

## Table 1

### EPA APPROVED OREGON STATE STATUTES

#### **477.515 Permits required for fires on forestlands; waiver; permit conditions; smoke management plan; restricted areas; rules; excepted areas.**

(1) It is unlawful to set or cause to be set on fire any forestland, including flammable forest growth, forest refuse, slashing or forest debris, or any grass, grain, stubble, debris or other such flammable material, within the boundaries of a forest protection district or within one-eighth of one mile of a forest protection district for which a closed season has been designated under ORS 477.505, or when required under rules promulgated pursuant to subsection (3) of this section either on one's own land or on the land of another, without first securing a written permit from the forester or a warden and complying with the conditions of the permit. The forester may waive the requirement that the permit referred to in this section be secured prior to burning whenever conditions are such as to justify oral permission.

(2) In granting permits, the forester or any warden may prescribe conditions necessary to be observed in setting a fire and preventing it from spreading. Any permit obtained through willful misrepresentation is void.

(3)(a) For the purpose of maintaining air quality, the State Forester and the Department of Environmental Quality shall approve a plan for the purpose of managing smoke areas they shall designate. The plan shall delineate restricted areas to which this subsection applies. The plan shall also include but not be limited to considerations of weather, volume of material to be burned, distance of the burning from designated areas, burning techniques, and provisions for cessation of further burning under adverse air quality conditions. All burning permitted within the restricted areas shall be according to the plan. The plan shall be developed by the State Forestry Department in cooperation with federal and state agencies, landowners and organizations which will be affected by the plan. The approved plan shall be filed with the Secretary of State and may thereafter be amended in the same manner as its formation.

(b) The State Forester shall promulgate rules to carry out the provisions of the smoke management plan approved under this subsection.

(4) The requirements of this section do not apply to lands protected pursuant to ORS 476.010 to 476.730 and 476.990 or ORS chapter 478, or lands protected within a city and for which lands a burning permit is required under such authority.

*State effective: 1971; EPA effective: 12/31/2001; 66 FR 55105*