



# OPEN BURNING

Open burning is the burning of materials in a manner that releases smoke and other emissions directly into the

## QUICK RULES

- Open burning is not allowed at mobile home parks, apartments, condominium complexes or buildings of more than four dwelling units.
- Fires must be extinguished if they create a fire hazard, nuisance, pollution problem or threat to public health.
- Burning must comply with all other federal, state and local laws, rules or ordinances. For example, some counties may not allow open burning of leaves or yard waste.
- Only vegetation can be burned for agricultural maintenance purposes.
- Businesses are not allowed to open burn business waste.

air without passing through a chimney or smokestack from an enclosed chamber. Pollution from open burning is a serious concern because it can harm human health and the environment. Learn the rules of open burning and be sure to check for area burn bans beforehand.

For full information on open burning, please visit the Indiana Department of Environmental Management (IDEM)'s Open Burning in Indiana page. IDEM is the state agency that enforces Indiana's open burning rules and works with locals on open-burning education and complaint resolution.

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## OPEN BURNING RULES

### RESIDENTIAL BURNING

Indiana's air pollution control rules generally prohibit open burning, though there are certain agriculture and maintenance exceptions to the open burning rules. Smoke from burning household trash, including plastic containers, is more toxic than the smoke from burning clean wood. Residents are always encouraged to recycle rather than open burn. Protecting your health is worth the small fee for proper waste disposal. These rules must always be followed for residential open burning:

- Only clean wood products may be burned. Treated wood is not clean wood.
- Wood products coated with stain, paint, preservatives, glue or other coatings are not allowed to be burned.
- Residential open burning of clean wood products shall be in a noncombustible and ventilated container.
- Recreational or ceremonial fires, such as fires for scouting activities or cooking, may only burn clean wood products, paper or charcoal.
- Burning must be done during safe weather conditions, not during high winds or on pollution alert days.
- Fires must be attended until completely extinguished, and adequate fire suppression equipment must be present.
- Non-recreational burning must be done during daylight hours and extinguished before sunset.
- Open burning is not allowed at mobile home parks, apartments, condominium complexes or buildings of more than four dwelling units.
- Fires must be extinguished if they create a fire hazard, nuisance, pollution problem or threat to public health.
- Burning must comply with all other federal, state and local laws, rules or ordinances. For example, some counties may not allow open burning of leaves or yard waste.

## AGRICULTURAL MAINTENANCE

Open burning is prohibited in the state of Indiana. However, Indiana Code 13-17-9-1 and Open Burning Rule 326 IAC 4-1 exempt certain types of open burning for agricultural maintenance purposes.

### *Exemptions*

- Only vegetation from maintenance at a farm, orchard, nursery, tree farm, cemetery, drainage ditch or agricultural land can be burned.
- Burning must be conducted on the site where the vegetation was generated.
- The burning of vegetation must be for maintenance purposes only, and not for clearing land or change in land use.
- Farms and businesses may not burn trash or business waste for disposal purposes.

### *Requirements*

- Only vegetation can be burned. Materials such as household trash, plastics, tires, building materials, demolition debris, coated or treated wood, asbestos or any non-vegetation items cannot be burned.
- Agricultural land open burning must occur in an unincorporated area.
- Burning must be done during safe weather conditions, not during high winds or when the air is stagnant.
- Fires must be attended until completely extinguished.
- Fires must be extinguished if they create a nuisance or fire hazard.

## BUSINESSES AND OPEN BURNING

Indiana's air pollution control rules prohibit businesses from open burning. It is illegal to burn waste generated by the routine operation of a business. Violations may result in enforcement actions and fines. Businesses are not allowed to open burn:

- As a disposal option for business waste
- Trash, paper or office materials
- Packing materials, boxes or pallets
- Construction waste, demolition debris or scrap materials

- Vegetative debris or clean wood waste from tree removal, tree trimming or land clearing
- Production process materials and by-products, defective and damaged products or job-waste materials

### *Alternatives*

- Reducing, reusing and recycling business waste can not only be profitable, but also can minimize the overall impact to the environment.