

The Oregon Administrative Rules contain OARs filed through October 15,
2007

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION 264

RULES FOR OPEN BURNING

340-264-0060

General Prohibitions Statewide

This rule applies to all open burning, unless expressly limited by any other rule, regulation, permit, ordinance, or order or decree of the Commission or other agency having jurisdiction:

- (1) The following persons are strictly liable for open burning in violation of this rule:
 - (a) Each person who is in ownership, control or custody of the real property on which open burning occurs, including any tenant thereof;
 - (b) Each person who is in ownership, control or custody of the material that is burned;
and
 - (c) Any person who causes or allows open burning to be initiated or maintained.
- (2) No person may cause or allow to be initiated or maintained any open burning that creates a nuisance or a hazard to public safety.
- (3) No person may cause or allow to be initiated or maintained any open burning of any wet garbage, plastic, asbestos, wire insulation, automobile part, asphalt, petroleum product, petroleum treated material, rubber product, animal remains, or animal or vegetable matter resulting from the handling, preparation, cooking, or service of food or of any other material which normally emits dense smoke or noxious odors.
- (4) No person may cause or allow to be initiated or maintained any open burning of any material in any part of the state on any day or at any time if the Department has notified the State Fire Marshal that such open burning is prohibited because of meteorological or air quality conditions pursuant to OAR 340-264-0070.

(5) No agency may issue any fire permit authorizing any open burning of any material at any location on any day or at any time if the Department has notified the State Fire Marshal that such open burning is prohibited because of meteorological or air quality conditions. If an agency issues a permit in violation of this rule, the permit does not excuse any person from complying with this section.

(6) No person may cause or allow to be initiated or maintained any open burning authorized by this Division during hours other than specified by the Department.

(7) No person may cause or allow to be initiated or maintained any open burning at any solid waste disposal site unless authorized by a Solid Waste Permit issued pursuant to OAR 340-093-0050.

(8) No person may cause or allow to be initiated or maintained any open burning of debris removed from the property of origin unless the person receives a letter permit pursuant to OAR 340-264-0180. A letter permit is not required to burn agricultural waste removed from the property of origin provided the waste remains under control of the same responsible person.

Oregon Open Burning Guide

A Source Of Air Pollution

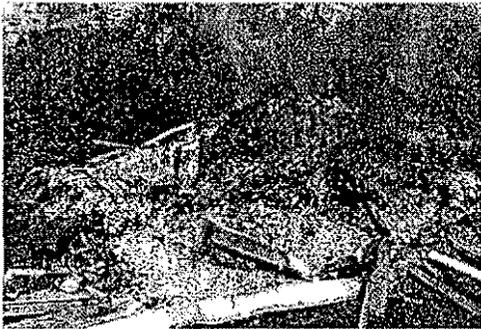
In many parts of urban and rural Oregon, burning waste continues to be the disposal method of choice for a significant part of the population. Besides the smoke that can be seen by an outdoor burn, the activity also emits a number of air pollutants that can adversely affect public health.

Before You Burn

It may be illegal to burn certain types of waste in the area where you live, or you may need a permit to burn your waste.

Don't Burn Prohibited Materials!

This guide outlines the state Department of Environmental Quality's (DEQ) burning regulations for debris from land clearing, agricultural, commercial, construction and demolition and domestic (residential household) activities. Since some Oregon cities and counties have local burning ordinances, there may be additional restrictions in your area.



Open Burning Guidelines

"OPEN BURNING" includes any burning outdoors. A fire in a "burn barrel" is open burning. Other examples include burning piles of yard debris, burning stumps to clear land and burning construction debris or the remains of demolished structures.

