of, such burning.
- c. **Presumption.** Proof that the defendant in any enforcement action owns or controls the property on which open burning occurs shall be prima facie evidence that such defendant has conducted, or allowed to be conducted, such open burning.
- d. **Coal Refuse Piles.** In the case of a fire at any coal refuse pile or dump, the person responsible shall:
1. Report such fire immediately to the Department upon discovery;
  2. Immediately extinguish such fire, or demonstrate to the Department's satisfaction that all necessary steps are being taken to extinguish such fires as expeditiously as possible; and
  3. Report the status of such fire to the Department at such intervals as required by the Department.
- e. **Enforcement.** Notwithstanding any other provision of this Article the prohibitions of this Section may be enforced by any municipal or local government unit having jurisdiction over the place where the burning occurs. Such enforcement shall be in accordance with the laws governing such municipal or local government unit and the Pa. Air Pollution Control Act. In addition, the Department may pursue the remedies provided by §2109.02 of this Article for any violation of this Section.
- f. **Permits.**
1. The Department may issue a permit for open burning during a period specified by the Department, but only where the open burning is solely for:
    - A. The abatement of a fire or public health hazard or the annual disposal of Christmas trees when the burning is conducted under the supervision of a public officer;
    - B. The instruction of personnel in fire fighting;
    - C. The fostering of agriculture;

- D. The conducting of a ceremony; or,
  - E. Any other purpose contributing a negligible amount of air contaminants; or
  - F. Clearing and grubbing wastes subject to, at a minimum, the following requirements:
    - i. Air curtain destructors shall be used at all times when burning clearing and grubbing wastes.
    - ii. The use of air curtain destructors shall not be permitted unless approved by the Department in writing with respect to equipment arrangement, design, and existing environmental conditions prior to commencement of burning.
    - iii. Approval for use of an air curtain destructor at one site may be granted for a specified period not to exceed three months, but may be extended for additional limited periods upon further written approval by the Department.
    - iv. The application for said permit must be accompanied by a non-refundable permit application fee, by check or money order payable to the "Allegheny County Air Pollution Control Fund," in the amount of \$300 to cover the costs associated with processing, reviewing, and acting upon the application.
2. The permit application shall be submitted on forms prepared by the Department at least 15 days prior to the proposed burning date(s) and shall specify the types of materials to be burned, and only those types of materials which are approved by the Department in the permit shall be burned.
  3. The Department may issue a permit subject to any additional terms and conditions as are appropriate to further the purposes of this Article, and may deny a permit application or rescind any such permit when it determines that an actual or potential air pollution problem exists.
  4. An approved permit shall be in the possession of the applicant or an authorized representative at the site of the permitted open burning at all times during said open burning and shall be available for inspection upon request by any County personnel, law enforcement officer, or fire protection officer.
  5. Any open burning permit issued by the Department shall immediately be suspended upon the declaration of an alert or localized incident pursuant to Part F of this Article and shall remain suspended for the duration of the alert or localized incident. If the open burning permit expires during such period of suspension, an extension of such permit shall be obtained from the Department prior to burning any materials.
- g. **Violations.** The open burning of any material (except as provided in Paragraph a.1 above) without a permit under this Section or in violation of any condition contained in such permit, or the failure by the person responsible to immediately report and take all reasonable steps to extinguish a coal refuse pile fire, shall be a violation of this Article giving rise to the remedies provided in §2109.02 of this Article.

### **§2105.51 ABRASIVE BLASTING**

- a. **General.** No person shall conduct, or allow to be conducted, abrasive blasting or power tool cleaning, hereinafter all referred to as abrasive blasting, of any surface, structure, or part thereof, hereinafter all referred to as surface, which has a total area greater than 1,000 square feet unless:
  1. Such abrasive blasting complies with all applicable requirements of this Section; and

2

**ALLEGHENY COUNTY HEALTH DEPARTMENT  
AIR QUALITY PROGRAM**

**GUIDELINES FOR ISSUANCE OF OPEN BURNING PERMITS AND ENFORCEMENT  
OF THE OPEN BURNING REGULATION - §2105.50 OF ARTICLE XXI  
(October, 1995)**

