

# Ohio's Open Burning Regulations

## OAC 3745-19

### PROHIBITED OPEN BURNING

**Materials which may not be burned anywhere in Ohio at any time include the following:**

- \* Items containing rubber, grease, asphalt or made from petroleum, such as tires, cars & auto parts, plastics, or plastic-coated wire;
- \* Garbage - any wastes created in the process of handling, preparing, cooking, or consumption of food;
- \* Dead animals; animal waste
- \* Demolished buildings/standing structures (except by fire depts. for training- state permission required)

*Open burning is prohibited when air pollution warnings, alerts, or emergencies are in effect.*

### PERMISSIBLE OPEN BURNING

#### Restricted Areas<sup>1</sup>

**Without permission or notification:**

- \* Recreational campfires, outdoor fireplace equip. (fires for cooking, warmth or recreational purposes)  
Must be fueled w/ clean seasoned firewood and may not exceed 3ft x 2ft;
  - \* Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers & strikers, smudge pots & similar occupational needs.
- (The above fires must not be used for waste disposal & shall be of minimum size for their intended purpose.)**

**With prior written notification to Ohio EPA or local air agency:**

- \* Agricultural waste (from farming/agricultural operations only) - the fire must be located at a point on the property which is at least 1,000 feet from the nearest inhabited neighboring residence & the waste must be generated on the premises (waste may not be hauled in from off-site); Barns & bldgs may **NOT** be burned;
- \* Bonfires (ceremonial fires) - may not exceed 5ft x 5ft or burn for longer than 3 hours & may not be used for waste disposal purposes;
- \* Prevention or control of disease or pests, with written or verbal verification from appropriate agency.

**With written permission from Ohio EPA or local air agency:**

- \* Fire training;
- \* Range, horticultural or wildlife management;
- \* Limited circumstances w/ OEPA approval.

#### Unrestricted Areas<sup>2</sup>

**Without permission or notification:**

- \* Recreational campfires, outdoor fireplace equip. (fires for cooking, warmth or recreational purposes)  
Must be fueled w/ clean seasoned firewood and may not exceed 3ft x 2ft;
- \* Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers & strikers, smudge pots & similar occupational needs;
- \* Bonfires (ceremonial fires) - may not exceed 5ft x 5ft or burn for longer than 3 hours;

**(The above fires must not be used for waste disposal & shall be of minimum size for their intended purpose.)**

- \* Agricultural & residential waste ♦ - the fire must be located at a point on the premises which is at least 1,000 feet from the nearest inhabited neighboring residence & the waste must be generated on the premises (waste may not be hauled in from off-site). Barns & bldgs may **NOT** be burned.

**With prior written notification to Ohio EPA or local air agency:**

- \* Prevention or control of disease or pests, with written or verbal verification from appropriate agency.
- ♦ Agricultural waste piles exceeding 20ft in diameter x 10ft high
- ♦ Residential waste piles exceeding 10ft x 10ft x 10ft

**With written permission from Ohio EPA or local air agency:**

- \* Fire training;
- \* Range, horticultural or wildlife management;
- \* Land clearing waste (w/ use of air curtain destructor; 1,000 ft)
- \* Limited circumstances w/ OEPA approval.

**1-Restricted Area:** Any municipal corporation (with a population of ten thousand persons or more) plus a zone extending one mile beyond any such municipality; Any municipal corporation (with a population of one thousand to ten thousand persons) plus a zone extending 1,000 ft beyond the boundaries of any such municipality.

**2-Unrestricted Area:** All areas outside the boundaries of a restricted area.

## **Can a Community enact local ordinances to allow open burning?**

Local ordinances cannot be less strict than state law. They can be more strict, however.

## **What will happen to me if I'm caught illegally open burning?**

Ohio EPA, Local Air Agencies, and local Health Departments have legal authority to enforce the open burning laws. Violations can result in substantial penalties. If you have any questions, or would like to report a suspected open burning incident, contact your Ohio EPA district office or your local air pollution control agency.

The Regional Air Pollution Control Agency (RAPCA) is the designated Ohio EPA representative for Clark, Darke, Greene, Miami, Montgomery and Preble counties.

\*\* RAPCA issues open burning permission to residents of the above counties at no charge. RAPCA recommends that anyone open burning for waste disposal first obtain permission.\*\*

### **Contact Info.:**

#### **RAPCA:**

Address: 117 South Main St., Dayton, OH 45422  
Phone: (937) 225-4435  
Fax: (937) 225-3486  
Website: [www.rapca.org](http://www.rapca.org)

#### **Ohio EPA Central Office:**

Mailing Address: P.O. Box 1049,  
Columbus, OH 43216-1049

Physical Street Address: Lazarus Government Center  
50 West Town St., Suite 700  
Columbus, OH 43215

Phone: (614) 644-2270  
Fax: (614) 644-3681  
Open Burning contact: Paul Braun **(614) 644-3734**  
**Website:** [www.epa.ohio.gov](http://www.epa.ohio.gov)

**Ohio's Open Burning Regulations: Ohio Administrative Code (OAC) 3745-19**  
**Available at: [http://www.epa.ohio.gov/dapc/regs/3745\\_19.aspx](http://www.epa.ohio.gov/dapc/regs/3745_19.aspx)**