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## **DNRE's Proposed Amendments to Open Burning Regulations**

The Department of Natural Resources and Environment (DNRE) is in the process of updating the open burning provisions of the air pollution and solid waste management rules. The proposed changes will eliminate the current open burning exemption that allows the burning of household trash, including plastics, rubber, paper, shingles, treated wood, and other rubbish. This means that after April 1, 2011 the exemption that allows residents to burn their trash will no longer exist and it will become illegal to open burn residential trash under state regulations. The amendments also add three open burning exemptions that allow the burning of contraband by a police agency, prescribed burns, and the burning of diseased or infested wooden apple bins. The amendments will not change the provisions that allow the burning of leaves, brush, and other yard clippings nor will they prohibit recreational campfires.

The proposed changes reflect the DNRE's increased knowledge of the risks associated with this activity and the changes that have occurred in availability of waste disposal throughout the state. The open burning of household trash emits fine particulate matter containing a number of toxic contaminants that may have both acute and chronic health effects on the individuals exposed. Trash burning also causes a significant number of wildfires and property fires throughout the state and generates numerous smoke and odor complaints. Considering these health and safety factors and the increased availability of waste disposal services since the time the rules were first promulgated, the DNRE determined that updating the rules is appropriate.

The immediate concern of the DNRE is protecting the health of those adversely affected by trash burning. It is expected that any necessary enforcement will be complaint-driven and conducted primarily by local units of government, as needed. The DNRE does not intend to actively target residents for enforcement of this rule, but rather focus on educating residents and local officials about the dangers of trash burning and the options available to deal with open burning complaints in their communities. The DNRE believes that these changes will provide local units of government with a regulatory tool to help them address open burning concerns in their communities. By eliminating the current exemption that allows the open burning of household trash, the DNRE is no longer promoting or condoning this activity as a waste disposal option under the state rules, which will make it easier for local governments to pass similar ordinances if they choose to do so.

The DNRE will not require that local units of government adopt these changes or enforce the state open burning regulations. However, for those communities that are interested in addressing the issue, the DNRE will provide help with the development of

ordinances. Where ordinances do not exist, the DNRE can assist local authorities with writing citations under the state regulation.

More information about open burning and the proposed open burning rule amendments can be accessed at [www.michigan.gov/openburning](http://www.michigan.gov/openburning) or by contacting the DNRE at 800.662.9278.

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