It's against the law to conduct any open burning that:

- Unreasonably interferes with enjoyment of life or property,
- Creates a public or private nuisance,
- Is a hazard to public safety

Materials That Can Not Be Burned

DEQ regulations prohibit open burning of the following materials at any time, anywhere in Oregon:

- Rubber products
- Tires (includes burning tires to start an approved agricultural waste fire)
- Plastic
- Wet garbage
- Petroleum and petroleum-treated materials
- Asphalt or industrial waste
- Any material that creates dense smoke or noxious odors

State Open Burning Regulations

DEQ regulations prohibit certain types of burning in selected areas of the state. In the Willamette Valley, any city with a population between 1,000 and 45,000 has a three mile special control area and cities with a population of 45,000 or more have a six mile special control area. Cities outside the Willamette Valley with a population greater than 4,000 have a control area that extends three miles from the city's limits. Within these control areas the following materials are prohibited from being burned: waste from commercial establishments, forest slash, construction and demolition activity and land clearing. Household burning is prohibited and backyard burning is restricted in Willamette Valley communities with more than 1,000 people. Also any material moved off the property of origin anywhere in the state cannot be burned without a permit. Contact your local DEQ office to confirm whether your area has any specific restrictions.

Each day, the DEQ analyzes air quality and weather data to determine if ventilation is sufficient to allow open burning in the Willamette Valley and notifies the State Fire Marshall. The Fire Marshal forwards this information to all fire districts in the valley. This notice applies to the Willamette Valley only.

State regulations also give DEQ the authority to prohibit open burning anywhere in the state on a day-to-day basis depending upon air quality and weather conditions. State air quality rules that govern open burning are found in Oregon Administrative Rules, Chapter 340, Division 264. **Open burning violations can result in penalties of up to \$10,000 per day of violation.**



State of Oregon
Department of
Environmental
Quality

Air Quality Division
811 SW 6th Avenue
Portland, OR 97204
Phone: (503) 229-5359
Fax: (503) 229-5675

Toll Free:
(800) 452-4011
TTY: (503) 229-6993

Kevin Downing
04-AQ-005
Last updated 10/30/06

The State Fire Marshal can also make a separate determination to prohibit open burning.

Caution: Always check with your local fire department before you burn. The DEQ does not issue fire permits. Don't risk a fine!

Alternatives to Open Burning

- Compost or chip plant materials on-site
- Organize Community Cleanup Days
- Curb-side pick up
- Take materials to local recycling center or landfill
- Reclaim used lumber
- Utilize construction site recycling programs
- Use debris as fuel for a municipal steam generator

Specific Regulations

Backyard Burning (Household and Yard Debris)

Open burning associated with a residence ("backyard burning") is prohibited in and around the Portland metropolitan area, unless a hardship is demonstrated and DEQ has issued a "hardship permit". Contact your local fire district or the Portland office of DEQ to find out if you are in this prohibited area. In most of the Willamette Valley where backyard burning is not prohibited, open burning of yard debris is only allowed on a seasonal basis. The seasonal restrictions include whole fire districts near Portland and the Eugene-Springfield area of Lane County. Restrictions also apply in Oakridge, West Fir, and up to six miles beyond the city limits in the Corvallis and Salem-Keizer areas. In and around other Willamette Valley communities of 1,000 or more population, seasonal restrictions apply out to three miles beyond the city limits.

Seasonal burning in most of the Willamette Valley is limited to "burn days" authorized by DEQ during the spring (**March 1-June 15**) and fall (**October 1-December 15**) seasons. In central Lane County, the Lane Regional Air Protection Agency (LRAPA) authorizes open burning from **October 1 through June 15**. Open burning is prohibited in the Ashland, Medford, and Grants Pass areas from November through February.

Slash Burning

Slash burning (burning debris from logging) is limited to burning on forestlands for forest management and is usually managed by the Oregon Department of Forestry. It is **not** the clearing of forestland for any other purpose.

Agricultural Burning

Open burning for agricultural purposes is usually allowed anywhere in the state, unless fire safety concerns restrict or prohibit burning on a given day.

Agricultural burning is limited to bona fide agricultural waste. Agricultural waste is material generated by an agricultural operation that uses, or intends to use, land *primarily* for the purpose of obtaining a profit in money by raising, harvesting and selling crops or raising and selling animals (including

poultry), or the products of animal husbandry. Prohibited materials can't be burned, even in an agricultural setting.

