



Open Burning Regulations

(Effective October 14, 2009)

Do the regulations on open burning make burning household trash in burn barrels or piles illegal?

Yes. Burning household trash is prohibited statewide in all cases. (Our existing incinerator rule prohibits burning household trash in wood stoves, fireplaces, and outdoor wood boilers.) Leaf piles cannot be burned. DEC recommends that you recycle all appropriate materials (such as newspaper, paper, glass and plastic) and compost your organic kitchen and garden waste.

What are the regulations on open burning in New York State?

Effective October 14, 2009, all open burning is prohibited in New York, except as follows:

- Barbecue grills, maple sugar arches and similar outdoor cooking devices, using only propane, charcoal, or untreated wood
- Small cooking and camp fires, using only untreated wood
- On-site burning of limbs and branches is allowed between May 15th and the following March 15th in any town with a total population less than 20,000
- On-site burning of organic agricultural wastes, but not pesticides, plastics or other non-organic material, on certain agricultural lands
- Liquid petroleum fueled smudge pots to prevent frost damage to crops
- Ceremonial or celebratory bonfires
- Disposal of a flag or religious items
- Burning on an emergency basis of explosive or other dangerous or contraband by police, etc.
- Prescribed burns performed according to state regulations
- Fire training with some restrictions on the use of acquired structures
- Individual open fires to control plant and animal disease outbreaks as approved by DEC upon the request by the Commissioner of Agriculture and Markets
- Open fires as necessary to control invasive plant and insect species

Why has DEC changed the open burning regulations in New York State?

The open burning of household trash releases dangerous compounds including arsenic, carbon monoxide, benzene, styrene, formaldehyde, lead, hydrogen cyanide and dioxin, among others. Open burning is also the single greatest cause of wildfires in New York.

To report environmental law violations call DEC's 24 hour hotline

1-800-TIPP DEC (Callers may remain anonymous)