

**CONCEPT DEVELOPMENT DRAFT**  
**--- SUBJECT TO CHANGE ---**  
**CERTIFIED BURN MANAGER PROGRAM**  
DRAFT 7.0 20 FEB 01

**Definitions**  
**629-042-XXX1**

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- (1) The definitions set forth in ORS 477.001 and OAR 629-041-0005 shall apply to OAR Chapter 629, Division 042, unless the context otherwise requires.
- (2) The following words and phrases, when used in OAR Chapter 629, Division 042, shall mean the following, unless the context otherwise requires:
- (x) "Accreditation" means approval from the State Forester's Agent to conduct and document training required by OAR 629-042-XXX5.
  - (x) "Active burning" means the potential threat for a prescribed burn to escape confinement from a predetermined area is high, due to weather conditions, fuel types, topography or a combination of such factors.
  - (x) "Authorized entry" means the signature of a Certified Burn Manager, of the State Forester's Agent, or of a training provider in a task book.
  - (x) "Bona fide attempt" means a good faith attempt to contact a landowner in a timely manner, considering the landowner's availability, location, and other applicable considerations.
  - (x) "Certificate" means a Certified Burn Manager certificate issued by the Oregon Department of Forestry pursuant to ORS 526.360(3) and OAR 629-042-XXX2 to 629-042-XX14.
  - (x) "Certificate period" means a period of five years, beginning on the date a certificate is issued.
  - (x) "Certified Burn Manager" means an individual who has a current and valid certificate.
  - (x) "Class 1 forestland" means forestland primarily suitable for the production of timber.
  - (x) "Class 2 forestland" means forestland used jointly for the production of timber and the grazing of livestock.
  - (x) "Class 3 forestland" means forestland primarily suitable for the grazing of livestock or for other agricultural uses.[HTJ\*01]
  - (x) "Complete" means.....
  - (x) "Conduct" means active participation in the execution of a prescribed burn, from the ignition phase to and including the initial stages of the mop-up phase.
  - (x) "Contained" means the intended condition of a prescribed burn, as set forth in the prescribed burning plan prepared pursuant to OAR 629-042-XX11(1).
  - (x) "Dangerous or adverse situation" means any significant deviation from an approved burning plan which is not supported by the professional judgement of the Certified Burn Manager.

(X) "Document" and "documented" means an authorized entry into a task book that a training requirement of OAR 629-042-XXX5 or a test required by OAR 629-042-XXX6 has been successfully completed.

(x) "District Forester" means the person in charge of a district, including Oregon Department of Forestry district foresters and forest protection association district managers and district supervisors.

(x) "Endorsement" means a limitation on when, where or under what circumstances a certificate may be used.

(x) "Initial education requirements" means classroom and field training requirements that must be successfully completed by an individual before a certificate is issued to that person for the first time.

(x) "Planning" means.....and the preparation of the prescribed burning plan or the slash burning plan.....

(x) "Prescribed burn" and "prescribed burning" mean the controlled application of fire, in accordance with the plan required by OAR 629-042-XX11(1) and the conditions of a permit issued pursuant to ORS 477.545625, to vegetative fuels, under specified environmental conditions, and following appropriate precautionary measures, which is intended to cause the burning to be confined to a predetermined area and accomplish specific land management objectives.

(x) "Renewal education requirements" means classroom and field training requirements that must be completed by an individual before a certificate is issued to a person renewing a certificate.

(x) "Resources" means.....?

(x) "State Forester's Agent" means the person or persons designated by the State Forester to administer the Certified Burn Manager program.

(x) "Successfully completed" and "successful performance" means satisfactory completion of a training requirement of OAR 629-042-XXX5 or a test required by OAR 629-042-XXX6 and which has been properly documented.

(x) "Task book" means a publication provided by the State Forester's Agent in which successful training required by OAR 629-042-XXX5 and the testing required by OAR 629-042-XXX6 is documented.