Agricultural burning must be an integral and necessary part of the agricultural activity. The agricultural activity might include clearing of land, but does not include the construction and use of dwellings. Burning associated with a dwelling is considered to be domestic burning, backyard burning, or burning of yard debris and is not part of the farming operation.

Agricultural open field burning, the burning of residue left from the harvest of a grass seed crop, is regulated in the Willamette Valley under a separate program operated by the Oregon Department of Agriculture. Questions about field burning should be directed to the Oregon Department of Agriculture.

DEQ approval is not required for agricultural permits. Contact your local fire department to inquire if an agricultural burn permit is otherwise needed

Contact Information

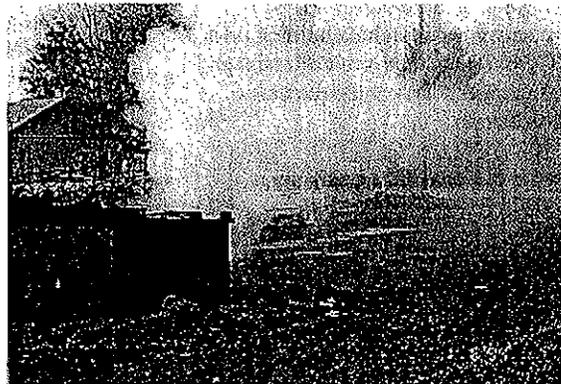
Individual fire districts may issue fire permits and may prohibit open burning based on local fire safety or air quality concerns. **Always contact your local fire department to find out if burning is authorized on a particular day.**

For more information, contact your local fire department, the Lane Regional Air Protection Agency (LRAPA) or nearest DEQ office:

Local Fire Department...See local phone book
LRAPA (Lane County) (541) 736-1056, or (877) 285-7272
LRAPA 24-hour burning info. (541) 726-3976

DEQ offices:

Bend office	(541) 633-2016
Coos Bay office	(541) 269-2721 x22
Medford office	(541) 776-6010 x237
Pendleton office	(541) 278-4626
Portland office	(503) 229-5545
Salem office	(503) 378-8240 x278
Main office in Portland	(503) 229-5359
TTY	(503) 229-6993
Toll-Free	(800) 452-4011



Prevent smoldering fires, minimize smoke

Open Burning Regulations for Central and Eastern Oregon



State of Oregon
Department of
Environmental
Quality

Air Quality Division
Bend Office
475 NE Bellevue Dr., Suite 110
Bend, OR 97701
Phone: 541-388-6146
800-452-4011
Fax: 541-388-8283
Contact: Bonnie Hough

Pendleton Office
700 SE Emigrant
Pendleton, OR 97801
Phone: 541-276-4063
800-452-4011
Fax: 541-278-0168
Contact: Tom Haak

www.deq.state.or.us

Industrial open burn regulations
State of Oregon regulations prohibit industrial open burning. This includes the open burning of all materials which accumulate at manufacturing and industrial facilities and includes paper, pallets, woodwaste and other manufacturing by-products. For exceptions see Open burn letter permits

Construction, demolition and land clearing debris open burn regulations
Regulations also prohibit the open burning of commercial, construction and demolition debris and debris from land clearing or improvements within three miles of cities with populations of 4,000 or more. These cities are known as open burn control areas. For exceptions see Open burn letter permits

Open burn control area regulations do not apply to the open burning of agricultural waste.



Construction, commercial, demolition and land clearing debris open burning is usually prohibited within three miles of cities with populations of 4,000 or more.

Open burn letter permits
Under rare circumstances DEQ may issue an open burn letter permit to authorize the open burning of industrial debris or commercial, construction, demolition, or land clearing debris in open burn control areas. Applicants must show there are no other methods of disposal available. Open burn letter permits are only issued for one-time occurrences.

Contact local fire or health offices
Local fire departments and/or Environmental Health programs should be notified prior to

open burn letter permit applications being made to DEQ.

Open burn letter permit applications
To apply for an open burn letter permit, please submit the following information to the most conveniently located DEQ office.

