

# FACTSHEET on BURNING REQUIREMENTS

June 2016

The purpose of this document is to summarize concerns and considerations associated with obtaining permission to burn or incinerate under the *Environmental Management Act* (EMA).

## Why are there concerns with burning?\*

- Contaminants released into the air can impact health and air quality (e.g. fine particulate (PM<sub>2.5</sub>) impacts breathing)
- Burning waste materials such as plastic can produce long-lived toxins such as dioxins and furans
- Smoke from burning tends to be highly visible and unsightly
- Emissions cause localized odour issues
- Emissions generate public complaints

## How is burning regulated?

Under EMA, all specifically listed (“prescribed”) activities and industries in British Columbia require government authorization prior to discharging emissions or waste to the environment. These activities are identified and defined in the Waste Discharge Regulation (WDR).

Those related to burning or incineration include:

- “burning of vegetative debris”
- “burning or incineration of waste”
- “burning or incineration of wood residue”
- “burning or incineration of prohibited material”
- “municipal waste incineration or burning industry”

## What is the Ministry policy on burning?

To minimize impacts, nearly all burning activity requires authorization under the EMA. Authorizations may impose restrictions upon burning. The Ministry supports reduction of waste, maximizing re-use, recycling, and recovery of materials. Burning for

disposal purposes alone should be considered as a last resort, and must be conducted in compliance with all regulations, code of practices, permits, approvals or orders.

## How is authorization for burning obtained?

Depending on the material to be burned the rules vary.

- Generally, burning of vegetative debris is covered by the Open Burning Smoke Control Regulation and the Agricultural Waste Control Regulation. Requirements include pile setback distances, type of waste to be burned, and restrictions around the venting index. For further information see: [A Guide to the Open Burning Smoke Control Regulation](#).
- Burning of wood in a beehive burner is only permitted until December 31, 2016 with a valid permit and in compliance with the Wood Residue Burner and Incinerator Regulation.
- The burning or incineration of wastes and materials, excluding some very specific exceptions (see next section), requires site specific permission with either a permit or approval by the Ministry of Environment along with compliance with any other requirements specified by any other agency. Note there is an extensive permitting process required to obtain this authorization. All requests must be in writing, complete with technical justification and must be accompanied by the appropriate fees. See [Permit or Approval Application Process](#) for further instructions. Generally, burning at any industry, trade or business requires authorization (for instance, burning of pallets at mine site and burning an old barn at a farm both require formal authorization under EMA).

\* Concerns may be mitigated in some circumstances by utilization of appropriate controls and technology.

## Do all burning activities need specific permission under EMA?

No, common exemptions under EMA include:

- backyard campfires with clean raw wood as the sole fuel source if not prohibited by local bylaws;
- comfort heating of domestic, institutional or commercial buildings (although local bylaws and building code specifications may need to be considered);
- burning of leaves, foliage, weeds, crops or stubble for agricultural or domestic purposes or in compliance with the Weed Control Act if not prohibited by local bylaws;
- training burns conducted by a fire department;
- resource management open fires under the Wildfire Act;
- Emissions from commercially available refuse camp incinerators if designed to serve less than 100 people.

Exemptions under EMA do not exclude full compliance with any other agency or jurisdiction that may also govern the burning activity.

## What are the differences between “incineration” “backyard burning” and “open burning”?

“Incineration” means the controlled combustion of material (usually for disposal) with a stack or chimney to vent the emissions and may include emission controls. Burning by contrast takes place in the open or in open containers. Incineration of municipal solid waste (which may include refuse that originates from residential, commercial, institutional, demolition, land clearing or construction sources) is restricted and requires authorization. Residential solid waste is generally managed through regional districts’ solid waste management plans and can also be enforced through bylaws. The following documents provide further information: [Consideration for the Inclusion of Waste-to-Energy Facilities \(WTE\) in Solid Waste Management Plans](#) and [Combustion of Municipal Solid Waste Factsheet](#).

“Backyard burning” is the practice of burning waste material with or without vegetative debris on private property. Generally the practice of burning anything other than clean raw wood requires permission under EMA. For example, burning demolition waste or household garbage in a burning barrel is illegal. You

cannot mix waste materials with vegetative debris as a way to dispose of the waste material.

