



Alabama Department of Environmental Management
adem.alabama.gov

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April 1, 2025

Decatur VFD
4119 Old Hwy 31 SW
Decatur, AL 35603

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.



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- 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", is positioned below the word "Sincerely,".

Aubrey H. White III, Chief
Air Division

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