

## DEC'S NEW REGULATION ON OPEN BURNING TAKES EFFECT OCT. 14, 2009

### Initiative Will Reduce Pollutants, Risks of Wildfires

Taking a step to reduce harmful air pollutants and help prevent wildfires, the New York State Department of Environmental Conservation (DEC) has extended restrictions on the open burning of residential waste effective Oct. 14. The open burning of residential waste will be prohibited in all communities statewide, regardless of population, with exceptions for burning tree limbs and branches at limited times and other certain circumstances (detailed below).

A study by the U.S. Environmental Protection Agency, in conjunction with DEC and the New York State Department of Health, found that emissions of dioxins and furans from backyard burning alone were greater than those from all other sources combined for the years 2002-04. Trash containing plastics, polystyrene, pressure-treated and painted wood and bleached or colored papers produce harmful chemicals when burned. The study found that burning trash emits arsenic, carbon monoxide, benzene, styrene, formaldehyde, lead, and hydrogen cyanide, among others.

The regulation bans all open burning **EXCEPT** for the following:

- On-site burning of limbs and branches between May 15<sup>th</sup> and the following March 15<sup>th</sup>  
in any town with a total population less than 20,000
- Barbecue grills, maple sugar arches and similar outdoor cooking devices
- Small cooking and camp fires
- On-site burning of organic agricultural wastes, but not pesticides, plastics or other non-organic material
- Liquid petroleum fueled smudge pots to prevent frost damage crops
- Ceremonial or celebratory bonfires
- Disposal of a flag or religious item
- Burning on an emergency basis of explosive or other dangerous or contraband by police, etc.
- Prescribed burns performed according to state regulations
- Fire training with some restrictions on the use of acquired structures
- Individual open fires to control plant and animal disease outbreaks as approved by DEC upon the request by the Commissioner of Agriculture and Markets
- Open fires as necessary to control invasive plant and insect species

The law **prohibits** open burning without a written permit from the DEC.

A complete outline of common questions and answers on the new regulation is available at: <http://www.dec.ny.gov/chemical/58519.html> on the DEC website. For any other questions, contact your local DEC Forest Ranger at 518-897-1300.