(x) "Training provider" means a certified instructorxxx who is accredited to conduct and/or document training required by OAR 629-042-XXX5.

(x) "Type of land" means:  
(a)  
(b)  
(c)

(x) "Zone 1 lands" means forest, range, grass or undeveloped lands, or any of such lands intermingled with grazing and agricultural lands protected from fire pursuant to ORS 476.320.

**Purpose**  
**629-042-XXX2**

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- (1) The purpose of OAR 629-042-XXX3 to 629-042-XX14 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).
- (2) 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).
- (3) 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. Certificates generally.**  
**629-042-XXX3**

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- (1) A certificate shall be issued only to an individual. Entities other than an individual, including but not limited to partnerships, corporations and limited liability companies, may not be issued a certificate.
- (2) A certificate shall contain one or more endorsements, as follows:
  - (a) Class 1. Allows use of the certificate for prescribed burning on Class 1 forestland.
  - (b) Class 2. Allows use of the certificate for prescribed burning on Class 2 forestland.
  - (c) Class 3. Allows use of the certificate for prescribed burning on Class 3 forestland and/or on Zone 1 lands.
- (3) The State Forester's Agent will not issue a certificate prior to the receipt of all documents and fees required by OAR 629-042-XXX4.
- (4) The State Forester's Agent shall assign a unique identification number to each certificate issued.
- (5) A certificate shall be valid for a period of five years unless it is sooner revoked or surrendered.
- (6) A certificate may be renewed only after having been valid for a period of at least four years.
- (7) A certificate may not be renewed if:
  - (a) It was revoked pursuant to OAR 629-042-XX10(2);
  - (b) It was surrendered prior to the time it was eligible for renewal; or
  - (c) It has been more than six years since it was issued.
- (8) Certificates shall be non-transferable.

**Certified Burn Manager certification requirements. Application procedures.**  
**629-042-XXX4**

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

- (1) A properly completed task book showing that the applicant has satisfactorily completed all training required by OAR 629-042-XXX5 and all tests required by OAR 629-042-XXX6.
- (2) All fees required by OAR 629-042-XX14(6).

**Certified Burn Manager certification requirements. Training.**  
**629-042-XXX5**<sup>[HTJ\*07]</sup>

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(1) **Initial training requirements**<sup>[HTJ\*08]</sup>. An individual shall complete the educational and field training requirements below, prior to applying for their initial certificate or if they had been issued a certificate which may not be renewed pursuant to OAR 629-042-XXX3(7):

(a) **Initial educational training requirements.** An individual shall submit documentation of successful completion of:<sup>[HTJ\*09]</sup>

- (A) A **Basic Certified Burn Manager course** <sup>[HTJ\*010]</sup> conducted by ~~an~~ a training provider; or
- (B) A **Basic Certified Burn Manager correspondence course** conducted by ~~an~~ a training provider or by the State Forester's Agent; and
- (C) One or more specialized **Certified Burn Manager Endorsement Training modules** conducted by ~~an~~ a training provider; or
- (D) One or more specialized **Certified Burn Manager Endorsement Training module correspondence courses** conducted by a training provider or by the State Forester's Agent.

(b) The State Forester's Agent will not accept documentation of initial educational training which was completed more than ~~two~~ <sup>[HTJ\*011]</sup> years prior to the applicant's date of application for a certificate. This ~~two-year~~ <sup>two-year</sup> limitation may be waived by the State Forester's Agent if the individual is applying for historical recognition.<sup>[HTJ\*012]</sup>

(c) **Initial field training requirements**<sup>[HTJ\*013]</sup>. An individual shall submit documentation of successful:

(A) Performance in the planning of separate prescribed burns, as follows:

