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|-------------------------------|----------------|--------------------|
| Asheville Regional Office | (828) 296-4500 | (828) 299-7043 fax |
| Raleigh Regional Office | (919) 791-4200 | (919) 881-2261 fax |
| Fayetteville Regional Office | (910) 433-3300 | (910) 433-3399 fax |
| Mooresville Regional Office | (704) 235-2100 | (704) 663-6040 fax |
| Washington Regional Office | (252) 948-3800 | (252) 948-3893 fax |
| Wilmington Regional Office | (910) 796-7215 | (910) 350-2004 fax |
| Winston-Salem Regional Office | (336) 776-9800 | (336) 776-9797 fax |

Waiver Form for Open Burning Within 500 Feet of Occupied Dwellings or Structures - Part 1

Forms must be filled out and signed in ink.

Open burning of land clearing debris within 500 feet of occupied dwellings or structures is allowed only if prior approval is obtained from all affected residents or property owners and the Division of Air Quality (DAQ). **Please note that most open burning, including burning of land clearing debris, is prohibited on code orange, red, or purple days even if the burning is to take place under a burn permit issued by the N.C. Forest Service.** Daily air quality forecasts for all 100 counties of the state are available at: <https://airquality.climate.ncsu.edu/>. You may also contact your Division of Air Quality Regional Office for forecasts or more information. Visit <https://deq.nc.gov/openburning> for more information.

15A North Carolina Administrative Code 2D .1903 (b)(2)(B) states in part that open burning for land clearing or right-of-way maintenance is permissible without an air quality permit if the location of the burning is at least 500 feet from any dwelling, group of dwellings, or commercial or institutional establishment, or other occupied structure not located on the property on which the burning is conducted. The regional office supervisor may grant exceptions to the setback requirements if a signed, written statement waiving objections to the open burning associated with the land clearing operation is obtained and submitted to, and the exception granted by, the regional office supervisor before the burning begins from a resident or an owner of each dwelling, commercial or institutional establishment, or other occupied structure within 500 feet of the open burning site. In the case of a lease or rental agreement, the lessee or renter shall be the person from whom permission shall be gained prior to any burning. Factors that the regional supervisor shall consider in deciding to grant the exception include all the persons who need to sign the statement waiving the objection have signed it, the location of the burn, and the type, amount, and nature of the combustible substances. The regional supervisor shall not grant a waiver if a college, school, licensed day care, hospital, licensed rest home, or other similar institution is less than 500 feet from the proposed burn site when such institution is occupied.

Company and Project Information

Land Clearing Company Name: _____

Company Mailing Address: _____

Company Representative: _____ Phone: _____ Cell: _____

Land Clearing Project Name: _____ Acreage Cleared for Burning: _____

Location of Land Clearing Project: _____

City: _____ County: _____

Date(s) of Planned Burn: _____ (Not to exceed a 30-day time period)

**** DO NOT BURN UNTIL YOU RECEIVE APPROVAL FROM THE REGIONAL OFFICE ****

Instructions:

1. Please complete the above information. *Forms must be filled out and signed in ink.*
2. Show this information to the resident/owner/person in charge of each structure for which you need a signature.
3. Clearly complete the individual resident/owner signature form (Part 2) and submit as many pages as needed with this cover form (Part 1).
4. Submit a map of the burn project area. (See attached samples.)
 - a) Indicate the location where the burn pile(s) will be located.
 - b) Draw a circle with a 500-foot radius for each burn pile, with the burn pile as the center of the circle. Indicate the address number of each dwelling/structure within the 500-foot circle.
5. Answer the following questions and sign this form below the certification statement.
6. Submit this information to the appropriate regional office and do not burn until you receive approval from that office.

Certification Statement:

Did anyone deny you permission to burn at this location? Yes No *If yes, please specify on the following line.*

Specify: _____

I certify that the information submitted on, and included with this form is true and accurate.

Company Representative Signature: _____ Date _____

** DAQ USE ONLY

(Revised 02.14.2024

Air Quality Supervisor: _____ Date: _____

**Waiver Form for Open Burning Within 500 Feet of Occupied Dwellings or Structures
Part 2 - Individual Resident/Owner Signature Form**

This form should not be completed without first reading Part 1.

I give permission to the Land Clearing Company, named above, to open burn the land clearing debris within 500 feet of my structure on the specified date(s) or within 30 days of the DAQ regional supervisor approval. I understand that it is only because the distance from my structure to the open burning is less than 500 feet that I give my permission.

**** These signatures are approvals to burn for the date(s) listed on the first page or for 30 days after a DAQ regional supervisor signs the form ****

Resident/Owner Signing Waiver:

| | |
|----------------|-----------|
| Name | Signature |
| Street Address | |
| Telephone # | Date |

Resident/Owner Signing Waiver:

| | |
|----------------|-----------|
| Name | Signature |
| Street Address | |
| Telephone # | Date |

Resident/Owner Signing Waiver:

| | |
|----------------|-----------|
| Name | Signature |
| Street Address | |
| Telephone # | Date |

Resident/Owner Signing Waiver:

| | |
|----------------|-----------|
| Name | Signature |
| Street Address | |
| Telephone # | Date |

Resident/Owner Signing Waiver:

| | |
|----------------|-----------|
| Name | Signature |
| Street Address | |
| Telephone # | Date |

I certify that the information submitted on this form is true and accurate.

Company Representative _____(Signed) Date _____

Open burning activities cannot commence unless the signatures of ALL RESIDENTS OR PROPERTY OWNERS WITHIN 500 FEET of the burn site have been obtained and the Regional Air Quality Supervisor has approved and signed the waiver form. Burning without an approved waiver form may result in the issuance of a Notice of Violation and/or the assessment of civil penalties up to \$25,000 per day per violation.

Disclaimer: This waiver does not relieve the person(s) conducting the open burning, nor the property owner where the burning is taking place, of responsibility for damage done to neighboring properties. Additionally, this waiver does not relieve the responsible parties from their obligation to fully comply with North Carolina's Open Burning Rules (15A NCAC 2D .1900). For more information, visit our website at <https://deq.nc.gov/openburning>.

Acceptable Examples of Burn Project Area Maps

Example 1: Using County GIS System with buffer feature to set 500 foot circle



Example 2: Using <https://mapdevelopers.com/draw-circle-tool.php>

Draw a circle - Create a circle on a google map using a point and a radius

Address: 291 George Murphy Rd, Winston-S
Radius: 500.00 Feet
Circle: AAAAAA Border: 000000 Only Show Border

Zoom to Address New Circle Edit Circle Remove Circle Enlarge Map

Position: 35.953249,-80.152731 Radius: 152.40 Meters

