



Delegation of Authority Huerfano County

Pursuant to the Colorado Air Pollution Prevention and Control Act, §25-7-111(2)(f), C.R.S., Huerfano County (“Agent”) is hereby designated to perform certain duties as an Agent of the Air Pollution Control Division of the Colorado Department of Public Health and Environment (“Division”) within the following jurisdiction: Huerfano County.

The Agent does hereby accept this designation and agrees to perform such activities as are necessary to meet the requirements of the Colorado Air Pollution Prevention and Control Act (“Act”), and regulations promulgated pursuant thereto, regarding the delegated duties and responsibilities specified in this delegation of authority. Agent agrees to exercise and perform the powers and duties designated in this delegation of authority in accordance with all applicable written policies of the Division.

This delegation of authority to Huerfano County is limited to the following prescribed powers and duties:

- 1) To issue or deny general open burning permits on a Division-approved form, which is attached to this delegation of authority, in accordance with the Air Quality Control Commission’s Regulation No. 9 regarding general open burning.
- 2) In the event any person, as defined by the Act in §25-7-103(19), C.R.S., fails to obtain an open burning permit, fails to comply with permit conditions or fails to comply with Regulation No. 9 regarding general open burning, the Agent must notify the Division immediately upon the Agent’s discovery of the noncompliance. Should the Division issue a Notice of Violation pursuant to §25-7-115(2) regarding the noncompliance, and if requested by the Division, Agent must attend the conference(s) held by the Division, pursuant to § 25-7-115(3)(a), C.R.S., to discuss the noncompliance.
- 3) In the event any person, as defined by the Act in §25-7-103(19), C.R.S., violates a Compliance Order issued by the Division pursuant to the Division’s authority in §25-7-115(3)(b), C.R.S., the Agent must notify the Division immediately upon the Agent’s discovery of the noncompliance. Should the Division cause to be instituted by court action for injunction and/or civil penalties, pursuant to §§25-7-121 and/or 25-7-122, C.R.S., Agent must assist the Division when directed by the Division.

All powers, duties and responsibilities prescribed herein shall be exercised and performed within the specific geographical jurisdiction set forth in this delegation of authority.



This delegation of authority revokes and supersedes any prior delegation, whether written or oral, relating to air pollution control made to Agent.

This delegation of authority to Huerfano County revokes and supersedes any prior delegation, whether written or oral, relating to air pollution control made to Las Animas-Huerfano Counties' District Health Department.


The Division expressly reserves the right to cancel delegation of authority at any time, to issue enforcement orders, notices and open burning permits, including exercise oversight authority to issue those orders, notices, and permits specified in this delegation of authority, as authorized by the Act. This delegation of authority in no way relieves the Division of its duty to enforce according to mandates of the Act and regulations promulgated thereunder in the event Agent's enforcement activities and permit policy conflict or are otherwise inconsistent with enforcement activities and permit policies of the Division.

In order to ensure coordination of efforts and uniform enforcement of air pollution laws, activities conducted pursuant to this delegation of authority must be reported on a monthly basis to the Division on a form specified by the Division, a copy of which has been provided to the Agent.

This delegation of authority is effective on this 23rd day of March 2023 and will expire on the 23rd day of March 2028. Should both parties wish to continue the delegation, a new Delegation of Authority must be executed.

Dated this 23rd day of March 2023.

FOR COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT:

 Digitally signed by
Michael Ogletree
Date: 2023.03.23
08:23:35 -06'00'

3/23/2023

DATE

Michael Ogletree
Director
Air Pollution Control Division

FOR HUERFANO COUNTY:

DATE

John Galusha
County Commissioner, District 1
Huerfano County Board of County Commissioners



FOR LAS ANIMAS-HUERFANO COUNTIES' DISTRICT HEALTH DEPARTMENT:

**Kimberly
Gonzales**



3-23-2023

DATE _____

Kimberly Gonzales
Executive director
Las Animas-Huerfano Counties District Health Department





DATE ISSUED: _____ DATE EXPIRES: _____ PERMIT #: _____

OPEN BURNING PERMIT APPLICATION

APPLICANT
NAME: _____

MAILING
ADDRESS: _____ CITY, ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

