

CERTIFIED BURN MANAGER PROGRAM

DRAFT 1.0 February 16, 2022

Purpose

629-042-1000

The purpose of OAR 629-042-1005 to 629-042-1055 is to set forth the standards, requirements, and procedures by which the Certified Burn Manager program will be operated, pursuant to ORS 526.360(3).

Intent

629-042-1010

- (1) The Certified Burn Manager program is intended to provide training concerning the safe and effective use of prescribed burning and to promote the use of prescribed burning for the purposes outlined in ORS 526.360(1).
- (2) Participation in the Certified Burn Manager program is voluntary. The Forester may not require or condition the approval of a plan, or the issuance of a burning permit on the presence of a certified burn manager, for any prescribed burning.

Certified Burn Manager certification requirements. Application procedures.

629-042-1020

Individuals applying for a Certified Burn Manager certificate shall provide to the State Forester's Representative:

- (1) A properly completed certification record showing that the applicant has satisfactorily completed all training required by OAR 629-042-1025 and all tests required by OAR 629-042-1030.
- (2) All fees required by OAR 629-042-1055(6).

Certified Burn Manager certificate revocation procedures

629-042-1035

- (1) The State Forester's representative may revoke a certificate if:
 - (a) Sufficient evidence indicates that false information was submitted by a person making application to become a Certified Burn Manager such as, but not limited to, the entry of false information into a certification book submitted to the State Forester's representative.
 - (b) A Certified Burn Manager has received a citation for a violation of ORS 477.515, 477.625, 477.720, 477.740, or OAR 629-043-0026(4).
 - (c) A Certified Burn Manager fails to comply with the required actions and activities set forth in OAR 629-042-1040.
 - (d) A Certified Burn Manager terminated their responsibility for supervision of a prescribed burn in violation of OAR 629-042-1045(2).
 - (e) An investigation conducted pursuant to OAR 629-042-1055(2) reveals actions or activities which the State Forester's representative believes warrants revocation of a certificate.
- (2) The State Forester's representative shall revoke a certificate above only after providing thirty days prior written notice to the Certified Burn Manager.
- (3) Certificate revocation review and appeals procedures.
 - (a) Not more than 30 days following receipt of the written notice required by (2) above, a Certified Burn Manager may request a review of the revocation by the Certified Burn Manager Review Board.
 - (b) The Certified Burn Manager Review Board shall conduct the requested review at the next schedule meeting after the receipt of a request made pursuant to (3)(a) above.
 - (c) Following completion of the review requested pursuant to (3)(b) above, the Certified Burn Manger Review Board shall either affirm or cancel the revocation.
 - (d) The State Forester's representative or the Certified Burn Manager who's certificate has been revoked may appeal the decision of the Certified Burn Manger Review Board to the Board of Forestry, in the same manner as appeals under ORS 477.260(2).
4. An individual who has had their certification revoked is ineligible for recertification for a period of 3 years.

Certified Burn Manager required actions and activities

629-042-1040

A Certified Burn Manager shall:

1. Prepare a prescribed burn plan prior to ignition of a prescribed burn they will supervise. The plan shall be prepared in a format approved by the State Forester's representative.
2. Confirm that the notification required by OAR 629-042-1055(4), to contiguous owners of forestland, has been made, prior to ignition of a prescribed burn they will supervise.
3. Be on site and maintain active supervision of the resources used on any prescribed burn the Certified Burn Manager is supervising:
 - a. During the ignition phase; and
 - b. Between the ignition phase and the initial stages of the mop-up phase when the prescribed burn exhibits or is expected to exhibit active burning.
4. When not required to be on site pursuant to (3), be readily available to return to a prescribed burn they are responsible for until:
 - a. The prescribed burn has achieved the conditions documented for transfer of liability within the prescribed burn plan; or
 - b. The termination of responsibility notification required in (5)(b) has been made.
5. Give notification to the ODF District of:
 - a. Their assumption of responsibility for a prescribed burn; and
 - b. Their termination of responsibility for a prescribed burn.
 - c. The notifications required in (5)(a) and (b) shall be:
 - i. In a manner approved by the State Forester's representative; and
 - ii. Made within time limits established by the State Forester's representative.
6. Not permit any dangerous or adverse situation on any prescribed burn for which they have responsibility.
7. Cooperate fully with an investigation undertaken by the State Forester's representative pursuant to OAR 629-042-1055(2).

Certified Burn Manager prohibited actions and activities

629-042-1045

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1. A Certified Burn Manager may not use a certificate as the authority to supervise prescribed burning unless the burning conducted pursuant to ORS 526.360(1).
 2. A Certified Burn Manager may not terminate their responsibility for a prescribed burn unless:
 - a. They are immediately to be replaced by another Certified Burn Manager and documented on a form provided by the State Forester's representative; or
 - b. The responsibility for the prescribed burn has been transferred to the landowner, in accordance with the criteria established in the prescribed burn plan, and documented on a form provided by the State Forester's representative; and
 - c. The district has been notified pursuant to OAR 629-042-1040(5)(b).
 3. The following persons may not use the title "Certified Burn Manager" and may not purport to be a Certified Burn Manager;
 - a. An individual whose certificate has expired;
 - b. An individual whose certificate has been revoked;
 - c. An individual whose certificate is pending revocation, pursuant to the written notice set forth in OAR 629-042-1035(2); or
 - d. An individual who has surrendered their certificate to the State Forester's representative.
 4. Shall not falsify records

Limitations on the use of Certified Burn Managers

629-042-1050

A Certified Burn Manager shall only supervise:

1. Prescribed burning activities as identified within an approved prescribed burn plan;
2. Prescribed burning for which they have a current endorsement; and
3. Prescribed burning on forestland which is classified in accordance with ORS 526.328 or ORS 526.340.