



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

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NOTICE

Pursuant to Executive Order 11-07, the Director of the Missouri Department of Natural Resources is suspending specific statutes and administrative rules as follows in order to best serve the interest of the public health and safety during the recovery period following the severe storms and flooding events that began on April 22, 2011 and continue. This waiver shall be in effect until May 23, 2011, but may be extended upon extension of Executive Order 11-07 for the counties of Butler, Wayne, Mississippi, Scott, Pemiscot, Dunklin, Carter, New Madrid, St. Francois, Stoddard, Cape Girardeau, Ripley, Reynolds, Howell, McDonald, Taney, Stone, Barry, Ozark, and other counties as deemed necessary by the Director of the Department of Natural Resources.

May 9, 2011

UPDATED May 10, 2011

Disposal of yard waste and major appliances

The composting or mulching of yard waste is encouraged if it is practical to do so. Reasonable efforts should be made to segregate materials including major appliances for recycling when practical. Cities and counties should coordinate collection of damaged appliances so refrigerants can be legally recovered from air conditioners, freezers and refrigerators before recycling. Section 260.250.1, RSMo., normally prohibits the disposal of certain items in landfills. This waiver allows any yard waste generated and any major appliances damaged or destroyed as a result of the flooding events to be disposed of in a permitted sanitary or demolition landfill when it is not practical to compost or mulch yard waste or segregate major appliances for recycling, as long as the landfill agrees to accept the waste. This waiver applies only to yard waste and major appliances defined in Section 260.200 RSMo., and does not allow disposal of other items normally prohibited in sanitary or demolition landfills.

Burning of woody vegetation

Section 10 CSR 10-6.045 RSMo, Open Burning Requirements, requires a permit for the open burning of vegetative waste that occurs within the corporate limits of any municipality. The department is waiving this requirement for all of the aforementioned counties, with the following conditions:

- 1) The vegetative material must be a result of the severe weather and flooding that started on April 22, 2011, and is continuing as specified in Executive Order 11-07.

- 2) The vegetative material is burned on the premises where it originated. Central collection points for burning located within the corporate limits of any municipality must receive a permit from the Department. These permits require approval by the local fire officials.
- 3) The vegetative material must be burned at least 200 yards from the nearest occupied structure.

The department will consider issuance of permits for burning of materials other than vegetative waste on a case-by-case basis.

Open burning outside of the corporate limits of any municipality must take place at least 200 yards from the nearest occupied structure. The 200 yard setback requirement is the minimum required distance; however, greater setbacks may be appropriate depending on circumstances such as the size of the debris pile to be burned. The department urges local officials to carefully select burn locations taking local air quality, public health and safety, and neighborhood impacts into consideration. For assistance, local officials may contact the department's Southeast Regional Office in Poplar Bluff at (573) 840-9750.

The Department of Natural Resources website contains information on how to handle debris from storm damage. This and other information is available under Natural Disaster Resources at <http://www.dnr.mo.gov/disaster.htm>

Jurisdictions covered by this Notice may request that the director of the Missouri Department of Natural Resources suspend other specific statutes and administrative rules to best serve the interest of the public health and safety during the recovery period.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Sara Parker Pauley
Director

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Attachment