



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

January 5, 2021

Dear Massachusetts Fire Chief:

The 2021 “open burning season” that runs from January 15 through May 1 is fast approaching, and the Massachusetts Department of Environmental Protection (MassDEP) is committed to working with you 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 2021, MassDEP will continue to alert Massachusetts fire departments when open burning is prohibited due to air quality. We issue these alerts through:

- the **MassDEP MassAir Web Site forecast** (<http://eeaonline.eea.state.ma.us/dep/massair/web/#/pollution/map/forecast>)
- 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** (visit <http://eepurl.com/i5AS9> to subscribe to our daily email updates).

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., which is when we also 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 this open burning season. If you or your staff want to subscribe please 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.

Open burning prohibitions are authorized by Massachusetts Air Pollution Control Regulation **310 CMR 7.07(3)(e)**, which 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 that open burning be conducted only during periods of

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

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good atmospheric ventilation. A copy of the regulation is attached with the relevant language highlighted.

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:

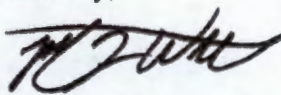
- MassDEP air quality forecasts on the web (<http://eeaonline.eea.state.ma.us/dep/massair/web/#/pollution/map/forecast>)
- MassDEP Air Quality Telephone Hotline: 617-556-1021
- Sign up for MassDEP's open burning email advisories: <http://eepurl.com/i5AS9>
- Open Burning Contacts in MassDEP's Regional Offices:

Region	Staff Contact	Secondary Contact
Central	Michelle Delemarre 508/767-2777 michelle.delemarre@mass.gov	Giles Steele-Perkins 508/767-2767 giles.steele-perkins@mass.gov
Northeast	David LaBrode 978/694-3270 david.labrode@mass.gov	Scott Fasulo 978/694-3279 scott.fasulo@mass.gov
Southeast	John Paino 508/946-2744 john.paino@mass.gov	Tom Cushing 508/946-2824 thomas.cushing@mass.gov
Western	Cortney Danneker 413/755-2234 cortney.danneker@mass.gov	Marc Simpson 413/755-2115 marc.simpson@mass.gov

Find your MassDEP Regional Office: <https://www.mass.gov/service-details/massdep-regional-offices-by-town>

We hope you find this information useful and thanks for your continued help in keeping our air clean. If you have any questions you can contact me at 617-292-5598 or mark.wert@mass.gov.

Sincerely,



Mark Wert
Chief, Air Planning Branch
Bureau of Air and Waste

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.