



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

April 1, 2025

Caddo-Midway Fire & Rescue
7909 County Road 214
Trinity, AL 35673

RE: ADEM Open Burning Regulations

Dear Local Fire Official,

We have received many questions from fire departments about open burning and would like to provide guidance on the Alabama Department of Environmental Management's (ADEM) regulations on this practice.

First, we would like to explain why open burning is a concern. Open burning releases large quantities of fine particulate matter, or PM_{2.5}. This pollutant can be inhaled and cause serious illnesses, especially in children, older adults, and people with heart or lung disease. While PM_{2.5} in air can originate from many different sources, open burning accounts for about 60% alone. ADEM's regulations regarding open burning help ensure all areas of the state have healthy air quality.

Permissible Open Burning

According to ADEM Admin. Code r. 335-3-3-.01, open burning is generally prohibited, unless it meets specific criteria. The regulations outline several exceptions where open burning may be allowed. These exceptions include:

- Cooking food for human consumption on non-commercial premises.
- Recreational or ceremonial fires (bonfires).
- Fires to abate a fire hazard, as declared by the governing fire department.
- Fires to control disease or pests.
- Fires for training personnel in firefighting methods that meet all requirements of ADEM Admin. Code r. 335-3-11-.02(12), which covers asbestos inspections, notifications, and abatement.
- Fires for the disposal of dangerous materials when there is no practical alternative, and when approved by the Director of ADEM.



Birmingham Office
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Office
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Coastal Office
1615 South Broad Street
Mobile, AL 36605
(251) 450-3400
(251) 479-2593 (FAX)

- Fires for recognized agricultural, silvicultural, range, and wildlife management practices (prescribed burns).
- Fires set in salamanders or other devices for heating purposes at construction sites, using only specific listed fuels.
- Open burning specifically approved by ADEM, including for disposal of vegetation from natural disasters (see attached guidance for this activity)

These exceptions are very specific, and any open burning that does not fall under these categories requires careful review.

If conducted under the correct conditions, the open burning of vegetation or untreated wood is authorized provided that the following requirements are met:

Location: The burning must take place on the property where the combustible fuel originates. This means that tree limbs, vegetative debris, and untreated wood may not be collected and transported to another location for burning.

Distance: The fire must be at least 500 feet from the nearest occupied dwelling not located on the same property. In other words, a homeowner may open burn their tree limbs within 500 feet of their own home but must ensure the fire is at least 500 feet from their neighbors.

Traffic Safety: The burning must be controlled to avoid creating a traffic hazard on public streets and roads.

Materials: Only vegetation and untreated wood may be burned. All other materials, such as trash, garbage, scrap, tires, rubber, asphalt products, paper, cardboard, chemicals, oils, plastics, vinyl materials, insulation, and treated or painted wood are strictly prohibited from open burning.

Timing: Initial burning is allowed only between 8 a.m. and 3 p.m., and no additional material can be added to the fire between 3 p.m. and 8 a.m. the following day.

Ventilation: Burning is allowed only with good ventilation, when the wind is blowing away from any built-up areas.

Supervision: The fire must be attended at all times.

Burn Ban: Open burning is prohibited May 1 through October 31 in the following counties: Baldwin, DeKalb, Etowah, Jefferson, Lawrence, Madison, Mobile, Montgomery, Morgan, Shelby, Russell, and Talladega

Violations of ADEM Open Burning Regulations

ADEM's Air Division is tasked with enforcing the open burning regulations. Its inspectors visit areas of the state every week looking for environmental issues, including

unauthorized open burning, and responding to citizen complaints. Here are some of the most common violations cited:

Burning prohibited materials: It is strictly prohibited to burn heavy oils, asphalt products, plastics, vinyl materials, insulation, paper, cardboard, natural or synthetic rubber, salvage or scrap materials, chemicals, garbage, treated or painted wood, or any trash. While untreated wood and vegetation are allowed to be combusted, we frequently see these other materials mixed in or burned exclusively.

Imported vegetation: The regulations specify that burning must occur on the property where the combustible fuel originates. This means that imported vegetation (such as tree limbs) may not be moved from the property where it was cut to another site for burning.

Ignoring distance requirements: Burning must not occur within 500 feet of an occupied dwelling, as detailed above.

Burning during prohibited months: Even if all other requirements are met, open burning is not allowed during the burn ban in listed counties.

Consequences of Non-Compliance

Over the past 10 years, ADEM issued numerous enforcement actions including enforcement orders with an assessed civil penalty to individuals, businesses, counties and municipalities for violations of open burning regulations.

Recommendations for Fire Departments

To ensure compliance and reduce unauthorized open burning, fire departments should consider the following:

Educate staff: Ensure all relevant staff are thoroughly trained on ADEM open burning regulations and the specific conditions that must be met.

