



Alternatives For Disposal Of Vegetation From Land Clearing And Maintenance

- 1. Take the vegetation to an ADEM – permitted landfill.**
- 2. Allow the vegetation to **decompose naturally**.**
 - It may be left on the property from which it is generated.
 - It may be taken to a location off site, but it cannot be burned there.
- 3. If **ALL** conditions below are met, the vegetation may be burned.**
 - Only **clean (no fuel or non-vegetative refuse added)** vegetation may be burned.
 - It must be burned on the **property from which it is generated**.
 - The burning must be at least **500 feet** from the nearest occupied dwelling and a distance from any road that would prevent visibility issues from the smoke.
 - The fire should be started between 8 a.m. and 3 p.m. No vegetation should be added to the fire after 3 p.m.
 - No vegetative or land-clearing burning is allowed from **May 1 to October 31** of each year in the following Counties: **Baldwin, Mobile, DeKalb, Montgomery, Etowah, Morgan, Jefferson*, Shelby, Lawrence, Russell, Madison and Talladega**. Some agricultural and silvicultural burning may be allowed in these counties during these months with prior approval from ADEM and the Alabama Forestry Commission (<http://www.forestry.alabama.gov/Contact.aspx>). Unless prohibited for drought and safety reasons, the burn ban does not prohibit the use of outdoor fireplaces and camp fires.

If you have any questions, contact the ADEM Air Division at (334) 271-7879 or (334) 271-7897.

****No open burning (agricultural and silvicultural) is allowed in Jefferson County during this time period.***

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION - AIR POLLUTION CONTROL PROGRAM**

**CHAPTER 335-3-3
CONTROL OF OPEN BURNING AND INCINERATION**

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335-3-3-.01 Open Burning.

- (1) No person shall ignite, cause to be ignited, permit to be ignited, or maintain any open fire except as follows:
- (a) Open fires for the cooking of food for human consumption on other than commercial premises;
- (b) Fires for recreational or ceremonial purposes;
- (c) Fires to abate a fire hazard, providing the hazard is so declared by the fire department or fire district having jurisdiction;
- (d) Fires for prevention or control of disease or pests;
- (e) Fires for training personnel in the methods of fighting fires, provided that all requirements of ADEM Admin. Code r. 335-3-11-.02(12) are met;
- (f) Fires for the disposal of dangerous materials where there is no practical alternate method of disposal and burning is approved by the Director;
- (g) Fires set for recognized agricultural, silvicultural, range, and wildlife management practices;
- (h) Fires set in salamanders or other devices, utilizing only wood, vegetation, coal, propane, kerosene, fuel oil or used oil (used oil as defined in ADEM Admin. Code chapter 335-14-17) as fuel, and used by construction or other workers for heating purposes;
- (i) Open fires specifically or expressly approved by the Director.
- (2) Open burning may also be conducted for the purposes listed below and if it meets all the requirements of this paragraph. Authority to conduct open burning under the provisions of this paragraph does not exempt or excuse a person from the consequences, damages, or injuries which may result from such conduct, nor does it exempt or excuse a person from complying with all applicable laws,

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ordinances, regulations, and orders of governmental entities having jurisdiction, even though the open burning is conducted as specified in this paragraph.

(a) Open burning of vegetation or untreated wood may be conducted if it is generated by clearing or maintaining land, or from demolition or operations conducted for any of the following purposes:

1. Erection of any structure;
2. Construction of any transportation, utility, or communications line;
3. Maintenance of rights-of-way;
4. Development or modification of a recreational or commercial area;
5. Plant husbandry practices.

(b) Open burning authorized by this paragraph shall comply with the following conditions:

1. The burning must take place on the property on which the combustible fuel originates;
 2. The location of the burning must be at least 500 feet from the nearest occupied dwelling other than a dwelling located on the property on which the burning is conducted;
 3. The burning must be controlled so as to avoid creating a traffic hazard on any public road, street, or highway as a result of the air contaminants emitted;
 4. Only vegetation and untreated wood may be burned. It is unauthorized to open 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;
 5. Initial burning may be commenced only between the hours of 8:00 a.m. and 3:00 p.m. No combustible material is to be added to the fire between 3:00p.m. and 8:00 a.m. the following day;
 6. Burning shall be conducted only when there is good ventilation and when the prevailing wind direction is away from any built-up area in the vicinity. No burning shall be conducted in areas under a current air stagnation advisory issued by the National Weather Service or during a "Drought Emergency" declared by the Governor;
 7. The fire shall be attended at all times.
- (c) The Director or his authorized representative may impose additional conditions to cover specific open burning situations where additional controls or requirements are deemed necessary to minimize air pollution.
- (d) Permission to open burn under the provisions of this paragraph is

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revoked during the months of May, June, July, August, September, and October in Baldwin, DeKalb, Etowah, Jefferson, Lawrence, Madison, Mobile, Montgomery, Morgan, Shelby, Russell, and Talladega Counties.

Author: James W. Cooper and John E. Daniel; Ronald W. Gore.

Statutory Authority: Code of Alabama 1975, §§22-28-14, 22-22A-5, 22-22A-6, and 22-22A-8.

History: Effective Date: January 18, 1972.

Amended: November 21, 1996; September 25, 1997; September 7, 2000; April 3, 2003; October 2, 2003; March 22, 2005; April 4, 2006; January 22, 2008.

335-3-3-.02 Incinerators.

(1) The provisions of this rule are applicable to any incinerator except as provided in rule 335-3-3-.03 and rule 335-3-3-.04.

(2) Incinerators shall be designed and operated in such manner as is necessary to prevent the emission of objectionable odors.

