

A Guide to the Open Burning Smoke Control Regulation

Note: The Ministry of Environment is reviewing and revising this regulation through public consultation. See [Proposed Changes to the Open Burning Smoke Control Regulation](#). Also, this guide does not include every detail from the Open Burning Smoke Control Regulation. For complete information, it is important to read the regulation itself.

Introduction: What's So Bad about Smoke?

In many B.C. communities, exposure to wood smoke may be causing substantial illness, according to a 1993 report released by the Provincial Health Officer. Chemicals and tiny particles ("fine particulates") in wood smoke can make people quite sick, and even cause death. The list of illnesses runs from coughing or a runny nose, to asthma, and the aggravation of lung and heart problems.

Smoke causes other problems. It can blot out the landscape so effectively that road and air travel are dangerously affected, and beautiful views are hidden. Smoke is also a sign that we aren't using our resources wisely: much of the material sent up in smoke could instead be turned into a valuable product, such as compost, manufactured products or wood chips.

Clearing Away the Smoke: Together, We Can Do It!

The Ministry of Environment has taken several steps to reduce wood smoke from a variety of sources across the province. These include:

- phasing out beehive burners;
- regulating emission standards for new residential woodstoves;
- supporting municipalities that want to limit or ban backyard burning; and
- educating people about why we all need to control wood smoke.

Open burning (the large outdoor fires usually set for land-clearing, construction or forestry operations) is another major source of smoke. The Open Burning Smoke Control Regulation and its Code of Practice are intended to encourage the reduction and reuse of vegetative debris from these operations whenever possible.

If open burning is the sole viable option, the regulation allows it only under strict, safe conditions, which are aimed at keeping smoke to a minimum. The result will be cleaner air, a healthier environment and lower health costs for all of us.

Using This Guide

This is a general guide to the Open Burning Smoke Control Regulation, which is part of the [Environmental Management Act](#). It will help you determine:

- if the regulation applies to the burn you intend to undertake;
- what the regulation says regarding limitations on burning; and
- the circumstances under which you may need to approach the Ministry of Environment (or the Greater Vancouver Regional District (GVRD) within its boundaries) for a waste discharge permit or approval to burn.

Does the Open Burning Smoke Control Regulation Apply to Your Burn?

The following considerations apply to all debris burning, whether or not the Open Burning Smoke Control Regulation applies to your burn:

- All fires must meet any conditions set by local government bylaws;
- The Open Burning Smoke Control Regulation does not override more stringent municipal rules on burning or smoke. Fires may also require a fire safety permit from the local fire department or the B.C. Ministry of Forests;
- Burning should not be undertaken if the local air flow will cause the smoke to have a negative impact on nearby residences or a community; and
- The burning of prohibited materials is not allowed under any circumstances.

The Open Burning Smoke Control Regulation applies to fires for purposes such as:

- land clearing;
- silviculture;
- forestry;
- wildlife habit enhancement; and
- domestic range improvement.

As of September 2000, the burning of small piles of land-clearing debris (under 10 cubic metres) is no longer exempted from the regulation, which means that these small fires must meet the same requirements as the larger ones.

The regulation does not apply to:

- the burning of leaves, foliage, weeds, crops or stubble for domestic or agricultural purposes, or in compliance with the Weed Control Act; or
- fires set or controlled by a person acting under a notice of a designated forest official, as that term is defined in the Forest Practices Code of British Columbia Act.

What Does the Regulation Say?

This section summarizes information contained in the Open Burning Smoke Control Regulation. For complete details, contact the nearest Ministry of Environment office.

If the fire you are planning falls under the regulation, you must meet all the regulation's conditions listed below. The Open Burning Smoke Control Regulation requires that you:

- explore all possible options to reduce, reuse or recycle as much of the material as possible;
- burn only vegetative matter such as tree stumps, roots, shrubs, branches, etc.;
- burn only on the same site from which the material was gathered and not include material from offsite;
- do not burn prohibited materials, or substances that normally emit dense smoke or noxious odours;
- burn the material more than 100 metres from a neighbouring residence or business and more than 500 metres from a hospital, continuing care facility, or school that is in session; ensure that smoke from open burning does not pose a hazard at airports or highways by significantly reducing visibility.
- ensure that the Venting Index is "good" on the day you start the burn and forecast to be "good" or "fair" on the following day (see the regulation for further information and requirements);
- ensure satisfactory control and feeding of the fire, and make sure adequate equipment and staff are available to ensure the regulatory limits are met; and
- follow the additional restrictions that depend on whether the site is in an area that falls under Category A or Category B.

Category A

Every place in B.C. where smoke could have a high impact is designated as a Category A area. This covers mainly urban areas, including all cities, towns and villages, and those districts in the Capital, Central Okanagan, Fraser Valley, Greater Vancouver, and Okanagan-Similkameen regional districts. It also includes the district of Sechelt. These conditions apply in Category A:

- Burning must be extinguished within 72 hours of ignition;
- A minimum of 15 days must elapse between burns on the same parcel of land; and
- Only four burns per year may occur on the same parcel of land.

Category B

This includes mainly rural areas, and all areas of the province not designated as Category A:

- In a Category B area, the smoke release period for each parcel of land must not be longer than 96 consecutive hours.
- After 96 hours, if smoke is being released from more than 5% of the debris that was initially ignited, the pile must be broken apart and scattered so that it doesn't continue to burn; and
- After 96 hours, any debris still burning may be re-piled and used to ignite new piles of debris. Open burning initiated in this way will be considered a new smoke release period, and must comply with all the restrictions of this regulations.

If you can meet all the conditions set out in the Open Burning Smoke Control Regulation summarized above, you do not need any further authorization (i.e. a permit or approval) from the Ministry of Environment.

Just remember that your fire must also meet any municipal, local fire department or provincial government burning rules (you may require a permit).

What If You Cannot Meet the Conditions of the Regulation?

If you think you cannot meet all the conditions of the Open Burning Smoke Control Regulation, you must apply to the Ministry of Environment (or the GVRD within its boundaries) for a waste discharge permit or approval to burn. Burning prohibited materials is not allowed under any circumstances.

Enforcement

If, in the opinion of a Ministry of Environment regional manager, pollution is occurring from open burning, the manager may:

- suspend the permit / approval exemption for specified areas and periods, for up to one month;
- require that the fire be extinguished; or
- require that no more debris be added to the fire.

A person who contravenes the Open Burning Smoke Control Regulation is liable on conviction to a fine of up to \$200,000.