“Open burning” refers to the practice of burning materials - usually vegetative material - in the open without any enclosed chamber or stack. Open burning typically occurs without forced air or other emission reduction technology.

The Open Burning Smoke Control Regulation allows the open burning of vegetation with restrictions. However, both open burning and back yard burning can cause significant environmental impacts.

Alternatives to burning are strongly encouraged. Disposal alternatives include: reuse practices, drop off centres which promote reuse opportunities, recycling, compost facilities, landfilling materials where authorized, or shipping materials to be used as fuel in an authorized facility. For more information on alternatives to open burning see: [Directory of Alternatives to Open Burning](#).

## How is “backyard burning” regulated?

Backyard burning of certain materials is illegal. “Burning or incineration of prohibited materials” is defined by WDR. This regulation lists waste materials which may not be burned without explicit authorization (see Appendix 1 Prohibited Materials).

## Other requirements around burning

- ✓ The Ministry of Environment has authority to restrict open burning for specified areas and periods because of pollution or the risk of pollution. To determine if open burning restrictions are in effect, call the Ministry of Environment Ventilation and Air Quality Information Hotline (1-888-281-2992) or check at [www.bcairquality.ca](http://www.bcairquality.ca) before undertaking any burning activity.
- ✓ The Ministry of Forests, Lands and Natural Resource Operations has the ability to restrict open fires because of fire hazard. [Contact the BC Wildfire Service](#) to find out about closures. Additional information on wildfire status can be obtained at the [wildfire status page](#).
- ✓ Larger (Category 3) open fires are required to obtain a Burn Registration Number from the Ministry of

Forests, Lands and Natural Resources Operations. Contact 1-888-797-1717 directly. In addition there are requirements under the [Wildfire Act and Regulations](#) that apply to all persons conducting burning.

- ✓ Local governments may create bylaws to regulate the nuisance, fire hazard or air quality impacts of burning. Contact the applicable regional district, municipality, and/or fire department to find out what rules apply.

### Compliance and Enforcement

Anyone failing to obtain appropriate authorization for discharging waste into the environment by burning contravenes EMA and may receive a fine not exceeding \$1,000,000 or imprisonment for not more than 6 months. Non-compliance with the Open Burning Smoke Control Regulation can result in a fine of up to \$200,000. In addition, the Ministry has a range of tools to address compliance issues including orders, administrative sanctions and administrative penalties.

For more information, go to the BC Ministry of Environment [Waste Discharge Authorizations Website](#).

**Anyone impacted by burning activities can contact:**

**24-hour Spill/Environmental Emergency Reporting:**  
1-800-663-3456 (Provincial Emergency Program)

**24-hour RAPP (Report All Poachers and Polluters) tip-line:**  
1-877-952-7277 (Conservation Officer Service) or [online](#)

**Environmental Complaint Line:**  
[environmentalcomplaints@gov.bc.ca](mailto:environmentalcomplaints@gov.bc.ca)

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**Note:** *This summary of burning related information is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.*

### Appendix 1 Prohibited Materials

**“burning or incineration of prohibited material”** means the burning, partial burning or incineration of one or more of the following:

- (a) animal carcasses and waste from animal slaughtering;
- (b) asphalt or asphalt products;
- (c) batteries;
- (d) biomedical waste;
- (e) carpets;
- (f) construction waste other than lumber that has not been treated with wood preservatives or other chemicals and is not coated with paint, varnish, oil or other finishing material;
- (g) demolition waste;
- (h) drywall;
- (i) domestic waste;
- (j) electrical wire;
- (k) fibreglass and other fibre-reinforced polymers;
- (l) fuel and lubricant containers;
- (m) furniture and appliances;
- (n) hazardous waste;
- (o) manure;
- (p) paint and varnish;
- (q) plastics;
- (r) polystyrene foam;
- (s) railway ties;
- (t) rubber;
- (u) tar paper;
- (v) tires;
- (w) treated or painted wood products;
- (x) used oil