

CUSTER COUNTY OPEN BURNING PROCEDURE

A.R.M 17.8, Sub-chapter 6: The Board of County Commissioners intends to enforce the Administrative Rules of Montana: Chapter 17.8, Sub-chapter 6, which identifies procedural guidelines for open burning within the State of Montana, permitting requirements and defines materials prohibited from burning and hazardous wastes. A copy of these Administrative Rules may be obtained from either: the Montana Department of Environmental Quality, Permitting and Compliance Division, Air and Waste Management Bureau, P.O. Box 200901, Helena, Montana 59620-0901. The portion A.R.M. Chapter 17.8, Sub-Chapter 6 (17.8.604) which describes Prohibited Open Burning is reprinted on the handout entitled "Custer County Open Burning Handout." A copy will be provided to each person that obtains a Custer County Burning Permit.

REGULATIONS: To effectively monitor county wide burning, all persons who wish to burn within the boundaries of Custer County shall:

1. Make application for and receive approval for the material to be burned, as verified by a Custer County Burning Permit, obtained at the Disaster and Emergency Services Office, 1010 Main Street, Miles City.
2. After the permit has been issued, the permit holder **must** notify the Custer/Garfield 911 Dispatch Center **each day** burning is planned. Persons may notify the dispatch center in person at 1010 Main or by calling 874-3320.
3. Certain types of burning may require an additional permit from the Montana Department of Environmental Quality, Permitting and Compliance Division, Air and Waste Management Bureau, Helena, Montana.
4. Only non prohibited materials may be burned under any circumstances.

COST RECOVERY: All charges for equipment and personnel will be as stated in the State of Montana, Department of State Lands' "300 Manual," and the Northern Rockies Coordinating Group's, "Interagency Fire Business Management Handbook."

1. Specific justification for cost recovery shall be:
 - a. Failure to obtain a permit(s), or
 - b. Failure to provide notification to the Custer County Disaster and Emergency Services Office, of all planned burning resulting in a "false alarm" response of firefighting apparatus and/or personnel.
 - c. Careless and/or negligent action which result in an escaped fire.
2. The amount billed is based on the total of the hourly rates of each piece of apparatus or equipment and personnel, for the time necessary to regain adequate control of the escaped fire, or respond to the unreported fire. (see 1-b) This amount will be computed beginning with the time of the initial dispatch of the first responding fire apparatus, and the dispatch time of each additional piece of apparatus or support personnel, and will end at the time the apparatus is returned to an available for response status.

LIABILITY AND RESPONSIBILITY: Under Montana State Law 50-63-102 and 50-63-103, (M.C.A.) you are liable for any damage to the property of others and responsible to pay firefighting costs if your fire becomes "out of control." The applicant assumes all liability for damages from fires authorized by this permit. Any violations void this permit. Duly authorized personnel (Fire Suppression / Law Enforcement Authorities) may enter private property for the purpose of suppression and/or investigating fires and are exempt from any damage resulting from such activities.