

# Open Burning Regulations



The Florida Department of Environmental Protection recognizes the important role fire plays in protecting Florida's natural communities. Many of Florida's ecosystems require fire at regular intervals to maintain diversity. The Florida Department of Environmental Protection (FDEP), Division of Air Resource Management (DARM), and the Department of Agriculture and Consumer Services (FDACS), Florida Forest Service (FFS), are jointly responsible for regulating open burning throughout the state.

## » What is "Open burning"?

Open burning is burning where the smoke is emitted directly in to the air not through a chimney.

## » Materials Prohibited from Burning

Biological waste	Materials with asbestos
Pharmaceuticals	Rubber material
Used oil	Roofing material
Treated wood	Garbage
Hazardous waste	Devices with mercury
Tires	Residual oil
Asphalt	Tar
Plastics	Trash

## » Burning Prohibition

Open burning is prohibited during a National Weather Service Air Stagnation Advisory or Air Pollution Episodes, or if FFS has determined that weather conditions are unfavorable for safe burning.

Open burning may also be prohibited by municipal or county ordinances. For more information on local open burning ordinances please contact the appropriate city or county government office

## » Open Burning Allowed

### Residential

**Yard Waste (Leaves, shrub trimmings, grass clippings, palm fronds, and brush.)**

- The yard waste is generated on residential

- premises of not more than two family units;
- Burning is conducted on the premises where the material was generated;
- Burning is conducted between the hours of 8:00 AM CST (9:00 AM EST) to one hour before sunset;
- Yard waste must be enclosed in a noncombustible container or a pile no greater than eight feet in diameter;
- Set back requirements: 25 feet from any wildlands, brush, or combustible structure, 50 feet from any paved public roadway, and 150 feet from any occupied building other than that owned or leased by the individual doing the burning;
- Fire must be attended with fire extinguishing equipment ready at all times; and,
- Moisture and composition of material is favorable to good burning to minimize smoke.

### **Tree Cutting Debris (Trees, tree stumps, and tree limbs)**

- The tree cutting debris is generated on residential premises of not more than two family units,
- Burning is restricted to the site where the tree cutting debris was generated,
- Burning is conducted between the hours of 8:00 AM CST (9:00 AM EST) to one hour before sunset,
- Fire must be attended with fire extinguishing equipment ready at all times;
- Moisture and composition of material is favorable to good burning to minimize smoke; and
- Prior to open burning of tree cutting debris, the person responsible for the burn contacts the

Florida Forest Service regarding the planned burning activity.

### **Non-residential (Industrial, Commercial, Institutional, or Government Operations)**

**Land Clearing Debris (Uprooted or cleared vegetation in connection with construction for buildings and rights-of-way; land development; or mineral operations.)**

- Burning is restricted to the site where the debris was generated,
- Burning is conducted between the hours of 8:00 AM CST (9:00 AM EST) to one hour before sunset,
- Fire must be attended with fire extinguishing equipment ready at all times; and,
- Moisture and composition of material is favorable to good burning which will minimize smoke.
- Prior to open burning of land clearing debris, the person responsible for the burn contacts the FFS regarding the planned burning activity.

Any other open burning of land clearing debris shall be conducted using an air curtain incinerator operated in compliance with the exemption criteria, or Rule 62-296.401, F.A.C.

### **» Florida's Regulations for Burning**

#### **FORESTRY RULES**

Florida Forestry has put together a [webpage](#) with references and information on their regulations governing outdoor burning and forest fire laws.

### **» Agricultural Operations**

Agricultural burning in Florida is regulated by the Florida Department of Agriculture and Consumer Services (FDACS).

### **» Storm-Generated Debris**

Open burning of Storm-generated debris consisting only of vegetative debris and untreated wood is allowed provided:

- The burning is under the authority of the local

government responsible for clean-up activities following a storm;

- The burning is conducted using an air curtain incinerator operated in compliance with the exemption criteria or Rule 62-296.401, F.A.C.; or pile burns are conducted under the authority of the Florida Forest Service; and
- No later than 10 days after the start of the open burning, the local government provide written notice to FDEP describing the materials, location and method of the burning and telephone number of the government contact.

### **» Recreational Open Burning**

Open burning of vegetative debris and untreated wood in campfire, ceremonial bonfire, outdoor fireplace, or other contained outdoor heating or cooking device, or on cold days for warming of outdoor workers is allowed. All fires must be [attended](#).

### **» Permit Required**

Open burning in connection with industrial, commercial, institutional, or governmental operations is allowed by [rules](#) or when

- Open burning is determined by FLDEP as the only method of disposal and is authorized by an air permit; and
- Such open burning does not involve any material [prohibited](#) from being burned.

[Air Curtain Incinerators'](#) owner or operator shall obtain appropriate authorization from FDEP prior to undertaking any activity for which such authorization is required, unless exempted by [Rule 62-210.300, F.A.C.](#)

### **» Contacts for Questions About Open Burning**

FDEP can be contacted through:

- FDEP [District Air Contacts](#)
- [Local Program Air Contacts](#)
- Division of Air Resource Management Office of Business Planning, Tallahassee, Hastings Road, 850-717-9017

Florida Forest Service can be reached through the Florida Forest Service [Field Headquarters](#) for your county.