

The Oregon Administrative Rules contain OARs filed through February 15, 2008

DEPARTMENT OF OREGON STATE POLICE, OFFICE OF STATE FIRE MARSHAL

DIVISION 110

FIELD BURNING AND PROPANING RULES

837-110-0005

Purpose and Scope

The purpose of these rules is to increase the degree of public safety by preventing unwanted wild fires and smoke from field burning and propaning near highways and freeways within the State of Oregon. These rules shall apply to that area west of the crest of the Cascade Range and south to the Douglas/Lane County lines.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0007

Definitions

(1) Local services road: Serves isolated areas that have little or no potential for further development and those serving a minimal number of parcels of land. Most of these roads will not be through roads (connected to public roads on both ends) but will dead end at the service to the last parcel on the road.

(2) Trained Flagger: Has successfully completed a training course taught by a competent person. The training course must comply in substance with Oregon Department of Transportation flagging course content.

Stat. Auth.: ORS 476.030, ORS 476.380 & ORS 478.960

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0010

Field Preparation

(1) Prior to burning, all fields shall be prepared by providing a barrier around the perimeter free of combustibles.

(2) The barrier shall prevent any fire spread and shall be prepared by using one or more of the following methods:

(a) Plowing or disking a 17-foot strip around the field perimeter; or

(b) Plowing or disking a 5-foot strip around the field perimeter and the removal of loose, combustible straw from a 12-foot strip immediately adjacent to the 5-foot strip; or

(c) Having a 17-foot strip of green cover crop or bare earth; or

(d) Retaining a least a 50 foot strip of green cover crop or bare earth in the immediately adjacent field(s) at the time of burning; or

(e) Other alternatives may be used with the specific written approval of the State Fire Marshal.

(3) The barrier need not be provided where the perimeter of the field lies adjacent to a field that meets the provision of this section.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0020

Firefighting Water Supplies

(1) When burning acreage, the following firefighting vehicles shall be provided:

(a) Up to 50 acres -- At least two water tank vehicles with a minimum of 1,000 gallon water capacity shall be on site;

(b) 50 to 200 acres -- At least three water tank vehicles with a minimum of 1,500 gallon water capacity shall be on site;

(c) Over 200 acres -- At least four water tank vehicles with a minimum of 3000 gallon water capacity shall be on site.

(2) Refill Requirements: During actual firefighting operations the water requirements described in this section shall be maintained at or above 25 percent of the specified amount. Within the buffer zone described in OAR 837-110-0080, this requirement shall be raised to at least 50 percent.

NOTE: Vehicles with smaller capacity water tanks may be used to meet the total gallonage capacity required by subsections (1)(a) through (c) of this rule.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0030

Firefighting Equipment

The person(s) responsible for the acreage to be burned shall use firefighting equipment that meets or exceeds the following standards:

- (1) All water tank vehicles shall be equipped with a pump in working order with a pumping capability of 30 gallons per minute or more and capable of extinguishing a flame at a distance of at least 40 feet.
- (2) All required firefighting vehicles shall be adequately staffed to assure proper operation. It is recommended that at least two employees who have received basic safety training be assigned to each firefighting vehicle.
- (3) All water tanks shall be filled to 90 percent of their capacity prior to ignition of the field.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0040

Ignition Criteria

- (1) To ensure an adequate, complete, and even burn over the entire field to be burned, a minimum of two drip torches, propane lighters, or other pressurized fuel torches shall be on the burn site at the time of ignition.
- (2) Whenever possible ignition shall cause the edges of the field to burn first and the burn to continue toward the field's center.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0050

Prohibited Use

The use of pitch forks, harrows, or the dragging of burning tires to ignite the fire is prohibited.

Stat. Auth.: ORS 476 & [ORS 478](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89

837-110-0060

Communication

The ability to call assistance and summon help from an appropriate emergency response agency shall be maintained at all times by phone, or by radio communications between all firefighting equipment used in the burning of the field and a constantly staffed base station or home with phone access.

Stat. Auth.: ORS 476 & ORS 478

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0070

Fire Safety Watch

In addition to the firefighting equipment required by OAR 837-110-0020 and 837-110-0030, a continuous fire safety watch shall be provided. The fire safety watch:

- (1) Shall patrol the perimeter of the field during burning operations.
- (2) Shall begin prior to the ignition of the field and continue for at least 30 minutes after open flame ceases. However, the fire watch shall not leave until it is confirmed that the fire is completely out.
- (3) Shall consist of at least one firefighting vehicle having a water tank with at least a 200 gallon water capacity and which meets the requirements of OAR 837-110-0030 and 837-110-0060.