1. The quantity and type of material proposed to be burned.
2. A listing of all alternative disposal methods and their associated costs.
3. The expected amount of time required to complete the burning.
4. The methods proposed to insure complete and efficient combustion.
5. The location of the proposed burning site.
6. A diagram showing the proposed burning site and the distances to nearby structures and facilities.
7. The expected frequency of needing to dispose of similar materials by burning in the future.
8. Any other information which the applicant considers relevant.

DEQ may deny an application for an open burn letter permit or place conditions on the burning for any of the reasons included in Oregon Administrative Rules 340-264-0078 and 340-264-0180.

Oregon Administrative Rules (OARs)
OARs 340-264-0078 and 340-264-0180 provide guidance on regulations pertaining to the open burning of industrial, commercial, construction, demolition and land clearing debris. Complete rules can be viewed by accessing DEQ's Web site at www.deq.state.or.us.

For more information on open burning regulations

For more information on open burning regulations in Central and Eastern Oregon, contact Bonnie Hough, Eastern Region Air Quality program, at 541-633-2016.

Alternative formats of this document can be made available by contacting DEQ's office at 503-229-5696.

06-ER-009
Last updated: 3/07
Larry Calkins

Burning Household Waste

Burning Household Waste is Unhealthy

Burn barrels are inefficient and pollute because they create low temperature fires, receive little oxygen and produce a lot of smoke. Smoke from burning household waste is unhealthy to breathe, particularly for small children, pregnant women, older adults and people with asthma or other respiratory ailments:

- Many household products, such as bleached paper products and some plastics contain chlorine. When burned, chlorine creates dioxin. Exposure to dioxin is associated with cancer and birth defects.
- Many household products, such as slick colored papers and synthetic inks, release heavy metals when burned. Human contact with heavy metals is also linked to cancer and birth defects.
- Many household products contain chemicals such as hydrochloric acid which are known to irritate the skin and eyes.

Many toxic air pollutants are produced from a burn barrel. Virtually all of the pollutants are released into the air close to ground level where they are easily inhaled.

Burning Household Waste Harms the Environment

Pollutants released when household waste is burned eventually end up back on the ground and in the water and can build up to dangerously high levels in plants, animals, and people. Health effects after exposure to these pollutants can include cancer, deformed offspring, and reproductive and immune system failure.

Alternatives to Burning Household Waste

- Reduce – Avoid purchasing disposable items. Buy products in bulk or economy sizes instead of in individually wrapped or in single serving sizes. Buy products that can be recharged, reused, or refilled.
- Reuse – Donate unwanted clothing, furniture, and toys to friends, relatives or charities. Give unwanted magazines and books to hospitals or nursing homes. Mend and repair rather than discard or replace.
- Recycle – Separate the recyclable items, such as newspapers, glass and plastic containers and tin cans, from your residential waste and prepare them for collection or drop-off at a local recycling station.
- Disposal – Have your household waste picked up by a licensed waste removal

company or take it to a licensed disposal facility rather than burning it.

Regulations on Burning Household Waste

State of Oregon regulations prohibit the open burning of any material that creates dense smoke or noxious odors. This includes the following materials:

- Plastics, like foam cups, meat trays and egg containers
- Asbestos
- Tires or other rubber products
- Garbage and food waste
- Wire insulation
- Waste oil and other petroleum products
- Automobile parts, including frames
- Dead animals
- Painted or pressure treated wood

In addition, burning household waste is prohibited altogether in certain areas by DEQ rules or local city and county ordinances.

Additional information on regulations regarding burning household waste in Oregon can be found in Oregon Administrative Rules, Chapter 340, Division 264. These rules are located on DEQ's web page at:

www.deq.state.or.us/regulations/rules.htm

For more information on Oregon's open burning rules and your city or county recycling contact person, call your local DEQ office, or for open burning issues in Lane County, the Lane Regional Air Protection Agency (LRAPA).