(3) No person shall cause or permit to be emitted into the open air from any incinerator, Particulate Matter in the exhaust gases to exceed 0.20 pounds per 100 pounds of refuse charged; provided that: for incinerators of more than 50 tons per day charging rate, Particulate Matter in the exhaust gases may not exceed 0.10 pounds per 100 pounds of refuse charged.

(4) Emission tests shall be conducted at maximum burning capacity of the incinerator.

(5) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Director in accordance with good engineering practices. In cases of conflict, the determination made by the Director shall govern.

(6) For the purposes of this rule, the total of the capacities of all furnaces within one system shall be considered as the incinerator capacity.

Author: James W. Cooper and John E. Daniel.

Statutory Authority: Code of Alabama 1975, §§22-28-14, 22-22A-5, 22-22A-6, and 22-22A-8.

History: Effective Date: January 18, 1972.

Amended: Effective Date: July 26, 1972; September 19, 1991.

335-3-3-.03 Incineration of Wood, Peanut, and Cotton Ginning Wastes.

(1) No person shall cause or permit to be emitted into the open air from any incinerator which incinerates wood, peanut, or cotton ginning wastes, Particulate Matter in the exhaust gases to exceed 0.40 pounds per 100 pounds of materials charged.

(2) Emission tests shall be conducted at maximum burning capacity of the incinerator.

Burn Permit Based on ADEM Regulations
Chapter 335-3-3
Control of Open Burning and Incineration

ADEM 335-3-3-.01 Open Burning.

(1) No person shall ignite, cause to be ignited, permit to be ignited, or maintain any open fire except as follows:

- (a) Open fires for the cooking of food for human consumption on other than commercial premises;
- (b) Fires for recreational or ceremonial purposes;
- (c) Fires to abate a fire hazard, providing the hazard is so declared by the fire department or fire district having jurisdiction;
- (d) Fires for prevention or control of disease or pests;
- (e) Fires for training personnel in the methods of fighting fires, provided that all requirements of ADEM Admin. Code R. 335-3-11-.02(12) are met;
- (f) Fires for the disposal of dangerous materials where there is no practical alternate method of disposal and burning is approved by the Director;
- (g) Fires set for recognized agricultural, silvicultural, range, and wildlife management practices;
- (h) Fires set in salamanders or other devices, utilizing only wood, vegetation, coal, propane, kerosene, fuel oil or used oil (used oil as defined in ADEM Admin. Code Chapter 335-14-17) as fuel, and used by construction or other workers for heating purposes;
- (i) Open fires specifically or expressly approved by the Director.

(2) Open burning may also be conducted for the purposes listed below and if it meets all the requirements of this paragraph. Authority to conduct open burning under the provisions of this paragraph does not exempt or excuse a person from the consequences, damages, or injuries which may result from such conduct, nor does it exempt or excuse a person from complying with all applicable laws, ordinances, regulations, and orders of governmental entities having jurisdiction, even though the open burning is conducted as specified in this paragraph.

(a) Open burning of vegetation or untreated wood may be conducted if it is generated by clearing or maintaining land, or from demolition or operations conducted for any of the following purposes:

- 1. Erection of any structure;
- 2. Construction of any transportation, utility, or communications line;
- 3. Maintenance of rights-of-way;
- 4. Development or modification of a recreational or commercial area;
- 5. Plant husbandry practices.

(b) Open burning authorized by this paragraph shall comply with the following conditions:

- 1. The burning must take place on the property on which the combustible fuel originates;

2. The location of the burning must be at least 500 feet from the nearest occupied dwelling other than a dwelling located on the property on which the burning is conducted;
3. The burning must be controlled so as to avoid creating a traffic hazard on any public road, street, or highway as a result of the air contaminants emitted;
4. Only vegetation and untreated wood may be burned. It is unauthorized to open 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;
5. Initial burning may be commenced only between the hours of 8:00 a.m. and 3:00 p.m. No combustible material is to be added to the fire between 3:00 p.m. and 8:00 a.m. the following day;
6. Burning shall be conducted only when there is good ventilation and when the prevailing wind direction is away from any built-up area in the vicinity. No burning shall be conducted in areas under a current air stagnation advisory issued by the National Weather Service or during a "Drought Emergency" declared by the Governor;
7. The fire shall be attended at all times.

(c) The ADEM Director or his authorized representative may impose additional conditions to cover specific open burning situations where additional controls or requirements are deemed necessary to minimize air pollution.

Prattville Fire Department
Burn Permit

All open burning shall comply with the adopted Fire Code of the City of Prattville

This permit is not valid unless issued by a representative of the Prattville Fire Department.

The permit holder accepts all responsibility and liability for conducting a control burn.

The City of Prattville and the Prattville Fire Department do not accept any responsibility for any damages or fines resulting from this control burn.

The permit holder is responsible for complying with all state and federal regulations and any restrictions placed on the permit holder by the City of Prattville and the Prattville Fire Department. The issuance of the permit does not guarantee the permit holder that this burn site complies with state and federal regulations. Compliance with state and federal regulations is the permit holder's responsibility.

This permit is only valid for the time frame issued and not to exceed 30 days from the date issued.

This permit is subject to being revoked without notice for noncompliance, weather conditions and for health and/or safety concerns.

Permits for prescribed burns for the purpose of clearing open land or fields will be obtained by the Alabama Forestry Commission before a permit will be issued by the Prattville Fire Department.

Burning in piles shall be limited in size based on weather, potential fire spread, smoke production and the permit holders' resources to contain the fire.

The permit holder shall insure an attendant remains with the fire at all times and have in their possession an approved means of communication in the event of an emergency. The permit holder agrees to notify 911 in the event of any emergency relating to the control burn.

The permit holder will provide an approved means of controlling the fire such as a competent water supply or equipment with implements capable containing fire spread.