

Note: The public must be notified about this application by either:

1. Posting one public notice where the open burning is to occur, near the closest public right-of-way to the property, in a location clearly visible from the right-of-way, and one public notice in a conspicuous location at the county courthouse in the county where the burning is to take place.
2. Publishing a public notice in the legal section of a newspaper of general circulation in the affected area.

Instructions to Applicants Posting Public Notice

1. If the applicant chooses to notify the public by posting a public notice in the nearest right-of-way and an additional public notice at the courthouse, then the applicant does not need to place a public notice in the legal section of the newspaper. The two public notices must be posted no sooner than 10 days prior to submittal of the application and no later than 10 days after submittal of the application and must remain posted in a visible condition for a minimum of 15 days. The two public notices must state the information contained in the application and be posted on the form provided by the Department. If the permit applicant posts the public notice at the nearest public right-of-way to the property and at the county courthouse, then the applicant must submit a picture of the posting at the public right-of-way (including address) and a copy of the county courthouse posting as part of the permit application.
2. If the applicant chooses to notify the public by placing a notification in the legal section of the newspaper, then the applicant does not have to place notification in the nearest right-of-way or the county courthouse. If the applicant publishes a notice in a newspaper of general circulation, then an affidavit of publication of public notice must be submitted to the Department as part of the permit application.

Instructions to Applicants for Christmas Tree Waste Open Burning

The notice below must be published no earlier than 10 days prior to the date your application will be submitted to the Department, and no later than 10 days following the date of submittal. The notice must remain posted in a visible condition for a minimum of 15 days. The notice is to be published a) in the legal notice section of a newspaper of general circulation in the area affected or b) one public notice in the area where the open burning is to occur (near the closest public right-of-way to the property in a location clearly visible from the right-of-way) and one public notice in a conspicuous location at the county courthouse in the county where the burning is to take place. Questions regarding an appropriate newspaper (option a) should be addressed to the Air, Energy & Mining Division. Please submit a copy of the published notice(s) to the division with the application, if possible, or as soon thereafter as possible.

This notice is required by ARM Title 17, Chapter 8, Subchapter 6, Rule 17.8.613 Christmas Tree Waste Air Quality Open Burning Permits and must be published/displayed as shown in the box below.

PUBLIC NOTICE	
Notice of Application for Air Quality Permit (pursuant to Section 75-2-211, MCA, and ARM Title 17, Chapter 8, Subchapter 6, Open Burning),	
_____	<i>Name of applicant(s)</i>
_____	on or about _____
<i>has filed/will file</i>	<i>date</i>
an application for a conditional air quality open burning permit from the Air, Energy & Mining Division of the Montana Department of Environmental Quality (Department). Applicant(s) seeks approval of its/their application to open burn	

<i>brief description of type of material to be burned</i>	
at _____	

<i>[location of proposed operation including 1) a narrative description related to nearby towns, roads, landmarks, etc., and 2) the section, township, and range]</i>	
<u>Any member of the public with questions or who wishes to receive notice of the Department's determination, and the location where a copy of the application and the Department's analysis of it can be reviewed, or to submit comments on the application, must contact the Department at 1520 East Sixth Ave., P.O. Box 200901, Helena, Montana 59620-0901, phone (406) 444-3490.</u>	
Any comments on the application must be submitted to the Department within 20 days after publication of this notice or filing of the application, whichever is later. The Department's decision to approve or deny an application for a conditional open burning permit may be reviewed by the Board of Environmental Review (Board) according to the following procedure:	
When the Department approves or denies the application for a conditional open burning permit under this section, a person who is jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefor, a hearing before the Board. A hearing shall be held under the provisions of the Montana Administrative Procedures Act.	
The Department's decision on the application is not final unless 15 days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the Department's decision until the conclusion of the hearing and issuance of a final decision by the Board.	