



**MEMORANDUM OF UNDERSTANDING**  
between the  
Department of Environment and Conservation  
and the  
Department of Agriculture  
Division of Forestry

This Memorandum of Understanding (MOU) is made and entered into this 24th day of November, 2021, by and between the State of Tennessee, Department of Environment and Conservation, Divisions of Air Pollution Control, State Park Operations, and Natural Areas (collectively referred to as "TDEC"), and the State of Tennessee, Department of Agriculture, Division of Forestry ("Forestry").

Whereas, TDEC and Forestry recognize that prescribed burning is an important land management tool that benefits the safety of the public, the environment, and the economy of Tennessee; and

Whereas, TDEC and Forestry also recognize the importance of minimizing the public health and environmental impacts of smoke intrusion from prescribed burning into populated areas.

Now, therefore, in consideration of the mutual benefits to each party, the parties agree as follows:

- 1.) All parties will follow Basic Smoke Management Practices (BSMP) when utilizing prescribed burning. For the purposes of this MOU, BSMP are defined as those specified by Table 1 to 40 CFR 50.14:

**Table 1**  
**Summary of Basic Smoke Management Practices, Benefit Achieved With the BSMP, and**  
**When it is Applied**

Basic Smoke Management Practice	Benefit achieved with the BSMP	When the BSMP is applied— before/during/after the burn
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Evaluate Smoke Dispersion Conditions	Minimize smoke impacts	Before, During, After.
Monitor Effects on Air Quality	Be aware of where the smoke is going and the degree to which it impacts air quality	Before, During, After.
Recordkeeping/Maintain a Burn/Smoke Journal	Retain information about the weather, burn, and smoke. If air quality problems occur, documentation helps analyze and address air regulatory issues.	Before, During, After.
Communication—Public Notification	Notify neighbors and those potentially impacted by smoke, especially sensitive receptors	Before, During.
Consider Emission Reduction Techniques	Reducing emissions through mechanisms such as reducing fuel loading can reduce downwind impacts	Before, During, After.
Share the Airshed— Coordination of Area Burning	Coordinate multiple burns in the area to manage exposure of the public to smoke	Before, During, After.

2.) The listing of BSMP in this table is not intended to be all-inclusive. Not all BSMP are appropriate for all burns. Goals for applicability should retain flexibility to allow for onsite variation and site-specific conditions that can be variable on the day of the burn. Burn managers can consider other appropriate BSMP as they become available due to technological advancement or programmatic refinement.

3.) All parties to this MOU utilizing prescribed burning will promptly notify the TDEC Division of Air Pollution Control (TDEC DAPC) of its plans to conduct a prescribed burn so that TDEC DAPC air quality forecasters and ambient air monitoring staff can plan accordingly. Such notification will include the dates, duration, location, planned acres to be burned, and types of materials to be burned.

4.) All parties utilizing prescribed burning will consult the current air quality index (AQI) for the burn location prior to igniting a burn and, if possible, only burn on days with an AQI color of green.

5.) If an exceedance or violation of a National Ambient Air Quality Standard (NAAQS) occurs due to a prescribed fire set by any party, the TDEC DAPC and the party will undertake a review of the subject fire, including a review of the BSMP applied during the subject fire to ensure the protection of air quality and public health and progress towards restoring or maintaining, or both, a sustainable and resilient wildland ecosystem.

6.) In the event any prescribed burning conducted by any party creates an exceptional monitoring event for non-attainment of a NAAQS, TDEC and Forestry will cooperate to demonstrate use of BSMP and to conduct a post-burn review of the effectiveness of the BSMP employed as required by the Environmental Protection Agency.

7.) TDEC and Forestry shall periodically meet to review and discuss procedures for implementation of this MOU and better management of air quality impacts of prescribed burning. TDEC and Forestry will also conduct outreach and education to explain and promote the use of BSMP to other burn managers operating within the state through opportunities such as the prescribed fire burn manager certification program. The discussions will include general expectations for the selection and application of appropriate BSMP within the state.

This MOU shall become effective as soon as signed by all parties. Any party may terminate this MOU upon six (6) months' written notice.

*Michelle W Owenby*  
Michelle W Owenby (Nov 29, 2021 08:10 CST)

Technical Secretary, Division of Air Pollution Control

\_\_\_\_\_ Date

*Roger McLean*  
.. (Nov 24, 2021 14:40 CST)

Director, Division of Natural Areas

\_\_\_\_\_ Date

*Michael Robertson*

Director, State Park Operations

\_\_\_\_\_ Date

*David Amorf*  
.. (Nov 24, 2021 14:28 CST)

State Forester, Division of Forestry

\_\_\_\_\_ Date