BURN SITE LOCATION:
(Address & site
description
e.g. fence row, ditch) _____

LANDOWNER: _____

BURN SUPERVISOR: _____ PHONE: _____

PROXIMITY TO
PUBLIC LANDS: _____

PROXIMITY TO
STRUCTURES: _____

PURPOSE OF
BURN: _____

TYPE OF DEBRIS
TO BE BURNED: _____

TOTAL AMOUNT OF DEBRIS TO BE
BURNED: (acres, number &
dimensions of piles) _____

AUXILLARY FUEL
TO BE USED: _____ ALTERNATIVE TO
BURNING: _____

PROPOSED
STARTING DATE: _____ PROPOSED
COMPLETION DATE: _____

TOTAL DAYS, HOURS NEEDED
TO COMPLETE BURN: _____

ADDITIONAL REQUESTS
AND INFORMATION:
(Elaborate, if needed, on
information given above) _____

APPLICANT SIGNATURE: _____ DATE: _____

GRANTING AUTHORITY: _____ DATE: _____



STANDARD OPEN BURNING CONDITIONS

(the applicant acknowledges and agrees to abide by these conditions):

- Burn Permits must be submitted at least **48 hours** in advance of the requested burn dates, and are valid for **5 days** from the date of final approval.
- The burn supervisor must notify the Huerfano County Dispatch Center at 719-738-1044 immediately prior to starting the fire and at the conclusion of the fire. If any temporary fire restrictions or weather conditions are in place at that time, the permittee will be advised to reschedule for a later date.
- The burn supervisor must notify dispatch that the burn has been completed.
- The burn supervisor is liable for all damages to property of his or others and is responsible for cost associated with the fire suppression if fire department intervention is necessary.
- **Permittee shall only burn in piles that do not exceed 8'x8'x8'. No more than 49 piles may be burned during the life of this permit.**
- ***Burning in barrels or incinerators is not permitted.***
- The permittee is responsible for checking the daily air quality forecast, before igniting the burn, to ensure that no Air Pollution Alert or Ozone Action Day alert has been issued for the location of the burn. For more information: www.colorado.gov/airquality.
- This permit can be revoked at any time by the fire chief or authorized agent and will become null and void upon either:
 - the issuance of a “fire ban” by the Huerfano County Commissioners or Huerfano County Sheriff;
 - public announcement of a period of air pollution emergency or alert; or
 - notification of a high-wind watch/warning day and/or a fire weather watch/red flag warning day.
- At no time shall the burn be left unattended. Burning shall be supervised by one or more responsible persons depending on the type of burning. Precautions shall be taken to localize the burning and in no way constitute a fire hazard to persons/property within or adjacent to the area of burning. The granting authority and the employees or agents thereof, in the issuing of a permit, do not assume any responsibility or results in damage to the person or property of the permittee, or the person or property of any third person.
- Other permits may be required or other state and federal laws and regulations may apply to the safe and legal burning of the material described herein.
- Burns that require fire department assistance to help property owners keep the fire under control may incur a fee for equipment, mileage and hours.
- Burning shall be restricted to the item(s) and location identified in the permit.
- Issuance of the permit signifies that the requesting individual has permission by the fire chief or other authorized agent to conduct controlled open burning of grass, brush, tree trimmings and other combustible debris not to include rubber, plastic, oils, asphalt or any other material which is considered to emit hazardous smoke or other byproducts at the location specified in this application.
- “Ignition” of material includes both starting a fire and adding more material to an existing fire. All fires must be completely extinguished no later than sunset.
- This permit is for compliance with air pollution requirements only and is not a permit to violate any existing local laws, rules, regulations or ordinances regarding fire, zoning or building.
- This permit is only valid for unincorporated Huerfano County in this permit. **Burns within the municipal limits of the Town of La Veta or City of Walsenburg do not use this process.**
- Any violations of these same conditions and restrictions shall render this permit null and void.



OFFICIAL USE ONLY

Application Received by: _____

Date Received: _____

Date Sent to Dispatch: _____

Date Sent to Fire Chief: _____

Fire District: _____

Fire District Approval
Chief/Authorized
Signature: _____

Date Approved: _____

CAD# (Dispatch to Enter) _____

Open Burning Permits Reporting

September 2022 burn permits

amber.stowell@state.co.us [Switch account](#)



* Required

Email *

Your email

* County

Choose

Month *

Choose

Open burning permits issued *

Your answer



Open burning permits denied *

Your answer

A copy of your responses will be emailed to the address you provided.

Submit

Clear form

Never submit passwords through Google Forms.

reCAPTCHA

[Privacy](#) [Terms](#)

This form was created inside of State.co.us Executive Branch. [Report Abuse](#)

Google Forms