- (i) If the individual applies for one endorsement, they must have participated in the planning of three prescribed burns on the type of land for which the endorsement is being applied for;
- (ii) If the individual applies for two endorsements, they must have participated in the planning of three prescribed burns on each type of land for which endorsements are being applied for; or
- (iii) If the individual applies for three endorsements, they must have participated in the planning of two prescribed burns on each type of land for which endorsements are being applied for.<sup>[HTJ\*014]</sup>

(B) In addition to (1)(c)(A) above, performance in the conduct of separate prescribed burns, as follows:<sup>[HTJ\*015]</sup>

(i) If the individual applies for one endorsement:

- (I) They must have participated in the conduct <sup>[HTJ\*016]</sup> of three prescribed burns on the type of land for which the endorsement is being applied for and which were not used to meet the requirement of (1)(c)(A)(i) above; and
- (II) They must have participated in the conduct of three prescribed burns on the type of land for which the endorsement is being applied for and which were used to meet the requirement of (1)(c)(A)(i) ~~above;~~ above.

(ii) If the individual applies for two endorsements:

- (I) They must have participated in the conduct of two prescribed burns on each type of land for which the endorsements are being applied for and which were not used to meet the requirement of (1)(c)(A)(ii) above; and

(II) They must have participated in the conduct of three prescribed burns on each type of land for which the endorsements are being applied for and which were used to meet the requirement of (1)(c)(A)(ii) above; or

(iii) If the individual applies for three endorsements:

(I) They must have participated in the conduct of two prescribed burns on each type of land for which the endorsements are being applied for and which were not used to meet the requirement of (1)(c)(A)(iii) above; and

(II) They must have participated in the conduct of two prescribed burns on each type of land for which the endorsements are being applied for and which were used to meet the requirement of (1)(c)(A)(iii) above.

(d) The State Forester's Agent will not accept documentation of field training which was completed more than ~~three years~~<sup>[HTJ\*O17]</sup> prior to the applicant's date of application for a certificate. This ~~three-year~~<sup>three-year</sup> limitation may be waived by the State Forester's Agent if the individual is applying for historical recognition.

(e) **Historical recognition** of educational and field training requirements completed prior to January 1, 2002<sup>[HTJ\*O18]</sup>. In lieu of the initial training requirements of (1)(a) and (1)(c) above, an individual may:

(A) Submit to the State Forester's Agent a notarized copy of a Prescribed Fire Burn Boss Type 2 Task Book which is ~~complete~~<sup>complete</sup>, or which lacks only completion of the Incident Commander Type 4 requirement. The Task Book shall indicate successful performance in the planning and conduct of all endorsements to be applied for; or

(B) Submit to the State Forester's Agent such evidence of experience as the State Forester's Agent determines is equivalent to the initial training requirements of (1)(a) and (1)(c) above.<sup>[HTJ\*O19][HTJ\*O20]</sup>

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(2) **Renewal training requirements.** An individual shall complete both the educational and field training requirements below, prior to applying for a renewal of their certificate:

(a) **Renewal educational training requirements.**

(A) Educational training requirements. An individual shall successfully complete **sixteen hours** of continuing education related to prescribed burning which has been approved in advance by the State Forester's Agent. The State Forester's Agent may approve ~~training~~<sup>training</sup>, which is presented in a classroom format, a conference format, a correspondence course format, or in another format the State Forester's Agent determines is acceptable.

(B) The State Forester's Agent will not accept educational training which was completed more than five years prior to the applicant's date of application for renewal of a certificate.

(b) **Renewal field training requirements.** An individual shall submit documentation of successful:

(A) Performance as the Certified Burn Manager supervising three separate prescribed burns;<sup>[HTJ\*O21]</sup>

(i) If the individual applies for one endorsement, all three prescribed burns must have been on the type of land for which the endorsement is being applied for; or

(ii) If the individual applies for two or three endorsements, at least one prescribed burn must have been on the type of land for each endorsement being applied for.