Stat. Auth.: ORS 476.030, ORS 476.380 & ORS 478.960

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94; OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0075

Traffic Safety

The person responsible for the acreage being burned shall provide signage and trained flaggers for traffic safety. The person responsible:

- (1) May allow a field to burn next to a state highway without designated buffer zones or next to an arterial route as long as there are trained flaggers and warning signage on the road at both ends of the field during the time that the burning is occurring, in order to assure driver safety and stop or divert traffic if necessary. Burning may occur next to a state highway without designated buffer zones or an arterial route only if there are no combustibles or brush between the edge of the field and the highway or route.
- (2) May allow a field to burn next to a rural collector road as long as there is signage on the road at both ends of the field informing drivers that burning is occurring ahead and they should be prepared to stop. Trained flaggers shall be available in the vicinity to immediately respond with flagging signs to the road at both ends of the field during the time that the burning is occurring, in order to

assure driver safety and stop or divert traffic if necessary. Burning may occur along a rural collector road only if there are no combustibles or brush between the edge of the field and the rural collector road.

(3) May allow a field to burn next to a rural local service road as long as there is signage on the road at both ends of the field informing drivers that burning is occurring ahead. Trained flaggers shall be available to be on the road with flagging signs at both ends of the field during the time that the burning is occurring, in order to assure driver safety and stop or divert traffic if necessary.

NOTE: For purposes of these rules, state highway, arterial routes and collector roads are defined by the Federal Highway Administration and the Oregon Department of Transportation. Before burning a field, contact your county road authority for road designation and county regulations.

Stat. Auth.: ORS 476.030, ORS 476.380 & ORS 478.960

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0080

Fire Safety Buffer Zones

A fire safety buffer zone shall parallel both sides of all highways and roadways within the scope and application of these rules. The buffer zone shall extend 1/2 mile in a perpendicular direction from the outer edge of each highway or roadway right-of-way. No field burning shall be allowed in fire safety buffer zones except as provided in sections (1) and (2) of this rule:

(1) Interstate Highways west of the crest of the Cascade Range, south to the Douglas/Lane County lines:

(a) Field burning may be permitted in the fire safety buffer zone only where a 1/4 mile wide noncombustible ground surface is provided between the field to be burned and the nearest edge of the freeway right-of-way. Noncombustible ground surfaces shall meet the criteria described in section (3) of this rule;

(b) The 1/4 mile noncombustible ground surface shall extend 1/4 mile each direction beyond the permitted field boundaries parallel to the freeway right-of-way.

(2) Other Roadways:

(a) Field burning may be permitted in the fire safety buffer zone only where a 1/8 mile wide noncombustible ground surface is provided between the field to be burned and the nearest edge of the highway right-of-way. Noncombustible ground surfaces shall meet the criteria described in section (3) of this rule;

(b) The 1/8 mile noncombustible ground surface shall extend 1/8 mile in each direction beyond the permitted field boundaries parallel to the highway right-of-way;

(c) The designated roadways to which this section applies are:

(A) ORE 99 -- The section from Junction City to Eugene;

(B) ORE 99E -- The sections from Oregon City to Salem and from Albany to Junction City;

(C) ORE 99W -- The entire section from Portland to Junction City;

(D) US 20 -- The section from Philomath to Lebanon;

(E) ORE 22 -- The section from ORE 18 to Mehama;

(F) US 26 -- The section from ORE 47 interchange to Portland;

(G) ORE 34 -- The section from Corvallis to Lebanon.

(3) Noncombustible ground surfaces mentioned in subsections (1)(a) and (b) and (2)(a) and (b) of this rule may be provided by planting a noncombustible ground cover approved by the State Fire Marshal or by disking and plowing the surface. Other alternative methods may be recognized by the State Fire Marshal or designee.

(4) The Office of State Fire Marshal or designee with the concurrence of the Office of State Fire Marshal may grant specific written approval:

(a) Not to provide the extensions required by subsections (2)(a) and (b) of this rule, when natural barriers such as rivers or other noncombustible surfaces exist; or

(b) For the use of alternative methods to provide the noncombustible ground surfaces required by subsections (1)(a) and (b) and (2)(a) and (b) of this rule.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0090

Ban on Burning

All field burning shall be banned when any two of the following criteria are present:

(1) Temperature of 95 degrees Fahrenheit or above;

(2) Relative humidity of 30 percent or below;

(3) Wind speed of 15 miles per hour or higher.

Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)

Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

Propaning

837-110-0110

Field Preparation

- (1) Prior to propaning, all fields shall be prepared by providing a barrier around the perimeter free of combustible materials.
- (2) The barrier may be provided by green cover crop, bare earth, or other method(s) to prevent any fire spread, and shall be prepared by using one or more of the following methods:
 - (a) Plowing or disking a 10-foot strip around the field perimeter; or
 - (b) Plowing or disking a 5-foot strip around the field perimeter and removal of loose, combustible straw from a 12-foot strip immediately adjacent to the 5-foot strip; or
 - (c) Retaining at least a 50-foot strip of green crop or bare earth in the immediately adjacent field(s) at the time of propaning; or
 - (d) Having a 17-foot strip of green cover crop or bare earth; or
 - (e) Other alternatives may be used with the specific written approval of the State Fire Marshal.
- (3) The barrier need not be provided where the perimeter of the field lies adjacent to a field that meets the provisions of this section.
Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)
Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)
Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0120

Firefighting Water Supplies

When propaning acreage, the following safety measures shall apply:

- (1) At least one firefighting water tank vehicle meeting the equipment requirements of OAR 837-110-0120 through 837-110-0140 and which has a minimum water tank capacity of 200 gallons shall be on site.
 - (2) If additional firefighting assistance is more than five minutes from a burn site within a fire safety buffer zone, or ten minutes otherwise, then water tank capacity mentioned in section (1) of this rule shall be raised to 500 gallons.
 - (3) A means to refill the tanks mentioned in sections (1) and (2) of this rule shall be provided within a ten minute turn around time.
- EXCEPTION:** Water tank vehicles of smaller capacity may be used provided the total gallonage capacity complies with the above.
Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)
Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)
Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0130

Firefighting Equipment

The person(s) responsible for the acreage to be propaned shall use firefighting equipment that meets or exceeds the following standards:

- (1) All water tank vehicles shall be equipped with a pump in working order with a pumping capability of 30 gallons per minute or more and capable of extinguishing a flame at a distance of at least 40 feet.
 - (2) All required water tank vehicles shall be adequately staffed to assure proper operation. It is recommended that at least two employees who have received basic safety training be assigned to each firefighting vehicle.
 - (3) All water tanks shall be filled to 90 percent of their capacity prior to ignition of the field.
- Stat. Auth.: ORS 476.030, [ORS 476.380](#) & [ORS 478.960](#)
Stats. Implemented: [ORS 476.380](#) & [ORS 478.960](#)
Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 2-1994, f. & cert. ef. 2-7-94

837-110-0140

Communication

The ability to call for assistance and summon help from an appropriate emergency response agency shall be maintained at all times by phone or radio communications between all firefighting equipment used in the burning of the fields and a constantly staffed base station or home with phone access.

Stat. Auth.: ORS 476 & ORS 478

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0150

Fire Safety Watch

A fire watch:

- (1) Shall begin following the propaning of the field and continue for at least 30 minutes after completion. However, the fire watch shall not leave until it is confirmed that the fire and all smoke sources are completely out.
 - (2) Shall consist of at least one firefighting vehicle with at least a 200 gallon water tank, which is manned and equipped as stipulated in OAR 837-110-0020, 837-110-0030, and 837-110-0060.
- Stat. Auth.: ORS 476.030, ORS 476.380 & ORS 478.960
Stats. Implemented: ORS 476.380 & ORS 478.960
Hist.: FM 7-1988(Temp), f. & cert. ef. 8-12-88; FM 8-1988(Temp), f. & cert. 8-15-88; FM 1-1989, f. & cert. ef. 2-7-89; FM 4-1993(Temp), f. & cert. ef. 8-11-93; FM 2-1994, f. & cert. ef. 2-7-94; OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03

837-110-0155

Traffic Safety

The person responsible for the acreage being burned shall provide signage and trained flaggers for traffic safety. The person responsible:

(1) May allow a field to burn next to a state highway without designated buffer zones or next to an arterial route as long as there are trained flaggers and warning signage on the road at both ends of the field during the time that the burning is occurring, in order to assure driver safety and stop or divert traffic if necessary. Burning may occur next to a state highway with out designated zones or an arterial route only if there are no combustibles or brush between the edge of the field and the highway or route.

(2) May allow a field to burn next to a rural collector road as long as there is signage on the road at both ends of the field informing drivers that burning is occurring ahead and they should be prepared to stop. Trained flaggers shall be available in the vicinity to immediately respond with flagging signs to the road at both ends of the field during the time that the burning is occurring, in order to assure driver safety and stop or divert traffic if necessary. Burning may occur along a rural collector road only if there are no combustibles or brush between the edge of the field and the rural collector road.

(3) May allow a field to burn next to a rural local services road as long as there is signage on the road at both ends of the field informing drivers that burning is occurring ahead. Trained flaggers shall be available to be on the road at both ends of the field during the time that the burning is occurring, in order to assure driver safety and stop or divert traffic if necessary.

NOTE: For purposes of these rules, state highway, arterial routes and collector roads are defined by the Federal Highway Administration and the Oregon Department of Transportation. Before burning a field, contact your county road authority for road designation and county regulations.

Stat. Auth.: ORS 476.030, ORS 476.380 & ORS 478.960

Stats. Implemented: ORS 476.380 & ORS 478.960

Hist.: OSFM 1-2003, f. 1-8-03, cert. ef. 2-1-03
