



FIRE MARSHAL BULLETIN

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Environmental Control Of Open Burning

DEPARTMENT OF STATE POLICE, Fire Marshal Division, 7150 Harris Drive, Lansing, MI 48913

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"Open burning" is the burning of unwanted materials such as paper, trees, brush, leaves, grass, and other debris, where smoke and other emissions are released directly into the air. During open burning air pollutants do not pass through a chimney or stack.

Open burning pollutes the air and poses a fire hazard. The air pollution created by open burning can irritate eyes and lungs, obscure visibility, soil nearby surfaces, create annoying odors, and create other nuisances or health threats. Due to the problems created by open burning, rules and ordinances have been adopted at both state and local levels to regulate it. Unfortunately, many people are either unaware of the regulations or unsure about which regulations apply to them. The following information will help identify the problems, regulations, and provide reference sources for information and alternatives to open burning.

Statewide Open Burning Laws

In Michigan, open burning is regulated by the following public acts, their amendments and associated rules; the "New Natural Resources and Environmental Protection Act, Part 55, 1994 PA 451", the "New Natural Resources and Environmental Protection Act, Part 115, 1994 PA 451 (MCL 324.11522)", and the "New Natural Resources and Environmental Protection Act, Part 515, 1994 PA 451 (MCL 324.51501 - 324.51514)". In addition, local units of government, such as city, county, or township boards, often regulate open burning via local laws. These ordinances take precedence over state regulations where the local laws are more restrictive of open burning than state regulations.

The easiest way to understand the state regulations for open burning is to review the type of material to be burned. Some of the most common burning materials are outlined below, along with the pertinent regulations.

General Open Burning

Air quality regulations prohibit open burning that creates smoke or odor nuisances.

Forest fire prevention regulations require persons to obtain permits to conduct open burning when the ground is not snow-covered. In the Upper Peninsula and northern Lower Peninsula, burning permits may be obtained from the local DNR office or U.S. Forest Service office. In the southern Lower Peninsula, burning permits may be obtained from the local fire department. If you have questions about burning permits, contact:

DNR Forest Management Division
P.O. Box 30028
Lansing, Michigan 48909
517/373-1218

Many local communities prohibit open burning of any kind. Check with your local governing body before conducting open burning.

Burning of Trash

According to air quality regulations, persons may not burn waste materials from or at a place of business. Persons may burn trash from and at a 1 or 2 family dwelling in an approved container, as long as they do not violate any other air pollution rules (such as those limiting smoke and odors). An approved container is one constructed of metal or masonry with a metal covering device with openings no larger than 3/4 inch.

Many local communities also prohibit burning of household waste; check with your local governing body before conducting open burning.

Burning of Brush And Trees

According to air quality regulations, brush and trees may not be burned in portions of Bay, Calhoun, Delta, Genesee, Lapeer, Macomb, Manistee, Midland, Monroe, Muskegon, Saginaw, St. Clair and Wayne Counties. Contact the Air Quality Division office in your area for more information about the restrictions in these counties.

Air quality regulations state that open burning of brush and trees must be conducted further than 1400 feet from the boundary of an incorporated city or village and may not violate other air pollution rules.

Local laws may prohibit open burning of brush and trees; check with your local governing body before conducting open burning.

Burning of Grass Clippings and Leaves

In 1988, the Michigan Air Pollution Control Commission adopted a resolution urging residents and officials of all Michigan townships, municipalities, counties and other local units of government to ban the open burning of leaves.

Effective on March 27, 1995, Part 115, 1994 PA 451 prohibits the open burning of grass clippings and leaves in municipalities having a population of 7,500 or more, unless the local governing body has specifically enacted an ordinance authorizing it.

After this date, local governing bodies who enact ordinances authorizing such open burning are required to submit a copy of the ordinance to the DNR at:

Michigan Department of Environmental Quality
Waste Management Division
Resource Recovery Section
P.O. Box 30241
Lansing, Michigan 48909

Burning of Buildings

Structures may not be burned for the purpose of demolition. Air quality regulations allow buildings to be intentionally burned only for the purpose of fire department training.

Campfires

Air quality regulations permit the burning of logs, brush, charcoal and other similar materials for the purpose of food preparation or recreation, unless prohibited by local laws.

Burning of Beekeeping Equipment

Air quality regulations permit the burning of beekeeping equipment and products for the purpose of disease control, unless prohibited by local laws.

Open Burning Alternatives

Composting yard waste and using leaves and grass clippings for mulch are alternatives to open burning of yard waste. Composting leaves and grass clippings produces valuable soil fertilizer through the natural process of decomposition. Compost piles are simple to begin and maintain, and take up relatively little space. For more information on composting, contact:

Michigan Department of Environmental Quality
Waste Management Division
Resource Recovery Section
P.O. Box 30241
Lansing, Michigan 48909

If you have any questions regarding this bulletin, please contact the Fire Marshal Division at (517) 322-1924.

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