



*Mary Fallin*  
Governor

**FILED**

**MAY 05 2014**

OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT  
EXECUTIVE PROCLAMATION**

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I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by 2 O.S. Section 16-26(A), do hereby proclaim an emergency due to extreme weather which creates an extreme and extraordinary danger from fire existing in the following 36 counties:

Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron,  
Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grady,  
Grant, Greer, Harmon, Harper, Jackson, Kingfisher, Kiowa, Lincoln,  
Logan, Major, McClain, Noble, Oklahoma, Payne, Pawnee, Roger Mills,  
Texas, Tillman, Washita, Woods, Woodward.

By virtue of this proclamation and 2 O.S. Section 16-26(A), it is unlawful for any person to set fire to any forest, grass, woods, wildlands or marshes, or to build a bonfire or fire, or to burn or ignite fireworks, or to burn trash or other materials outdoors in any of the counties included in this proclamation.

**Guidelines and exemptions:**

**FOR EQUIPMENT RELATED TO ROAD CONSTRUCTION PROJECTS**

Equipment which uses propane or other controlled-type burners is generally regarded as safe, however it would be prudent to have a water pumper on standby any time this equipment is used near a grassy right-of-way.

Other types of burners pose a higher risk, particularly if they are of open design or are burning while being transported. If a safety zone wider than the flame length is established, these burners are generally safe. If they are pulled onto a grassy surface, the burner should be extinguished. A concept of "reasonable and prudent" must be applied when using this type of equipment.

**WELDING/CUTTING TORCH/GRINDING ACTIVITIES**

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Outdoor welding or cutting torch activities cause many fires each year, and the ban is intended to prevent wildland fires caused by this activity. In addition to the penalties prescribed in the law for violations of the outdoor burning ban, operators may also be liable for damages caused by a fire, and for the costs of suppressing such fire. Extreme caution is advised. Outdoor welding and cutting torch activities may continue under the following conditions:

1. When conducted over a non-combustible surface of at least 10 feet by 10 feet and when welding blankets or screens are used to cover flammable vegetation; and
2. Wind speeds must be less than 20 mph; and
3. A fire watch, other than the welder, is posted at the welding/cutting torch site with pressurized water or fire extinguisher.

### **OILFIELD AND LANDFILL ACTIVITIES**

Gas vents and flares associated with the extraction of oil and gas or the refining of oil and gas (or other manufacturing processes or landfill operations) are generally considered exempt from the ban as long as the top of the vent pipe is raised well above the surrounding vegetation.

Sludge pits are covered under the ban and should not be burned while it is in effect.

### **STORM AND LAND CLEARING DEBRIS**

Woody debris (limbs, branches, etc.) may be burned under the following conditions:

1. An air-curtain incinerator, which burns the debris in a pit below ground level, must be used; and
2. Department of Environmental Quality Open Burning rules are followed; and
3. The area where the burn is conducted is cleared of vegetation for a 100' radius; and
4. Wind speed is less than 15 mph; and
5. Water and water pumping equipment is on-site.

### **CAMPFIRES AND OUTDOOR COOKING**

Outdoor campfires or bonfires are prohibited. LPG and natural gas grills and charcoal-fired cooking outside in a grilling receptacle are permitted provided that the activity is conducted over a non-flammable surface and at least five feet from flammable vegetation. Coleman-type pressurized stoves are exempt. However, any fire resulting from grilling or the use of one of these cookers or stoves is still an illegal fire.

## **FIREWORKS**

Organized public fireworks displays are allowed under this ban if the public fireworks displays are permitted by a municipality with jurisdictional authority and conducted by trained professionals with approval of the local fire department or State Fire Marshal's Office.

## **NATIVE AMERICAN CEREMONIAL FIRES**

Native American ceremonial fires conducted in Sweat Lodges or over non-flammable surfaces of at least 10 feet by 10 feet are exempt from this Ban.

## **STATE FIRE SCHOOLS AND FIRE TRAINING**

Live burns for firefighter training in conjunction with State Fire Schools and/or Firefighter Academies are exempt from this Ban. The live burns must be held on training grounds located at OSU Fire Service Training Regional Training facilities, regional Career Technology Centers, or Fire Department Training facilities. The burns must also be conducted over non-flammable surfaces and be held in accordance with Oklahoma Department of Environmental Quality Air Quality rules.

Live burns for wildland fire training *are not* allowed.

## **EXTREME HARDSHIP EXEMPTIONS**

Upon the written approval of the State Forester, individuals may be approved to conduct controlled burns on their property due to extreme hardship caused by unusual or extenuating circumstances while their county is under the Governor's Ban on Outdoor Burning. The State recognizes the economic importance of controlled burning as a valuable management tool. Applicants must also recognize the severe drought conditions that necessitate the burning ban, their legal liabilities when conducting controlled burning and the need to take extra precautions when conducting such burning. **No exemptions will be granted for camp fires, normal burning of brush piles, accumulation of leaves in yards or brush piles in yards, or household trash.**

Requests for extreme hardship exemptions of Burn Ban must be made in writing to the Director of the Forestry Services Division of the Oklahoma Department of Agriculture Food and Forestry using the form available at [www.forestry.ok.gov](http://www.forestry.ok.gov). *Completed forms*

*must be emailed to [okforest@ag.ok.gov](mailto:okforest@ag.ok.gov) or faxed to 405-522-4583 or mailed to the Oklahoma Department of Agriculture, 2800 North Lincoln Boulevard, Oklahoma City, OK 7310*

## **AGRICULTURAL PRODUCERS EXEMPTIONS**

Agricultural producers have a genuine need to be able to manage their cropland, range and pasture. Therefore, an agricultural producer burning cropland, range or pastureland as part of their management operations shall be exempted from the ban only if the producer complies with all of the following provisions.

Cropland, range and pasture may be burned under this ban if the producer:

1. Completes the current form available from the Forestry Services Division of Oklahoma Department of Agriculture, Food & Forestry (Form AG-2012-01);
2. Has the form approved, in writing, by the local fire department with suppression responsibility for the area being burned;
3. Constructs adequate fire lines and has sufficient personnel and equipment on hand to control the fire;
4. Wind speeds do not exceed fifteen miles per hour (15 mph); and
5. Notifies his/her neighbors of the planned burn.

For more specific information, contact the Forestry Services Division of Oklahoma Department of Agriculture, Food and Forestry at (405) 522-6158.

The prohibition against outdoor burning declared in this proclamation shall continue until the extreme and extraordinary fire danger is eliminated, as determined by the Forestry Services Division of the Oklahoma Department of Agriculture, Food and Forestry. The Forestry Services Division may recommend the removal or addition of individual counties from the effect of this proclamation as conditions change.

The Forestry Services Division, in carrying out its emergency functions, may make emergency acquisitions to fulfill the purposes of this proclamation without regard to limitations or bidding requirements on such acquisitions.

The Forestry Services Division is hereby directed to publish or post copies of this proclamation in order to provide adequate notice to affected citizens as required by 2 O.S. Section 16-26. It is further directed to distribute copies of this proclamation to the Department of Public Safety, the Department of Tourism and Recreation, the State Fire Marshal, the Office

of the South Central Interstate Forest Fire Protection Compact, all Cabinet Secretaries, and the Sheriffs of all counties. This Executive Proclamation shall expire in thirty (30) days.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 5<sup>th</sup> day of May, 2014.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

*Mary Fallin*

MARY FALLIN

ATTEST:

