

**MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT
REGULATION X
TOXIC AIR CONTAMINANTS**

RULE 1009. BURNING OF TREATED WOOD

(Adopted 9-15-04)

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PART 1 GENERAL

1.1 Purpose

The purpose of this Rule is to eliminate toxic emissions from the burning of pressure treated wood.

1.2 Applicability

The provisions of this Rule shall apply to all persons who set or maintain open or confined fires within the boundaries of the Air District.

1.3 Exemptions

The District may exempt specific lots of wood from the Part 3 prohibition of this Rule upon the request of any person who can prove to the District that the wood sought to be exempt,

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while chemically treated, does not contain any arsenic, chromium or other chemical compound that substantially adds to the toxicity of the emissions from burning.

1.4 Effective Dates

The requirements of this Rule are effective on September 15, 2004.

1.5 References

The requirements of this Rule arise from the provisions of:

1.5.1 California Health and Safety Code Section 25189.7(a) *et seq.*; and

1.5.2 California Code of Regulations, Title 22, Sections 66261.24 *et. seq.*

PART 2 DEFINITIONS

2.1 Treated Wood

Wood that has been treated with a penetrating chemical to retard rot, infestation or decay. In California, such wood is often characterized by the presence of dimples that look like staple holes covering its surface. While not all treated wood is dimpled, all wood that has dimples is treated wood.

PART 3 REQUIREMENTS

No person shall burn treated wood under any circumstances, whether in an enclosed place or device like a fireplace, wood stove, or incinerator, or in the open, like a bonfire, camp fire, or outdoors fire for disposal of agricultural or other vegetative or combustible waste.

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