



Straw stack burn

### What is the role of your local fire district?

Your local fire district is responsible for many aspects of local fire safety, fire suppression, and in many cases emergency response. They are the experts in fire safety for your area. Fire safety and air quality agencies work together to protect the public. Contact the state fire marshal's office to learn in which fire district you reside. Generally, if you have questions about burning call your local fire district first. For fire emergencies dial 911.

## Regulatory Agencies

### Oregon Department of Environmental Quality regulates:

- Demolition burning: Structures or land clearing.
- Construction burning: Lumber, crates, packaging material.
- Commercial burning: Waste from offices, warehouses, wholesale/retail yards.
- Industrial burning: Processed waste from manufacturing or industrial process.
- Residential burning: Yard debris, paper products.

### Oregon Department of Agriculture regulates:

- Field burning: Grass seed and cereal grain.
- Stack burning: Grass seed and cereal grain straw.

### Oregon Department of Forestry regulates:

- Slash burning: Debris from logging.

### Local Fire Districts regulate:

- Local fire safety and fire suppression.
- Backyard burning: Yard debris.
- Agriculture burning: Inside Urban Growth Boundary.

## Resources

### *Oregon Department of Environmental Quality*

750 Front St. Ste. 120  
Salem, OR 97301-1039  
(503) 378-5408  
<http://oregon.gov/DEQ>

### *Oregon Department of Agriculture*

Natural Resources Division/Smoke Management Program  
635 Capitol St. NE  
Salem, OR 97301-2534  
(503) 986-4701  
<http://oregon.gov/ODA/NRD/smokefrontpage.shtml>

### *Oregon Department of Forestry*

2600 State St.  
Salem, OR 97310  
(503) 945-7200  
<http://oregon.gov/ODF>

### *Oregon State Fire Marshal*

4760 Portland Road NE  
Salem, OR 97305  
(503)378-3473  
[http://oregon.gov/OOHS/SFM/contact\\_us.shtml](http://oregon.gov/OOHS/SFM/contact_us.shtml)



State of Oregon  
Department of  
Environmental  
Quality



**Oregon**  
Department  
of Agriculture



"STEWARDSHIP IN FORESTRY"

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• March 2007



# BURNING QUESTIONS?

**A guide to burning regulations in the Willamette Valley**

**Burn permits**

**Open burning**

**Field burning**

**Backyard burning**

**Slash burning**

**Agricultural burning**

*In cooperation with*

*Oregon Department of Agriculture*

*Oregon Department of Environmental Quality*

*Oregon Department of Forestry*

*Oregon State Fire Marshal*

**What you need to know BEFORE you burn**

## OPEN BURNING

### What is open burning?

The burning of debris in an outdoor fireplace, burn barrel, backyard incinerator, or piles of yard debris.

### When is open burning allowed?

Inside a special control area†

- March 1 through June 15 and October 1 through December 15 (Local fire district ordinances may be more restrictive).
- A written burn permit from the Oregon Department of Forestry (ODF) is required during fire season for those within an ODF forest protection district

Outside a special control area

- Burning may occur on any approved burn day

### †What is a special control area?

- Any area within three miles of a city boundary with a population greater than 1,000, but less than 45,000 people.
- Any area within six miles of the boundary of a city with a population greater than 45,000 people .

### What can I burn?

Inside a special control area:

- Yard debris: wood, needles, or leaves from plants grown and burned on the property of origin.

Outside a special control area:

- Construction waste: lumber, crates, etc.
- Demolition waste: includes land-clearing debris
- Domestic waste: includes yard debris

### What can't I burn?

The Department of Environmental Quality prohibits the burning of these materials:

- \* tires (including tires to start a fire)
- \* plastics
- \* decomposable garbage (organic material, paper)
- \* petroleum and petroleum-treated materials
- \* asphalt and asphalt materials
- \* chemicals (pesticides, cleaners, detergents)
- \* any material that produces black or dense smoke



Burn barrels pollute

## AGRICULTURAL BURNING

### What is agricultural burning?

“Agricultural Burning” is the burning of any agricultural waste generated by an *agricultural operation* that uses, or intends to use, land primarily for the purpose of obtaining a profit by raising, harvesting and selling crops or raising and selling animals (including poultry), or the products of animal husbandry. Prohibited materials, such as tires, can't be burned, even in an agricultural setting.



Only burn natural materials

### Am I an agricultural Operator?

You are an *agricultural operator* if you make your primary living from the farm or file your tax return as a farmer or grower. If you don't make your primary living from the agricultural operation, you are a backyard burner and subject to the rules regarding open burning. Examples are below.

#### *Horses/Livestock*

An equine breeding ranch that sells foals on a regular basis with the primary intention to make a profit is an agricultural operation. However, the ranch is not an agricultural operation if horses are sold occasionally to offset costs.

#### *Agricultural waste*

The brush cleared off of land that will be immediately planted in a crop or used to raise livestock for profit is considered agricultural waste. If an agricultural activity will not be performed on the land cleared, the brushed removed is not agricultural waste.

#### *Orchards*

Orchard operations may be an agricultural operation if enough producing trees exist in order to obtain a profit (not a hobby orchard). If a dead tree is removed from a large producing orchard and replaced with a new tree, the dead tree would be agricultural waste. Trees removed for building construction are not agricultural waste.

### Is land clearing agricultural burning?

Agricultural burning may include clearing land if an agricultural commodity will be planted or cattle raised, but does not include burning debris for the construction of buildings.

### When can I agricultural burn?

Only “agricultural operations” can perform agricultural burning. To find out if daily agricultural burning is allowed, call the Oregon Department of Agriculture (ODA) at 503-986-4755.

### Can I use a burn barrel?

Burn barrels are inefficient and polluting because they produce low temperature fires and produce toxic smoke. This toxic smoke stays at ground level where it is easily inhaled. It is better to burn in a loosely stacked pile for better air flow and combustion.

### What are field burning and stack burning?

Cereal grain stubble is regulated by ODA and occurs between June and October when weather conditions are favorable for smoke dispersal. Stack burning is the burning of baled grass seed and cereal grain stubble. Field and stack burning permits are obtained from ODA (503-986-4701).

### What is Slash burning?

Slash burning is the burning of debris from logging and is limited to burning on forest lands. Slash burning is regulated by the Oregon Department of Forestry (ODF). Contact ODF for information and slash burning permits at 503-859-2151.

### What is the role of the Oregon State Fire Marshal?

The Oregon State Fire Marshal (SFM) is the principal fire authority for the State of Oregon. As such, the State Fire Marshal may refuse, revoke, or postpone any burning activity as needed to protect life, property, or the natural resources of the state. The SFM works in cooperation with other state, county, and local regulatory agencies, including fire districts, to enforce burning regulations and restrictions.