(B) In lieu of (2)(b)(A) above, performance in the conduct of five separate prescribed burns, as follows:

- (i) If the individual applies for one endorsement, they must have participated in the conduct of all five prescribed burns on the type of land for which the endorsement is being applied for; or
  - (ii) If the individual applies for two or three endorsements, at least one prescribed burn must have been on the type of land for each endorsement being applied for.
- (C) The State Forester's Agent will not accept field training which was completed more than five years prior to the applicant's date of application for renewal of a certificate.
- (3) The State Forester's Agent shall establish uniform standards for what constitutes "successful performance" under this rule.

**Certified Burn Manager certification requirements. Tests.**  
**629-042-XXX6**

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- (1) The State Forester's Agent:
  - (a) Shall provide for the development and administration of all tests required by this rule.
  - (b) Shall establish a passing score for all tests required by this rule.
  - (c) May not administer the same test to an individual more frequently than once every 30 days.
  - (d) May not prohibit the use of written reference material by individuals taking tests.
- (2) Individuals taking tests required by this rule:
  - (a) Shall display an approved government issued picture identification to the State Forester's Agent, prior to taking a test.<sup>[HTJ\*O22]</sup>
  - (b) Shall comply with all test taking requirements established by the State Forester's Agent.
- (3) Individuals shall successfully complete the following tests, prior to applying for a Certified Burn Manager certificate:
  - (a) The Standard Certified Burn Manager Test, which shall test the individual's knowledge of material presented in the course required by OAR 629-042-XXX5(1)(a)(A)(i) or (B)(i).
  - (b) For each endorsement being sought, a Certified Burn Manager Endorsement Test, which shall test the individual's knowledge of material presented in the modules required by OAR 629-042-XXX5(1)(a)(C) or (D).

**Certified Burn Manager certificate revocation procedures  
629-042-XX10**

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- (1) The State Forester's Agent 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 task book submitted to the State Forester's Agent pursuant to OAR 629-042-XXX4.
  - (b) A Certified Burn Manager has received a citation for a violation of ORS 477.545625, 477.720, 477.740, or OAR 629-043-0026(4).~~[HTJ\*O23]~~~~[HTJ\*O24]~~
  - (c) A Certified Burn Manager fails to comply with the required actions and activities set forth in OAR 629-042-~~XX11~~~~[HTJ\*O25]~~.
  - (d) A Certified Burn Manager terminated their responsibility for supervision of a prescribed burn in violation of OAR 629-042-~~XX12~~~~[HTJ\*O26]~~(2).
  - (e) An investigation conducted pursuant to OAR 629-042-~~XX14~~~~[HTJ\*O27]~~(2) reveals actions or activities which the State Forester's Agent believes warrants revocation of a certificate.
- (2) The State Forester's Agent 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.~~[HTJ\*O28]~~
- (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 conducted the requested review within ~~30~~ ~~[HTJ\*O29]~~ days of 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 Agent 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).

## Certified Burn Manager required actions and activities 629-042-XX11

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A Certified Burn Manager shall:

(1) Prepare a prescribed burning plan prior to ignition of a prescribed burn they will supervise. Each prescribed burning plan shall include, but is not limited to the following items:[HTJ\*O30]

- (a) A description of the fuels to be burned;
- (b) A map of the area to be burned;
- (c) A list of the resources to be used during the ignition, control and mop-up phases;
- (d) A list of the weather factors desired at the time of ignition, including but not limited to:
  - (A) Surface wind speed and direction;
  - (B) Transport wind direction;
  - (C) Minimum relative humidity;
  - (D) Maximum air temperature; and
  - (E) Fine fuel moisture[HTJ\*O31];
- (e) A list of the desired fire behavior factors, such as type of burning technique, flame length, and rate of spread;
- (f) A description of when the prescribed burn is to be considered contained. For example, "This prescribed burn shall be considered contained when all spot fires and slop-overs have been extinguished, when the perimeter has been completely mopped-up at least 50 feet on all sides, and when there is no longer any visible flame."
- (g) The date the plan was prepared;
- (h) The date the district was notified of the Certified Burn Manager's assumption of responsibility for supervision;
- (i) The signature of the landowner; and
- (j) The signature and certificate number of the Certified Burn Manager.
- (k) A description of the process and criteria to be used to transition the Certified Burn Manager's responsibility for supervision to the landowner.