Review local burn permit procedures: Some fire departments have issued local burn permits without considering state open burning regulations. Review your permit process to ensure those that receive permits are aware of these requirements.

Communicate with residents: Educate residents about what materials can and cannot be burned, and the importance of compliance.

Monitor and enforce: Regularly monitor burning activities and enforce any local ordinances to prevent violations.

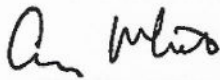
Seek guidance: Contact ADEM with any questions regarding specific open burning situations. ADEM's open burning regulations can be found on our website or by searching for "335-3-3-.01" with your favorite search engine.

Air Curtain Incinerators

ADEM has approved several municipalities to operate stationary air curtain incinerators (ACIs), an improved form of open burning that can reduce PM_{2.5} emissions. These devices may be used to incinerate imported vegetative debris, but their operation requires the issuance of an air permit by this office for an approved ACI. If your local government is interested in operating an ACI, please contact us for guidance before purchase.

By understanding and sharing the requirements on open burning, fire departments can protect air quality, ensuring the safety and well-being of their communities. We encourage you to contact ADEM at (334) 271-7879 or 271-7897 if you have any questions regarding open burning.

Sincerely,

A handwritten signature in black ink, appearing to read "A. White".

Aubrey H. White III, Chief
Air Division

Enclosure: Guidelines For Open Burning Of Natural Disaster Debris (2025)



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

March 13, 2025

MEMORANDUM

TO: Interested Parties

FROM: Aubrey H. White III, Chief
Air Division

RE: Air Division Guidelines for Open Burning of Natural Disaster Debris

Open burning emits large quantities of fine particulate matter (PM_{2.5}). PM_{2.5} can have significant negative health impacts, especially for vulnerable populations. In Alabama, open burning is regulated by ADEM and is only allowed under specific conditions. These guidelines apply to the open burning of debris resulting from catastrophic natural events only.*

1. If a government entity intends to conduct this type of open burning, prior approval from the ADEM Air Division is required, as outlined in paragraphs 4 and 5 below.
2. **Only vegetation from the Natural Disaster** may be burned. All other materials should be disposed of in a permitted landfill or other site specifically approved by the ADEM-Solid Waste Branch.
3. Open burning, including selection of sites, should be coordinated and supervised by city or county officials (public health officers, city/county engineers, solid waste coordinators, and emergency management officials) within their jurisdictions.
4. Information from the county or city (if applicable), beginning burning date, estimated ending date, contact details and GIS location of the proposed burn site should be e-mailed to the Air Division at airmail@adem.alabama.gov. A form for use is available at the aforementioned e-mail address or by telephoning (334) 271-7879. Please submit the form at least 2 working days prior to the anticipated burn date.
5. Guidelines for open burning sites:
 - a. The minimum distance from the burn site to occupied dwellings and businesses is 500 feet, however we recommend a distance of 1,000' to minimize local impacts.
 - b. Burning is best conducted during clear weather and prevailing wind direction should be considered to minimize nuisance smoke.
 - c. Material to be burned should be as dry as possible and maintained to prevent long-term smoldering.



- d. Burning may commence or vegetation added to a fire only between 8:00 am and 3:00 pm.
6. The use of portable air curtain incinerators (ACIs) is encouraged and should be considered if one or more of the following situations exist:
 - a. Extended 24-hour burning is necessary.
 - b. Accelerated burning is desired.
 - c. Smoke is or may become a problem.
 - d. Before acquiring any non-portable ACI, check with the Air Division to determine if a permit is required for operation.

In situations where governmental officials or their contractors are unable to provide removal of vegetative debris for area residents, individual property owners who can meet **all conditions** listed in the footnote below may open burn the debris on their property. Call (334) 271-7879 with any questions or concerns.

Please note that ADEM has the authority to halt or modify any open burning of disaster debris.

** The Department does not require a notification if the burning of natural disaster debris is to be conducted in a manner consistent with the following conditions allowed by ADEM Admin. Code r. 335-3-3-.01(2):*

- (1) The debris is burned on the property on which it originates.*
- (2) The burn pile is not within 500 feet of an occupied dwelling located on other property.*
- (3) The burning is controlled in a manner that does not cause a traffic hazard.*
- (4) Only vegetation and untreated wood is burned.*
- (5) Initial burning must not commence before 8 a.m. and no additional fuel added after 3 p.m.*
- (6) Burning is conducted during favorable weather conditions and not conducted during a "Drought Emergency" declared by the Governor.*
- (7) The fire shall be attended at all times.*
- (8) The burning will not take place from May 1 - October 31 in any of the following counties: Baldwin, DeKalb, Etowah, Jefferson, Lawrence, Madison, Mobile, Montgomery, Morgan, Shelby, Russell or Talladega.*