1. Open burning shall be deemed to be allowed without a permit only if:
  - a. For recreation, camping, or a cookout:
    - i. Only dry, clean wood products or other clean-burning fuels are burned;
    - ii. Only smokeless fuels, if any, are used to start the fire;
    - iii. The pile of material being burned is no larger than sixteen square feet by three feet high (16. sq. ft. x 3 ft. high); and
    - iv. The fire is at least ten feet (10 ft.) from the nearest structure, inhabited area, roadway, property line, or utility; and
  - b. For Warmth of work crews:
    - i. The burning is conducted in a noncombustible container no larger than a 55 gallon drum;
    - ii. The material being burned is completely contained by the container;
    - iii. Only one container is used for each work crew; and
    - vi. The outside temperature is less than forty degrees fahrenheit (40° F).
2. Permit applications, other than those for pit incinerators, shall be on forms provided by Air Quality Inspection, shall be submitted in duplicate to Air Quality Inspection, and shall include the approval of an elected municipal official, or an authorized representative, and the local Fire Chief for the purpose of determining whether such burning is in compliance with any applicable municipal or local ordinance or local fire code. The approval of the County Fire Marshall may also be required to determine whether such burning is in compliance with any applicable County fire protection guidelines. Such applications shall be reviewed and approved by the Air Quality Inspection Section. Permit applications involving pit incinerators shall be on forms provided by Air Quality Engineering, shall meet all special criteria for these systems, and shall be reviewed and approved by the Engineering Section.

3. Other than permits for the burning of clearing and grubbing wastes and for the on-going instruction of personnel in fire fighting, no permits shall be issued for a period of more than ten (10) days of open burning. Permits for the on-going instruction of personnel in fire training shall only be valid for the calendar year in which they are issued.
4. No permits will be granted for burning of combustible material which produces heavy, dense smoke such as automobile bodies, tires, asphalt or tarry substances, or creosoted or water soaked wood, or of non-combustible material except for nails, screws, and other fastening devices that may be attached to the approved combustible material.
5. For the burning of diseased trees and plants, certification by a recognized expert that the trees and plants are diseased must accompany the permit application.
6. Permits shall be issued with the following minimum conditions:
  - a. Only smokeless fuels, if any, shall be used to start the fire;
  - b. The fire shall be at least 300 ft. (800 ft. for pit incinerators) from the nearest structure and at least 100 ft. (300 ft. for pit incinerators) from the nearest pedestrian or recreation area, roadway, property line, utility, or other fire, unless otherwise specifically approved by the County Fire Marshall;
  - c. The burning shall be conducted between 10:00 AM and 4:00 PM only, unless otherwise specifically approved by the Air Quality Program;
  - d. Except for the on-going burning of clearing and grubbing wastes and the instruction of personnel in fire fighting, the local fire department shall be notified of the burning at least 24 hours before the burning is commenced;
  - e. Except for the on-going burning of clearing and grubbing wastes and the instruction of personnel in fire fighting, in the event that permitted burning is not conducted on one or more of the days for which permission has been granted, the applicant shall notify the Air Quality Program not later than 10:00 AM of said day that burning will not occur. The applicant may request that permission be extended for one or more days. Included in the request shall be the reasons why burning was not conducted as originally proposed. Such permission may be obtained verbally from the Air Quality Inspection Supervisor or an authorized representative;
  - f. Adequate means to control and extinguish the open fire shall be readily available at all times during any burning;
  - g. Suitable covering or means of disposal of ashes shall be provided to prevent them from becoming air-borne;

- h. For the fostering of agriculture by a commercial fruit grower; 50 bushels or 2,000 pounds of fruit must be produced a year, and the burning must be between February 15 and May 31, and limited to tree cuttings, bush and vine cuttings, and diseased trees;
- i. For the burning of Christmas trees, all trees must be removed from any plastic wrappers or bags and no burning of such bags and wrappers shall be allowed;
- j. Fires shall be at least 40 feet apart, green wood must be no more than 36 square inches in cross-section area, and piles to be burned must be no more than 250 square feet in area and no more than 8 feet high;
- k. The open burning shall be conducted at all times in such manner as to minimize air pollution; and
- l. This permit is not transferrable.

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A. Where the actual heat input to such equipment is greater than 0.50 million BTUs per hour, but less than 50 million BTUs per hour, the rate of 1.0 pound per million BTU of actual heat input;

B. Where the actual heat input to such equipment is equal to or greater than 50 million BTUs per hour, but less than 2000 million BTUs per hour, the rate determined by the formula:

$$A = 1.7E^{-0.14}$$

where A = allowable emissions in pounds per million BTUs of actual heat input, and  
E = actual heat input in millions of BTUs per hour;

C. Where the actual heat input to such equipment is equal to or greater than 2000 million BTUs per hour, but less than 5000 million BTUs per hour, the rate of 0.60 pounds per million BTUs of actual heat input; or,

D. Where the rated heat input to existing fuel-burning or combustion equipment is equal to or greater than 5000 million BTUs per hour, the rate of 2.80 pounds per million BTUs of actual heat input.

b. **Aggregation.**

1. For purpose of Subsection a above only, if one or more fuel-burning or combustion emissions units are vented into a common flue, such emissions units shall be considered one emissions unit and allowable emissions shall be determined on the basis of total heat input to all emissions units vented to such common flue.

