All Open Burning is Illegal UNLESS

One of the variances listed in the rule pertains

567—23.2 (455B) Open Burning

23.2(1) Prohibition. No person shall allow, cause or permit open burning of combustible materials, except as provided in 23.2(2) and 23.2(3).

https://www.iowadnr.gov/Environmental-Protection/Air-Quality/Open-Burning
Exemptions Include:

- Disaster rubbish
- Trees and Tree Trimmings
- Landscape waste
- Recreational fires
- Residential waste
- Agricultural exemptions
- Training fires
Exemptions - Disaster Rubbish

• The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists.

• Burning of any structures or demolished structures must be conducted in accordance with asbestos rules.
Exemptions - Disaster Rubbish

Disaster Debris Disposal Options

The Department of Natural Resources is responsible for protecting public health and the environment. During times of disaster the DNR waives specific solid waste disposal rules to speed safe and efficient disposal of generated waste.

Woody Debris

- Burning of woody debris is allowed under two provisions of Iowa code:
  - 567 Iowa Administrative Code (IAC) 23.2(3) "a" Disaster Rubbish
    - The DNR will allow the accumulation of disaster debris (excluding potentially asbestos containing material) for burning at the site for the duration of the disaster proclamation. At the end of the proclamation no additional debris can be taken to the burn site. Following the end of the proclamation the managing jurisdiction will have an additional 60 days to complete the burn under 567 IAC 23.2(3) "a".
  - 567 IAC 23.2(3) "b" Trees and Tree trimmings:
    - Burning trees and brush outside the time frame of 567 IAC 23.2(3) "a" is allowed if the following criteria are met:
      - Burn site must be operated by a local government entity
      - Access must be controlled and site supervised during burning
      - Conducted only when weather conditions are conducive to safe burning conditions
      - Site is at least one-fourth mile from inhabited property unless a written waiver is received or on file
      - Only woody debris originating from trees or brush is burned (no structural debris, such as construction and demolition waste)

Chipping and Grinding of Non-Construction and Demolition Wastes

- Woody debris can be chipped and ground without prior approval if:
  - Final disposal is a beneficial use, or it is
  - Taken to a composting site, or
  - Taken to a landfill

- Chipped/ground woody debris can be broadcast on the site where it originated with DNR notification

Beneficial Use

- Woody debris can be put to beneficial use as:
  - A fuel or energy source
  - Bulking agent for composting
  - Mulch
  - Animal bedding
  - Raw material in the manufacture of paper products, particle board, or similar materials

Landfilling

- While landfilling remains an option it is discouraged by DNR in favor of beneficial uses or volume reduction (burning and chipping).

Ash

- Ash from burning woody debris can be managed the following ways:
  - Landfill disposal (landfill can mix ash with soil for daily cover with DNR approval)
  - Carbon source and bulking agent in composting sites
  - Concrete ingredient
  - Land applied to surface to improve soil

DEBRIS MANAGEMENT FORM

This form contains the information that FEMA requests from DNR when considering reimbursement requests. Please send this form to your Local DNR Field Office. DNR will send an approval letter to the applicant that can be used for FEMA reimbursement. DNR Initial Office contact information can be found at https://www.iowadnr.gov/office.

Debris Disposition (check all that apply, describe each activity, and provide location in the box below)

- Chipping/Grinding Vegetation for Reuse (mulch or other beneficial use)
- Chipping/Grinding Structural Material for Landfill Disposal
- Staging/Stockpiling (temporary only)
- Landfill (enter permit number & name below)
- Burning of disaster debris (during disaster proclamation)
- Burning of tree and tree trimmings
- Temporary Transfer Station/Construction & Demolition Recovery Site/Material Recycling Site
- Other (attach detailed explanation and review)
- Ash from all burn types
  - Landfill (enter permit number & name below)
  - Land application/incorporation
  - Reuse

1. TYPE OF DEBRIS DISPOSAL ACTIVITY: 
   Address/Location: 
   GPS (decimal degrees): 

2. TYPE OF DEBRIS DISPOSAL ACTIVITY: 
   Address/Location: 
   GPS (decimal degrees): 

3. TYPE OF DEBRIS DISPOSAL ACTIVITY: 
   Address/Location: 
   GPS (decimal degrees): 

For additional sites, attach additional sheets

Signature and Title: 
Date: 

DNR Reg. Schedules 08/02/02
Exemptions - Trees and Tree Trimmings

• Municipal Burn Site
  • The open burning of trees and tree trimmings not originated on the premises provided that:
    • Operated by a local governmental entity
    • Fenced and access is controlled
    • Burning is supervised and conducted regularly
    • Burning is conducted when conditions are favorable to surrounding property
    • Site is limited to areas at least 1/4 mile from any inhabited building unless a written waiver is obtained
Exemptions - Trees and Tree Trimmings
Exemptions - Landscape Waste

• “Landscape waste” includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery and yard trimmings originating on the premises.