(See page two for list of contacts)



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www.oregon.gov/DEQ/

County/City/District	Open Burning Information	Recycling Information (DEQ)
Portland-Gresham	503-618-3083	503-229-5529
Multnomah Co. east of Sandy River	503-695-2225	503-229-5529
Washington County	503-992-3242	503-229-5529
Clackamas County	503-632-0211	503-229-5529
Hillsboro	503-681-6204	503-229-5529
Forest Grove	503-359-3242	503-229-5529
Newburg Fire Department	503-538-7441	503-229-5529
Scappoose Fire District	503-543-3590	503-229-5529
Benton, Lincoln, Linn, Marion, Polk, Yamhill	503-378-5085	503-378-5089
Lane (LRAPA)	541-736-1056	541-686-7868
Coos, Curry	541-269-2721 x22	541-686-7868
Douglas, Jackson, Josephine	541-776-6010 x227	541-686-7868
Hood River, Sherman, Wasco	541-633-2016	541-298-7255 x40
Deschutes, Harney	541-633-2016	541-633-2007
Crook, Jefferson	541-633-2016	541-633-2010
Grant, Malheur	541-633-2016	541-633-2007
Gilliam, Morrow	541-633-2016	541-298-7255 x40
Wheeler	541-633-2016	541-633-2010
Umatilla, Union, Wallowa	541-633-2016	541-278-4612
Baker	541-633-2016	541-298-7255 x40
Klamath	541-633-2016	541-633-2007
Lake	541-633-2016	541-633-2010

Woodsmoke Pollution

Oregon's wintertime air pollution problem

We pride ourselves on clean air, but for many communities in Oregon the clear winter skies are actually full of pollution. Smoke from wintertime residential woodburning can be so bad that it exceeds the federal health standard. It's a common myth that industry is the major contributor to air pollution. The truth is smoke from fireplaces and woodstoves is one of the largest threats to healthful air in Oregon.

Why worry about air pollution?

Every year air pollution damages our health, our crops, our property and our environment. It degrades the livability of our communities while costing the state important jobs. In neighborhoods everywhere across Oregon, residential woodburning is a significant source of air pollution. Most wood heaters (woodstoves and fireplaces) release far more air pollution, indoors and out, than heaters using other fuels. Woodsmoke also reduces visibility.

The Department of Environmental Quality (DEQ) and your local community are asking you to help clear the air of woodsmoke. Here is information about the air pollutants in woodsmoke, their health effects, how wood burns, why it smokes and how you can produce less wood smoke.

Oregon stories

The woodsmoke problem is one which affects Oregon communities both east and west of the Cascades. The communities of Medford-Ashland, Grants Pass, Eugene-Springfield, Oakridge, as well as Klamath Falls, Lakeview and La Grande all have a common threat to healthful air—woodsmoke. However, woodstoves can be a localized problem in neighborhoods in any city.

DEQ recognized long ago that woodsmoke is harmful to health. In 1986 it began a program to rate woodstoves based on how efficiently they burn fuel, how much smoke they emit and how much heat they put out. All new woodstoves and fireplace inserts sold in Oregon had to meet new smoke standards for particulate emissions.

Oregon was the first state in the nation to certify woodstoves so consumers could make better buying decisions. It wasn't long before the Environmental Protection Agency (EPA) adopted these standards nationwide.

What's in woodsmoke?

Woodsmoke is basically fuel from your firewood that doesn't burn and becomes air pollution. Complete combustion gives off light, heat, the gas carbon dioxide and water vapor. Smoke contains these gases and tiny particles known as PM_{2.5}. PM_{2.5} stands for "Particulate Matter less than 2.5 Microns in Diameter." The period at the end of this sentence is about 500 microns across. PM_{2.5} particles are so small that the body's natural defense mechanisms can't keep them from entering deep into the lungs where they can damage and change the structure of lung tissue, which can lead to serious respiratory problems. PM_{2.5} particles are actually made up of very small droplets of wood tars and gases, soot and ash. Smoke also contains the following unburned pollutant gases:

- **CO-Carbon Monoxide:** Reduces the blood's ability to supply oxygen to body tissues. Even small amounts can stress your heart and reduce your ability to exercise.
- **NOx-Oxides of Nitrogen:** May lower a child's resistance to lung infections.
- **HC-Hydrocarbons:** Can injure the lungs and make breathing difficult.