(2) Confirm that the notification required by OAR 629-042-XX14[HTJ\*O32](4), to contiguous owners of forestland[HTJ\*O33], 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 they are supervising:
- (a) During the ignition phase; and
  - (b) Between the ignition phase and the initial stages of the mop-up phase; and
  - (c) When the prescribed burn exhibits or is expected to exhibit active burning.

(4) When not required to be on site pursuant to (3) above, be readily available to return to a prescribed burn they are responsible for until:

(a) The prescribed burn has been contained; or

(b) The termination of responsibility notification required in (5)(b) below has been made.

(5) Give notification to the district [HTJ\*034]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) above shall be:

(A) Made on forms provided by the State Forester's Agent or in a manner approved by the State Forester's Agent; and

(B) Made within time limits established by the State Forester's Agent.

(6) Comply with all applicable requirements of ORS chapter 477 and OAR Chapter 629, Division 042.

(7) Not permit any dangerous or adverse situation on any prescribed burn for which they have responsibility.

(8) Cooperate fully with an investigation undertaken by the State Forester's Agent pursuant to OAR 629-042-XX14(2).

**Certified Burn Manager prohibited actions and activities**  
**629-042-XX12**

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(1) A Certified Burn Manager may not use a certificate as the authority to supervise prescribed burning unless the burning is intended to:[HTJ\*O35]

- (a) Remove a vegetative fire hazard;
- (b) Prepare seed beds;
- (c) Remove vegetative obstruction to or interference with the proper seeding or agricultural or grazing development of forestland.
- (d) Promote the establishment of new forest crops on cutover, denuded or under-productive forestland;
- (e) Implement pest prevention and suppression activities on forestland;
- (f) Promote improvements to forest health; or
- (g) Promote improvements to fish and wildlife habitat.

(2) A Certified Burn Manager may not terminate their responsibility for a prescribed burn unless:[HTJ\*O36][HTJ\*O37]

- (a) The prescribed burn has been contained; or[HTJ\*O38]
- (b) They are immediately to be replaced by another Certified Burn Manager; or
- (c) The landowner has assumed responsibility for the prescribed burn; and
- (d) The district has been notified pursuant to OAR 629-042-XX11(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~~ certificate is pending ~~revocation~~ revocation, pursuant to the written notice set forth in OAR 629-042-XX10(2); or
- (d) An individual who has surrendered their certificate to the State Forester's Agent.

**Limitations on the use of Certified Burn Managers**  
**629-042-XX13**

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A Certified Burn Manager may supervise only:

- (a) Prescribed burning activities;<sup>[HTJ\*O39]</sup>
- (b) Prescribed burning for which they have ~~an~~ current endorsement; and
- (c) Prescribed burning on forestland which is protected from fire under the provisions of ORS chapter 477.

DRAFT

**Standards, requirements, requirements, and procedures necessary for the safe and effective administration of the Certified Burn Manager program  
629-042-XX14**

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(1) The State Forester shall establish a Certified Burn Manager Review Board.

(a) The Certified Burn Manager Review Board shall consist of:

(A) A State Forester's Agent, who is appointed by the State Forester;

(B) A Certified Burn Manager with three endorsements or an at large member, who is appointed by the State Forester;

(C) A Certified Burn Manager with a Class 1 endorsement [HTJ\*O40] or an at large member, who is appointed by the State Forester;

(D) A person appointed by the Oregon Forest Industries Council;

(E) A person appointed by the Oregon Small Woodlands Association;

(F) A person appointed by the National Environmental Fuels Association [HTJ\*O41]; and

(G) An Area Director or a District Forester, who is appointed by the State Forester.