2. For any single boiler house having two or more boilers with a combined rated heat input no greater than 50 million BTUs per hour, whose combined emissions would comply with the emission standards of this Section if they were vented into a common flue, the Department may, upon written application from the person responsible for such boiler house, determine compliance with this Section on the basis of the total emissions from and total heat input to all such boilers, provided that the applicant demonstrates that such actions will not prevent the attainment or maintenance of any ambient air quality standard established by §2101.10 of this Article or interfere with reasonable further progress toward the attainment of the NAAQS's.

c. **Processes.** No person shall operate, or allow to be operated, any process, except for miscellaneous sulfur-emitting processes for which there is an emissions standard under Part E of this Article, in such manner that the concentration of sulfur oxides, expressed as sulfur dioxide, in the effluent gas exceeds the lesser of the potential to emit or 500 ppm (dry volumetric basis) at any time.

d. **Incinerators.** No person shall operate, or allow to be operated, any incinerator in such manner that the concentration of sulfur oxides, expressed as sulfur dioxide, in the effluent gas exceeds the lesser of the potential to emit or 500 ppm (dry volumetric basis) at any time.

e. **Measurements.** Measurements of sulfur oxide emissions shall be performed according to the applicable procedures established by §2107.03 of this Article.

## §2104.04 ODOR EMISSIONS

a. **General.** No person shall operate, or allow to be operated, any source in such manner that emissions of malodorous matter from such source are perceptible beyond the property line of such source.

b. **Specific Sources.** No person shall operate, or allow to be operated, any source listed below unless there is installed and in operation on such source an incinerator with a residence time of at least 0.50 seconds at a temperature of at least 1,400°F for putrescible and non-chemical materials or a temperature of at least 250°F above the auto-ignition temperature of any chemical refuse, or such other emissions control system as is approved in writing by the Department as equivalent to an incinerator in terms of odor control.

1. Rendering cookers
2. Animal blood dryers
3. Asphalt oxidation
4. Asphalt roofing manufacturing
5. Brake shoe debonding
6. Core ovens
7. Varnish cookers
8. Paint drying or baking ovens
9. Meat smokehouses other than those in single family houses
10. Coffee roasting
11. Fabric-backing and fabric-coating baking ovens
12. Ovens for curing of binders in mineral wool production
13. Tear gas manufacture
14. Sources of hydrogen sulfide or mercaptans, except coke batteries

c. **Measurements.** Measurements of odor emissions shall be performed according to the procedures established by §2107.13 of this Article. Measurements of incinerator temperature shall be performed according to the procedures established by §2107.06 of this Article. Measurements pertaining to an equivalent emissions control system installed pursuant to Subsection b above shall be performed according to the applicable procedures established by Part G of this Article, or if no such procedures are applicable, pursuant to other procedures specified by the Department.

d. **Enforcement.** Notwithstanding any other provision of this Article the prohibitions of Subsection a of this Section may be enforced against the owner or operator of any source at a single family residence or multiple-dwelling unit of no more than two dwelling units by any municipal or local government unit having jurisdiction over the place where the emissions of malodorous matter occur. For purposes of this Subsection, malodorous means the property of an odor which causes annoyance or discomfort to the public and which a designated representative of such municipal or local government unit determines to be objectionable to the public. Such enforcement shall be in accordance with the laws governing such municipal or local government unit. In addition, the Department may pursue the remedies provided by §2109.02 of this Article for any violation of this Section.

## ~~§2104.05 MATERIALS HANDLING~~

~~In addition to meeting the other requirements of this Article, no person shall conduct, or allow to be conducted, any materials handling operation in such manner that emissions from such operation are visible at or beyond the property line of the affected source.~~

## ~~§2104.06 VIOLATIONS *(adopted effective October 20, 1995)*~~

~~The violation of any emission standard established by this Part shall be a violation of this Article giving rise to the remedies provided by §2109.02 of this Article. *Previous §2104.6 renumbered as §2104.02 effective October 20, 1995*~~