Where does PM2.5 come from?

In the wintertime most PM_{2.5} pollution comes from smoke generated by residential woodburning. As the price of other heating sources increased in the 1970's and 1980's, so did interest in heating with wood. It is estimated that more than 340 thousand woodstoves fire up each winter in Oregon and more than 1.5 million tons of wood is burning in Oregon homes each year.

While there are some advantages to heating with wood, there are also serious problems. Pollution is one.

Burn smart!

Burn only "seasoned," dry fire-wood (with less than 20 percent moisture by weight). Firewood should dry a minimum of 6 to 12 months after splitting. Hardwoods dry slower than softwoods and may take more than a year to dry. To speed drying: split big logs and stack loosely in a crosswise fashion to get good air circulations. Stack a foot or more above the ground and away from building in a sunny, well-ventilated area.



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Cover the top to keep dew, rain and snow off the wood, but leave the sides open to breezes.

Small is better: Build small, hot fires instead of large, smoldering ones. Open the damper wide to allow the maximum air in to fuel the fire. Leave damper and other air inlets open for 20 to 30 minutes. It's worth the extra time to get your stove up to temperature and establish a good bed of coals before loading on any logs. Don't jam your firebox full of wood. It reduces your stove's efficiency and fuel economy. Keeping your fuel loads modest will minimize air pollution.

No garbage: Don't burn anything but clean, seasoned wood in your stove. No garbage, plastics, rubber, paint or oil, no painted or charcoal briquettes and no glossy or colored paper. Burning things like this can foul your catalytic combustor, your flue as well as cause serious health problems for you, your family and neighbors.

Watch those smoke signals: If you're sending up a lot of smoke, that's a sign you are burning wrong. Apart from the half hour after lighting and refueling, a properly burning fire should give off only a thin wisp of white steam. If you see smoke, adjust your dampers or air inlets to let in more air. Remember the darker the smoke, the more pollutants it contains and the more fuel is being wasted.

Don't bed it down for the night: Not only is it a fire hazard, but when you "hold" a fire overnight by cutting down the air supply you create a lot more smoke and creosote. You'll not only pollute the neighborhood, but the smoke can back draft into the house causing a serious indoor air pollution problem. Let your fire burn out completely and rely on your home's insulation to hold in enough heat for the night.

For safety's sake: Periodic inspection of your stove or fireplace is essential to ensure its continued safe and clean-burning operation. Certified stoves produce less creosote and provide a safer burn. Each year in Oregon there are between 1,000 and 2,000 home and chimney fires caused by woodstoves. Professionally clean the chimney at least once a year to remove creosote buildup.

Clean or replace plugged catalytic combustors according to manufacturer's instructions. Gaskets on airtight stove doors need replacement every few years. If your stove's seams are sealed with furnace cement, check for broken, missing cement.

These steps will not only reduce smoke output, they will save you money. Proper burning techniques stretch your fuel dollar and provide more efficient heat.

New stoves mean less pollution

Did you know woodstoves that are not certified waste up to 60 percent of the wood burned in them? No one can afford to waste valuable money on an inefficient heating system. If you own an old, inefficient stove, think about replacing it with a newer, cleaner heating system. You can tell if your stove is certified by looking on the back for a certification sticker from DEQ or EPA. If there is no sticker you have an old and potentially high polluting stove.

There's a new generation of home heating devices that provide good efficiency, with moderate to virtually no smoke emissions. These include natural gas stoves and furnaces, hi-tech zonal oil heaters, EPA phase II certified woodstoves and pellet stoves. A new system will pay for itself in fuel and cleaning savings.

Burning questions?

Look to your local air quality planning organization or DEQ for answers to your questions about burning or other clean air issues. Remember, you are your own best resource for cleaner air.

For more information about woodstoves
Contact DEQ at 503-229-5659

For more information about lung disease
Contact the American Lung Association at:
503-246-1997 or 1-800-LUNG-USA

Alternative formats

Alternative formats (Braille, large type) of this document can be made available. Contact DEQ's Office of Communications & Outreach, Portland, at (503) 229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696.

