

Open Burning Information

Under the new regulations covering Open Burning, the burning of brush, twigs, branches, and traditional "Yard Debris" is PROHIBITED between March 16th and May 14th.

Where should I call to report an illegal open fire? To report violations call 1-800-TIPP DEC (1-800-847-7332).

Burning trash is now prohibited statewide in all cases. The En Con's existing incinerator rule already prohibits burning household trash in wood stoves, fireplaces, and outdoor wood boilers. DEC recommends that you recycle all appropriate materials (such as newspaper, paper, glass and plastic) and compost your organic kitchen and garden waste.

The following are EXCEPTIONS to the March 16th to May 14th prohibition.

Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.

Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.

*On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period. [*See Definition Below](#)*

The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.

Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.

Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.

Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.

Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control.

Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

***Agricultural Definitions:**

Agricultural land. The land and on-farm buildings, equipment, manure processing and handling facilities, and practices that contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a 'commercial horse boarding operation' and 'timber processing'. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

Agricultural waste. Any waste from naturally grown products such as vines, trees and branches from orchards, leaves and stubble. In addition, any fully organic waste either grown or generated on the premises, including but not limited to paper feed bags, wood shavings used for livestock bedding, baling twine, and other non-plastic materials. *Agricultural waste* does not include pesticide containers, fertilizer bags, large plastic storage bags (including bags commonly known as "Ag bags"), offal, tires, plastic feed bags, and other plastic or synthetic materials.