



# Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

January 10, 2017

Dear Massachusetts Fire Chief:

As the 2017 “open burning season” (January 15 through May 1) approaches, I want to thank you on behalf of the Department of Environmental Protection (MassDEP) for working with us to protect people across the state from the health risks associated with open burning on days when air pollution and weather conditions are unfavorable. We greatly appreciate your continuing efforts to issue permits for open burning only on days when air quality is good and weather conditions ensure that smoke will be well dispersed. This reduces health risks for people who are sensitive to smoke, and for our communities at large.

In 2017, MassDEP will continue to alert Massachusetts fire departments when open burning is prohibited. We issue these alerts through:

- the **MassDEP Web Site**  
<http://public.dep.state.ma.us/MassAir/Pages/MapForecast.aspx?&ht=1&hi=108>);
- the **MassDEP Open Burning Telephone Hotline (617-556-1021)**, which is updated by 8:00 a.m. every day, including weekends and holidays; and
- our **email subscription** that notifies you and your staff directly on days when the air quality forecast for your part of the state indicates that open burning permits should not be issued.

MassDEP sends emails to everyone who has signed up for this service when any or all areas of the state should refrain from open burning on that day. From January 15 through May 1, emails are sent out at about 8:00 a.m., when we update our web site and telephone hotline.

If you or your staff signed up for our email subscription in past years, you will automatically continue to receive email notices during the 2017 open burning season. If you or your staff want to subscribe, visit <http://eepurl.com/i5AS9> and fill out the form at this web page. To stop receiving emails, click on the “unsubscribe” link at the bottom of any notification you receive from us. Currently, 440 people have subscribed for this email service!

Open burning prohibitions are authorized by the Massachusetts Air Pollution Control Regulation. **310 CMR 7.07(3)(e)** prohibits open burning where it may cause or contribute to a condition of air pollution (and prohibits it completely in 22 urbanized municipalities). In addition, **310 CMR 7.07(3)(g)** requires

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.  
TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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that open burning be conducted only during periods of good atmospheric ventilation. A copy of the regulation is attached, with the relevant language highlighted.

MassDEP's air quality forecasters will continue to use criteria that, in the last two years, have successfully identified days on which open burning should be prohibited due to air quality considerations, and days when prohibitions are not needed because conditions are likely to become more favorable over the course of the day.

Finally, please note that fire training burns require written approval from the appropriate MassDEP regional office before these burns are conducted. This helps to ensure that fire training does not produce air or water pollution or other environmental hazards that can raise concerns for residents of your municipality.

**Quick links and contacts:**

- MassDEP air quality forecasts on the web: <http://public.dep.state.ma.us/MassAir/Pages/MapForecast.aspx?&ht=1&hi=108>
- MassDEP Air Quality Telephone Hotline: 617-556-1021
- Sign up for MassDEP's open burning email advisories: <http://eepurl.com/i5AS9>
- Open Burning Contacts in MassDEP's Regional Offices:

Region	Staff Contact	Telephone/Email Address
Central	Michelle Delemarre	508/767-2777, <a href="mailto:Michelle.Delemarre@state.ma.us">Michelle.Delemarre@state.ma.us</a>
Northeast	Karen Golden-Smith	978/694-3275, <a href="mailto:Karen.Golden-Smith@state.ma.us">Karen.Golden-Smith@state.ma.us</a>
Southeast	John Paino	508/946-2744, <a href="mailto:John.Paino@state.ma.us">John.Paino@state.ma.us</a>
Western	Cortney Danneker	413/755-2234, <a href="mailto:Cortney.Danneker@state.ma.us">Cortney.Danneker@state.ma.us</a>

Find your MassDEP Regional Office:

<http://www.mass.gov/eea/agencies/massdep/about/contacts/#ListofCitiesandTowns>

We hope you find this information useful and thanks for your continued help in keeping Massachusetts' air clean.

Sincerely,



Mark Wert  
Branch Chief, Air Planning  
MassDEP Bureau of Air and Waste  
[mark.wert@state.ma.us](mailto:mark.wert@state.ma.us)  
617-292-5598

**Attachment: Massachusetts Open Burning Regulation (310 CMR 7.07)**

- (1) No person shall cause, suffer, allow or permit the open burning of any combustible material.
- (2) 310 CMR 7.07(1) shall not apply to:
  - (a) open burning for the purpose of combating or backfiring an existing fire by persons affiliated with an official fire fighting agency;
  - (b) open burning conducted primarily for cooking purposes, or
  - (c) open burning related to the operation of devices such as blowtorches and welding torches, for which no alternative source of heat can be used, provided that such devices do not cause a condition of air pollution.
- (3) Except during periods of adverse meteorological conditions as may be determined by the Department when direct or public notice thereof has been made by the Department through the news media, 310 CMR 7.07(1) shall not apply to open burning conducted for:
  - (a) training or research in fire protection or prevention with specific approval by the Department;
  - (b) activities associated with the normal pursuit of agriculture which have been determined by the Department as necessary and which include but are not limited to, open burning of blueberry patches for pruning purposes, dead raspberry stalks, fruit tree prunings, and infected beehives for disease control;
  - (c) open burning of brush and trees resulting from agricultural land clearing operations;
  - (d) the disposal of fungus-infected elm wood provided that no suitable alternative method of disposal is available;
  - (e) the disposal of brush, cane, driftwood, and forestry debris excluding grass, hay, leaves, and stumps from January 15 to May 1 of each year. All such open burning shall be conducted:
    - 1. on land proximate to the place of generation,
    - 2. at a location greater than 75 feet from any dwelling, and
    - 3. between ten o'clock A.M. and four o'clock P.M.

No such open burning shall apply to commercial or institutional land clearing for non-agricultural purposes.

Open burning under 310 CMR 7.07(3)(e) shall not be permitted in the Cities and Towns of Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Chicopee, Everett, Fall River, Holyoke, Lawrence, Lowell, Malden, Medford, New Bedford, Newton, Somerville, Springfield, Waltham, Watertown, West Springfield, and Worcester, or where the Department has notified a city or town that:

- 1. open burning under this provision may cause or contribute to non-attainment of federal or state ambient air quality standards for particulate matter,
- 2. open burning under this provision may cause or contribute to a condition of air pollution, or
- 3. open burning under this provision is not permitted due to continued violations of the provisions for the proper conduct of such open burning. (Such action shall be taken only after said city or town has been given written notification of such violations and has in the opinion of the Department failed to take appropriate actions to prevent the continuance of such violations.)

Upon request of the Department the permitting authority of any City or Town shall notify the Department of the number of permits issued during any burning period.

- (f) the disposal of combustible material with the approval of the Department and after demonstration to the satisfaction of the Department that no alternative suitable method of disposal is available;
- (g) as described in 310 CMR 7.07(3)(a) through 310 CMR 7.07(3)(f) must be conducted:
  - 1. during periods of good atmospheric ventilation,
  - 2. without causing a nuisance,
  - 3. with smoke minimizing starters if starters or starting aids are used, and
  - 4. under the provisions of a properly executed permit issued under the provisions of M.G.L. c. 48, § 13.