



WHAT IS OPEN BURNING?

The burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the ambient air without passing through an adequate stack, duct, or chimney.¹ Open burning regulations are contained within Chapter 33.1-15-04 of the North Dakota Air Pollution Control Rules and are incorporated into North Dakota Century Code Chapter 23.1-06.

ACCEPTABLE BURNING

Some categories of open burning are permissible. You can find more information on permissible burning at <https://deq.nd.gov/AQ/permitting/OpenBurning.aspx>.

GET A BURN VARIANCE

Any burning activities not explicitly designated as permissible in the North Dakota Air Pollution Control Open Burning Regulations² require an open burning variance. The North Dakota Department of Environmental Quality and certain local public health units (Upper Missouri District, Central Valley Health District and Lake Region District Health) have the authority to approve open burns and issue open burning variances in accordance with the North Dakota Air Pollution Control Rules based on the types of materials requested to be burned.

Visit the Environmental Quality website at <https://deq.nd.gov/AQ/permitting/OpenBurning.aspx> to obtain an open burning variance application and learn the rules governing open-burning.

UNAUTHORIZED BURNING

Please direct any suspected nonpermissible burning activities to Environmental Quality or the pertinent local public health unit and the local fire department. Local police and/or fire departments should determine

if any reported burning activities have received written approval. If there is no proof of approval, the enforcement agency should contact Environmental Quality or the applicable health unit for proper approval before the burn activity resumes.

Unauthorized burns can result in:

- Increased air pollution, causing potential harm to immunocompromised or other sensitive individuals
- Risk of the burn getting out of control
- Enforcement action, including fines ranging up to \$10,000 per day per violation

MORE INFORMATION

Local burn restrictions and fire danger maps are available at <https://ndresponse.gov/burn-restrictions-fire-danger-maps>.

The Environmental Quality website also has information on what is permissible and what is illegal as well as information on special situations such as

- Burning houses or other buildings
- Burning liquid hydrocarbons
- Open burning within a landfill

¹North Dakota Administrative Code 33.1-15-01.26

²North Dakota Administrative Code 33.1-15-04