(b) In making appointments to the Certified Burn Manager Board, the State Forester shall attempt to obtain continued representation from the various regions of the state.

(c) Except for the State Forester's Agent, appointments to the Certified Burn Manager Review Board shall be for terms of four years.

(d) A State Forester's Agent shall be the permanent chair of the Certified Burn Manager Review Board.

(e) The Certified Burn Manager Review Board shall:

(A) Meet at least ~~once~~ twice each calendar year;

(B) Advise the State Forester's Agent on the administration of the Certified Burn Manager program; and

(C) Conduct reviews of proposed certificate revocation, when requested pursuant to OAR 629-042-XX10(4).

(f) Notwithstanding the terms of four years set forth in (1)(c) above: [HTJ\*O42]

(A) The first Certified Burn Manager with three endorsements or at large member appointed by the State Forester, shall serve a term of one year;

(B) The first Certified Burn Manager with a Class 1 endorsement or at large member appointed by the State Forester, shall serve a term of two years;

(C) The first person appointed by the Oregon Forest Industries Council shall serve a term of four years;

(D) The first person appointed by the Oregon Small Woodlands Association shall serve a term of two years;

(E) The first person appointed by the National Environmental Fuels Association [HTJ\*O43] shall serve a term of four years; and

(F) The first District Forester appointed by the State Forester shall serve a term of three years.

(2) The State Forester's Agent may conduct an investigation into any reported or observed dangerous or adverse situation for which a Certified Burn Manager has been alleged to be responsible.

(a) Upon the receipt of an allegation under this rule, the State Forester's Agent shall either:

(A) Conduct an investigation and prepare a written report; or

(B) Direct that a certified fire investigator from the district [HTJ\*O44] in which the alleged activity occurred to conduct an investigation, prepare a written report and forward it to the State Forester's Agent for review and approval.

(b) Following preparation of the written report required in (2)(a) above, the State Forester's Agent shall make a determination as to whether or not the Certified Burn Manager was responsible for the reported dangerous or adverse situation.

(c) If the State Forester's Agent determines that the Certified Burn Manager was responsible for a dangerous or adverse situation, the State Forester's Agent shall make a determination as to whether or not the actions of the Certified Burn Manager were such to warrant revocation of the Certified Burn Manager's certificate.

(3) Training provider accreditation.

(a) A training provider shall obtain accreditation from the State Forester's Agent prior to conducting or documenting training required by OAR 629-042-XXX5.

(b) To request accreditation, prospective training providers shall make application to the State Forester's Agent and sign an accreditation agreement.

(c) Training providers will not be considered to be accredited until the State Forester's Agent reviews and approves their application.

(d) Applications shall include, but will not be limited to:

(A) A list of the specific initial and/or renewal training to be provided or documented.

(B) Evidence the person has had at least two years total experience either teaching adults or working in the area of expertise covered by the specific training to be provided or documented.

(e) Accreditation agreements shall include, but will not be limited to:

(A) A requirement to provide training using only curriculums or course manuals approved by the State Forester's Agent;

(B) A requirement to send all training completion records to the State Forester's Agent within a specified period of time;

(C) A requirement to maintain training completion records for a minimum of six years; and

(D) A requirement to document successful completion of a training requirement of OAR 629-042-XXX5 or a test required by OAR 629-042-XXX6 only for which they are accredited and for which they have personal knowledge that the person has properly completed the task being documented.

(E) A requirement that no entry of false information be made into a task book to be submitted to the State Forester's Agent.

(f) Suspension of documentation authority.

(A) The State Forester's Agent may immediately suspend the documentation authority of a training provider at any time the State Forester's Agent determines the training provider has failed to comply with all requirements of the accreditation agreement.

