

Summary of Open Burning Regulations in Michigan

All the rules and publications referenced in this document can be found on the DEQ's Open Burning web site. To access the site go to www.michigan.gov/deq (click on "Air" then "Open Burning Information"). You may also contact the Environmental Assistance Center at (800) 662-9278.

Regardless of any of the stipulations contained in this document it is important to always check with city, township, or county officials to see if there are any local ordinances that prohibit open burning in your area. Most localities restrict open burning in one way or another because of the number of nuisance problems that arise from the activity.

Open Burning Statute / Rule	Administered By
Part 115 (Solid Waste Management) of Act 451 <ul style="list-style-type: none"> • Section 324.11522 - <i>Open burning of grass clippings or leaves</i> 	DEQ, Waste and Hazardous Materials Division
Part 115 Rules <ul style="list-style-type: none"> • R 299.4102(g) – <i>"construction and demolition waste" definition</i> • R 299.4103(k) – <i>"household waste" definition</i> • R 299.4104(l) – <i>"open burning" definition</i> • R 299.4128 – <i>Open dumping and open burning prohibited</i> 	DEQ, Waste and Hazardous Materials Division
Air Pollution Control Rules <ul style="list-style-type: none"> • R 336.1115(b) – <i>"open burning" definition</i> • R 336.1310 – <i>Open burning</i> • R 336.1331 (Tables 33 and 34) – <i>Priority I and Priority II areas</i> • R 336.1901 – <i>Air contaminant or water vapor, when prohibited</i> 	DEQ, Air Quality Division
Part 515 (Prevention and Suppression of Forest Fires) of Act 451 <ul style="list-style-type: none"> • Section 324.51501 – <i>Definitions</i> • Section 324.51503 – <i>Burn permits, conditions</i> • Section 324.51504 – <i>Acts prohibited</i> • Section 324.51507 – <i>Extreme fire hazard conditions; proclamation by governor as to use of fire; prohibited acts</i> • Section 324.51510 – <i>Intentionally causing fire</i> 	DNR, Forest, Mineral and Fire Management Division

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Q. Is it okay to burn pressure treated lumber?

- A. No. Most pressure treated lumber contains toxic ingredients like arsenic that would be released into the air if burned. Treated lumber waste should be taken to an appropriate landfill for disposal. For more information about wood pressure treated with Chromated Copper Arsenate (CCA) go to www.michigan.gov/deq (click on "Air" then "Open Burning Information").

Q. Am I allowed to use scrap tires to ignite a brush pile?

- A. The open burning of tires is NOT allowed. The pollution emitted from this practice is highly toxic and the thick black smoke produced obscures vision. Consider using natural or non-toxic materials to ignite your brush pile. Many burn permits will identify acceptable or restricted accelerants that can be used.

Q. How do I dispose of tires?

- A. Scrap tires should be taken to a licensed tire disposal facility. Be aware that there are regulations that restrict who can haul scrap tires and how long scrap tires can be stored at a location that is not permitted. For more information about scrap tire disposal go to www.michigan.gov/deq (click on "Waste" then "Scrap Tires").



Q. Is the open burning of empty fertilizer packaging or pesticide containers allowed in agricultural operations?

- A. The open burning of empty fertilizer packaging or empty pesticide containers from agricultural operations is NOT allowed. Consider recycling as an alternative. Many elevators throughout the state will accept empty containers for recycling. The "Michigan Clean Sweep Program" administered by Michigan's Department of Agriculture (MDA), allows farmers to dispose of unused and unwanted pesticides. The MDA's web site has more information at www.michigan.gov/mda (click on "Consumer Information," "Environment," then "Recycling"). The MDA's Environmental Stewardship Division administers a number of other programs to help farmers with pollution prevention strategies, recycling, composting, and ground water stewardship.



Q. Is the open burning of manure allowed?

- A. The open burning of manure is NOT allowed under the air quality regulations. In addition, this practice does not conform with the Michigan Commission of Agriculture Adopted Generally Accepted Agricultural and Management Practices (GAAMPs) for Manure Management and Utilization. For more information about GAAMPs visit the Michigan Department of Agriculture's web site at www.michigan.gov/mda (click on "Farming," "Environment," then "GAAMPs").

Q. Am I allowed to open burn livestock carcasses?

- A. The open burning of livestock carcasses is not allowed under Part 55 of Act 451. According to The Bodies of Dead Animals Act, Public Act 239 of 1982, as amended, livestock carcasses should be disposed of by burial, composting, rendering, or incineration. You will have to obtain a Permit to Install from the DEQ's Air Quality Division before constructing and operating an incinerator. For information about burial, composting, or rendering animal carcasses check out the MDA's publication entitled "Proper Disposal of Animal Carcasses in Michigan," which can be viewed on the internet at www.michigan.gov/mda. For questions about the proper disposal of animal carcasses, contact the Michigan Department of Agriculture at (800) 292-3939.