



## Open Burning Program Frequently Asked Questions



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### **1) What is open burning?**

Open burning refers to burning outside in the open air. For many Montanans this refers to burning yard waste in the fall and spring season. There are official rules for open burning that differ depending on the season and the amount burned per year. Individuals or organizations that burn a large amount are defined as major burners under Montana state law. These burners require a Major Open Burn Permit. All other burners are considered “minor burners”. See FAQ 13 for information on the seasonal differences in the rules.

By definition open burning means “combustion of any material directly into the open air without a receptacle, or in a receptacle other than a furnace, multiple chambered incinerator, or wood waste burner, with the exception of detonation of unexploded ordnance, small recreational fires, construction site heating devices used to warm workers, or safety flares used to combust or dispose of hazardous or toxic gases at industrial facilities, such as refiners, gas sweetening plants, oil and gas wells, sulfur recovery plants, or elemental phosphorus plants.”

### **2) Why is burning regulated?**

Open burning is regulated because smoke from open burning can have serious health effects if released to the atmosphere during times of poor ventilation. The Montana Department of Environmental Quality strives to provide residents every opportunity to burn without endangering public health. Every day during the fall and winter season, DEQ reviews the atmospheric conditions across the state and determines where it is safe to burn from an air quality perspective and where burning may cause health impacts. For more information see the “Why Can’t I Burn” brochure available for download at [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov).

### **3) What permits do I need to burn at my house?**

Most counties or municipalities require a permit from the local fire control authority. Many counties have permit applications available at <https://app.mt.gov/burnpermit>. Requirements vary between counties. During the summer open burning season (March 1 through August 31) no direct approval is needed from Montana DEQ. During the fall season (September 1 through November 30), burners need to check the ventilation hotline or [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov) for daily restrictions. During the winter burn season (December 1 through February 28), burners need a burn permit from Montana DEQ unless you live in Missoula, Yellowstone, Flathead, Cascade, or Lincoln Counties. Residents in those counties must obtain a permit from the county authority.

### **4) What is a Major Open Burn Permit and do I need it?**

Major open burners are those open burning sources which emit more than 500 tons per calendar year of carbon monoxide or 50 tons per calendar year of any other regulated pollutant (except hydrocarbons) on a statewide basis. One would have to open burn approximately 4,500 tons of wood material in a single year to be categorized as a “Major Open Burner”. Burners fitting that description are required to get a Major Open Burn permit that requires an additional planning and approval process. Major open burners receive their burn approvals at [www.smokemu.org](http://www.smokemu.org). If you think you might qualify as a major burner, please call 406-444-3490.

**5) How do I know if I'm supposed to listen to you or my local/county fire control authority?**

A burner must always have permission from their local county fire control authority to burn. Between September 1 and November 30, burners must also check the Ventilation Hotline (800-225-6779) or [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov) for additional restrictions based on air quality. From December 1 through February 28 burners must receive permission for each burn by obtaining a permit and calling DEQ (406-444-3490) prior to burning.

**6) I see someone burning, why can't I?**

There are many factors that impact where and when burning is allowed during the fall and winter seasons. In many cases elevation plays a key role. Winds near mountain ridges tend to be stronger, and can quickly move smoke out of the region. The valley floor, however, tends to trap air, especially during the cool months of fall and winter. Trapped air also traps smoke and air quality can quickly deteriorate. For more information see the "Why Can't I Burn" brochure available for download at [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov).

**7) It is a beautiful day why can't I burn?**

In the fall and winter, a beautiful day can frequently mean we are under a ridge of high pressure. This means air is pushed towards the ground, restricting the movement of air and causing pollutants to build up in the atmosphere. By contrary, cloudy, windy, or rainy conditions generally means an area of low pressure is impacting the area. The air rises and mixes more easily. Because of this free movement of the air, smoke is carried up and away from its source much faster. For more information see the "Why Can't I Burn" brochure available for download at [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov). A meteorologist at DEQ reviews the dispersion conditions each day and determines which locations may be safe to burn.

**8) What is the Montana/Idaho Airshed Group and do I qualify?**

The Montana/Idaho Airshed Group is a collaboration between the federal government, major burners, and local and state governments in Idaho and Montana to manage and limit the impacts of smoke generated by prescribed burning. Prescribed burning is conducted to lessen fire danger, improve wildlife habitats, and clean out accumulated debris. Members of the Montana/Idaho Airshed group are landowners, agencies, or industries with the responsibility to manage public lands. In Montana, owners must own or manage over 5,000 acres and must use fire as a management tool on the land as an ongoing program.