(B) Within 30 days of suspending the documentation authority of a training provider, the State Forester's Agent must either initiate action to revoke the accreditation of the training provider or restore the documentation authority of the training provider.

(g) The State Forester's Agent may revoke the accreditation of a training provider at any time the training provider fails to comply with all requirements of the accreditation agreement.

(B) The State Forester's Agent shall revoke an accreditation only after providing thirty days prior written notice to the training provider.

(C) Accreditation revocation review and appeals procedures:

(i) Not more than 30 days following receipt of the written notice required by (3)(f)(A) above, a training provider may request a review of the proposed revocation by the Certified Burn Manager Review Board.

(ii) The Certified Burn Manager Review Board shall conduct the requested review within 30 days of the receipt of a request made pursuant to (3)(f)(B)(i) above.

(iii) Following completion of the review required pursuant to (3)(f)(B)(ii) above, the Certified Burn Manager Review Board shall either affirm or cancel the proposed accreditation revocation action.

(iv) The State Forester's Agent or the training provider whose accreditation has been proposed for revocation may appeal the decision of the Certified Burn Manager Review Board to the Board of Forestry, in the same manner as appeals under ORS 477.260(2).

~~(h) The State Forester's Agent may grant training provider accreditation to employees of the Oregon Department of Forestry and to employees of a forest protection association without the need to comply with the requirements of this rule.~~

(i) The State Forester's Agent may revoke the training provider accreditation of employees of the Oregon Department of Forestry and to employees of a forest protection association without the need to comply with the requirements of this rule.

(4) A landowner which uses a Certified Burn Manager to supervise a prescribed burn shall:<sup>[HTJ\*O45]</sup>

(a) Make a bona fide attempt to notify all contiguous owners of forestland, who are within one-fourth of one mile of the prescribed burn site, about the prescribed burn. Such notification shall:

(A) Be made not more than 60 days prior to ignition of the prescribed burn; and

~~(B) Be made not less than five days prior to ignition of the prescribed burn.~~

(b) Provide, prior to ignition of the prescribed burn, a copy of the prescribed burning plan to any landowner notified pursuant to (4)(a) above, who requests a copy.

(5) A landowner which uses a Certified Burn Manager to supervise a prescribed burn may not terminate the Certified Burn Manager's responsibility for a prescribed burn unless:

(a) The prescribed burn has been contained; or

(b) The Certified Burn Manager is immediately replaced by another Certified Burn Manager; or

(c) The landowner has assumed responsibility for the prescribed burn and for execution of the prescribed burning plan prepared pursuant to OAR 629-042-XX11(1); and

(d) The district has been notified pursuant to OAR 629-042-XX11(5)(b).

(6) Fees<sup>[HTJ\*O46]</sup>.

(a) The following fees shall be designed only to cover the cost of administering the Certified Burn Manager program:

(A) The application fee for an initial certificate shall be.....?

(B) The application fee for a renewal certificate shall be.....?

(C) The fee for a Basic Certified Burn Manager correspondence course conducted by the State Forester's Agent shall be.....?

(D) The fee for a specialized Certified Burn Manager Endorsement Training module conducted by the State Forester' Agent shall be.....?

(b) Training providers may charge reasonable fees for the training they provide or document.

(7) Authorized entries.

(a) A Certified Burn Manager, the State Forester's Agent, or a training provider may not document successful completion of a training requirement of OAR 629-042-XXX5 or a test required by OAR

629-042-XXX6 unless they have personal knowledge that the person has properly completed the task being documented.

(b) Notwithstanding (a) above, the State Forester's Agency may document successful completion of a training requirement of OAR 629-042-XXX5 or a test required by OAR 629-042-XXX6 if the requirements of OAR 629-042-XXX5(1)(e). have been met.

(8) Nothing in OAR 629-042-XXX2 to 629-042-XX14 is intended to reduce the ability of a district to exercise their responsibility to ensure that burning in their jurisdiction is conducted in a safe and lawful manner.

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