



DEPT. OF WATER, ENERGY, AND ENVIRONMENT

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Fire Training Burns

This guidance document has been produced by the Nebraska Department of Water, Energy, and Environment (DWEE) to provide information on conducting fire training burns on existing structures in Nebraska. The burning of existing structures must be conducted as fire training burns or be specifically permitted by the DWEE Air Compliance Section. This document will outline who needs to be involved under existing regulation and provide introductory directions.

Nebraska [Title 128 – Hazardous Waste Regulations](#) govern hazardous waste requirements relating to waste management after the burn. Nebraska [Title 129 – Air Quality Regulations](#) contains regulations relating to open burning. Asbestos regulations are addressed by Title 178 through the Nebraska Department of Health and Human Services (NDHHS).

For the purposes of legitimate fire training, DWEE and the Nebraska State Fire Marshal (NSFM) have agreed that a pile of material derived from a properly prepared structure, or structures, is considered a structure for fire training burn purposes. If there are multiple structures, each individual structure must have completed all NDHHS, DWEE, and NSFM requirements.

What do I need to do to use a condemned or obsolete building for a fire training exercise?

The first thing that you will need to do is have the structure inspected by a licensed asbestos inspector to ensure that the structure does not contain asbestos. If the building contains asbestos, it must be removed in accordance with NDHHS regulations. If the structure contains three or more square feet or three or more linear feet of asbestos containing material, the "Asbestos Project Notification" Form 5 must be completed and submitted to NDHHS at least 10 working days before the project start date (the asbestos removal). This form can be found on the NDHHS Asbestos Program website listed in the resources section below. The original owner, or the fire department who takes ownership of the structure for the fire training exercise, is responsible to obtain the asbestos inspection. Fire departments are not required to enclose the \$200 notification fee for projects that are fire trainings.

What do I do after the asbestos inspection and removal?

The next thing is to submit the DWEE “Nebraska Fire Training Demolition Notification Form” to DWEE at least 10 working days before site preparation or asbestos removal. A link for this form can be found in the DWEE Publications section below.

Whenever a structure is to be demolished and moved to a safer burning site prior to the fire training exercise, a National Emission Standards for Hazardous Air Pollutants (NESHAP) Notification of Demolition and Renovation form must be submitted to DWEE at least 10 days before any demolition action. A link for this form can be found in the DWEE Publications section below. Note that the Nebraska Fire Training Demolition Notification form and the NESHAP Notification of Demolition and Renovation form are separate and distinct form requirements. If the fire training exercise does not require the structure to be moved, then the NESHAP form will not need to be completed for that structure.

What is next after the DWEE and NESHAP forms are sent in?

The local fire department will need to complete the “Nebraska Fire Marshal Official Application for Permit to Burn the Building.” This form includes a notarized affidavit that states the legal owner of the structure allows the fire department to burn the structure. The affidavit must accompany the application for the burn permit. A link to this form can be found in the Resources section below. A house whose ownership has been transferred to a fire department for training is no longer considered to be a household.

The structure cannot be demolished or burned for fire training until all regulated asbestos containing materials have been properly removed from the structure and you have received the NSFM's Permit to Burn. The NDHHS, DWEE, and NSFM requirements are separate and cannot be combined. Each agency must receive the applicable forms.

What do I do after the burn is approved and completed?

After the burn is completed, the ash and debris must be taken to a municipal solid waste landfill. It is recommended to coordinate in advance with the receiving landfill. Even though the regulations allow it, there may be additional restrictions set by the local government or the landfill itself. There are no notifications that need to be sent to DWEE regarding waste disposal.

RESOURCES:

- DWEE Home Page <https://dwee.nebraska.gov/>
- Nebraska Department of Health and Human Services <https://dhhs.ne.gov/>
- Nebraska DHHS Asbestos Program <https://dhhs.ne.gov/pages/asbestos.aspx/>
- Nebraska State Fire Marshall <https://sfm.nebraska.gov/>
- Nebraska State Fire Marshall Burn Permits <https://sfm.nebraska.gov/fire-departments/burn-permits/>

Contacts:

- DWEE Main Number (402) 471-2186
- DWEE Toll Free Number (877) 253-2603
- DWEE Hazardous Waste Compliance Assistant (402) 471-8308
- Email questions to: DWEE.moreinfo@nebraska.gov

DWEE Publications:

- Nebraska Fire Training Demolition Notification <https://dee.nebraska.gov/forms/publications-grantsforms/00-074/>
- NESHAP Notification of Demolition and Renovation <https://dee.nebraska.gov/forms/publicationsgrants-forms/00-075/>
- Environmental Guidance Document – “General Asbestos Information”
- Environmental Guidance Document – “Demolition, Renovation and the Asbestos Regulations”
- Environmental Guidance Document – “Policies and Guidelines for Fire Training Exercises”
- Environmental Guidance Document – “Waste Determinations & Hazardous Waste Testing”
Guidance documents are available on the DWEE website by clicking “Visit Nebraska Department of Environment and Energy (DEE),” selecting “Forms,” and “Publications, Grants & Forms.”
- [Title 128 – Nebraska Hazardous Waste Regulations](#)
- [Title 129 – Nebraska Air Quality Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)
Titles are available on the DWEE website by clicking “Visit Nebraska Department of Water, Energy, and Environment (DWEE),” selecting “Resources and Services,” “Laws & Regulations,” and “Rules & Regulations.”

Produced by: Nebraska Department of Water, Energy, and Environment, 245 Fallbrook Blvd. Ste.100, Lincoln, NE 68521; (402) 471-2186. To view this and other information related to our agency, visit our website at <https://dwee.nebraska.gov/>.