All burns conducted by members of the Montana/Idaho Airshed Group are proposed, approved, and verified on the [smokemu.org](http://smokemu.org) website. During the fall season (September – November) all burns must receive joint approval from both the Montana/Idaho Airshed Group and the Montana Department of Environmental Quality. These burns receive higher scrutiny than a minor burner. The type of fuel, size of the burn, ignition strategy, and exact location is all collected and considered prior to approval.

**9) I see burning is allowed above a specific elevation. How do I find out my elevation?**

Occasionally, during the cooler months burning may be allowed above a specific elevation due to improved dispersion conditions at that height. If you are above this elevation you must call 406-444-3490 to obtain permission to burn. To find out your elevation you can use the following websites:

- <http://www.freemaptools.com/elevation-finder.htm>
- [http://www.mapdevelopers.com/elevation\\_calculator.php](http://www.mapdevelopers.com/elevation_calculator.php)

**10) How do you make your decision to allow/restrict burning?**

Numerous factors come in to play to determine what locations are safe to burn. First, the current air quality is taken into account. If airborne particulates are already high in a valley, burning will be restricted unless a known weather event is anticipated to clear the air. If particulate concentrations are good, a dispersion forecast will be developed. This forecast will determine how smoke will behave in any given location. Will it settle near the ground, or move up and away? Is there an inversion in a valley? If so, what elevation is the top of the inversion? Areas above inversions may be safe to burn. The meteorologist will put all this information together to determine if there are any locations where burning would pose a risk to public health by increasing PM<sub>2.5</sub> concentrations above national standards. If that is the case, burning will be restricted in that county. For more information see the “Why Can’t I Burn” brochure available for download at [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov).

**11) I see you have a restriction and my neighbor is burning, what do I do?**

If possible, remind your neighbor that burning restrictions are in effect and where to find them. You may also contact your local Environmental Health Department or Sanitarian as an initial response as they may be able to address the issue promptly. If you continue to have a problem, you call Montana DEQ at 406-444-3490.

**12) How do I know what the current air quality is?**

Montana DEQ measures particulate concentrations in the form of PM<sub>2.5</sub>, which corresponds to particulates with a mean diameter less than or equal to 2.5 microns. This particulate has been linked to health impacts when daily concentrations exceed 35 ug/m<sup>3</sup>. Montana DEQ strives to keep particulate concentrations below this level to protect public health. Wood smoke is a known source of these particulates. Montana DEQ tracks the concentrations of these particulates through a series of monitors located across the state. The hourly concentrations are shown at [www.TodaysAir.mt.gov](http://www.TodaysAir.mt.gov). During winter months, a daily air quality forecast discussion will be posted here: <http://svc.mt.gov/deq/aqreport/mostRecentUpdate.aspx>.

**13) Are the rules the same all year long?**

No. Burning restrictions change by season. From March 1 – August 31, the burner does not need approval from the Department of Environmental Quality to conduct a burn. From September 1 through November 30, restrictions are posted on [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov) and on

the Ventilation Hotline by calling 406-444-3490. From December 1 through February 28, each individual burn must receive approval from the Department of Environmental Quality. First the burner must apply for an open burning permit and receive a Burn Identification Number (BIN). Prior to the burn, the burner should check [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov). A list of BIN numbers will be posted each day indicating if burning is possible. If your BIN number is listed under “possible opportunity” please call 406-444-3490 the morning of your burn to get final approval. See the “Montana Open Burning Periods” document for a handy cheat sheet, available for download at [www.burnclosures.mt.gov](http://www.burnclosures.mt.gov).

#### **14) What items are prohibited during open burning?**

The following material may not be disposed of by open burning:

- Any waste which is moved from the premises where it was generated unless approval is granted by the department on a case-by-case basis
- Food wastes
- Styrofoam and other plastics
- Wastes generating noxious odors
- Wood and wood byproducts that have been coated, painted, stained, treated, or contaminated by a foreign material
- Poultry litter
- Animal droppings
- Dead animals or dead animal parts
- Tires
- Rubber materials
- Asphalt shingles
- Tar paper
- Automobile or aircraft bodies and interiors
- Insulated wire
- Oil or petroleum products
- Treated lumber and timbers
- Pathogenic wastes
- Hazardous wastes
- Trade wastes
- Any materials resulting from a salvage operation
- Chemicals
- Christmas tree waste
- Asbestos or asbestos-containing materials
- Standing or demolished structures containing prohibited material
- Paint