• Burning of landscape waste produced in clearing, grubbing and construction operations must be located at least 1/4 mile from any building inhabited by other than the landowner or tenant conducting the open burning.

• Rubber tires shall not be used to ignite landscape waste.

• Local ordinances may be more restrictive
Exemptions - Landscape Waste
Exemptions - Recreational Fire

- Open fires for cooking, heating, recreation and ceremonies, provided they comply with 23.3(2)“d.” (40% Opacity Rule)

- Burning rubber tires is prohibited from this activity
Exemptions - Recreational Fire
Exemptions - Residential Waste

- Backyard burning of residential waste at dwellings of four-family units or less.

- “Residential waste” means any refuse generated on the premises as a result of residential activities.

- The term includes landscape waste grown on the premises or deposited thereon by the elements, but excludes garbage, tires, trade wastes, and any locally recyclable goods or plastics.
Exemptions - Residential Waste
Exemptions - Agricultural Structures

• The open burning must occur on the premises
• All chemicals and asphalt roofing are removed;
• Burning is conducted only when weather conditions are favorable with respect to surrounding property;
• Permission from the local fire chief is secured in advance of the burning.
• Rubber tires shall not be used to ignite agricultural structures.
• Follow asbestos requirements in 40 CFR Section 61.145, “Standard for Demolition and Renovation”
Exemptions - Agricultural Structures

Exemptions - Training Fires

• A “training fire” is a fire set for the purposes of conducting bona fide training of public or industrial employees in firefighting methods.

• A “bona fide training” means training that is conducted according to the National Fire Protection Association 1403 Standard of Live Fire Training Evolutions or a comparable training fire standard.

• Written notification is provided to the department on DNR Form 542-8010, and is postmarked or delivered to the director at least ten working days before such action commences.

• All asbestos-containing materials shall be removed prior to the training fire.
Exemptions - Training Fires

Opacity Rule

• 567 IAC 23.3(2) - No person shall allow, cause or permit the emission of visible air contaminants into the atmosphere from any equipment, internal combustion engine, premise fire, open fire or stack, equal to or in excess of 40 percent opacity...
Opacity Rule
Local Regulations

• Check with your city or county government office before burning. Local ordinances may be stricter than state rules.

• Polk and Linn counties require burning permits. Other local governments may also require permits.

• Burn Bans - When Burn Bans are in place, most open burning is not allowed.
Open Burning Fact Sheet

NEVER BURN TIRES
AND OTHER IOWA OPEN BURNING RULES

Burning waste releases toxic chemicals into the air

Open burning — What was once an easy and cheap method of disposing of waste now poses serious health and environmental concerns. Because of the many pollutants we consume, today’s waste is filled with toxic chemicals that weren’t present 50 or 60 years ago. Once pollutants are in the air, there is no way to prevent them from depositing on crops and water sources.

Some pollutants, such as dioxins, are persistent and bioaccumulative: their concentration levels increase as they move up the food chain, with the highest level of concentrations in humans. Other pollutants cause cancer. Still others damage the central nervous system.

Clean air regulations continue to become more stringent because research has shown human health is impacted to a greater extent than previously thought.

Open Burning Exemptions for Materials that May be Burned

Recreational fires for cooking, heating, recreation and ceremonies are allowed.

Landscape waste originating on the premises can be burned unless prohibited by local ordinance. However, the burning of landscape waste produced in clearing, grubbing and construction operations is limited to areas located at least one-quarter mile from any building inhabited by anyone other than the landowner or tenant conducting the open burning.

Bona fide training fires for public or industrial employees in firefighting methods are allowed. The DNR must be notified at least 10 working days before the proposed controlled burn. Materials containing asbestos must be removed and an asbestos inspection must be conducted prior to the burn. See training fires at www.iowadnr.gov/asbestos.

Burning demolished buildings by city governments are allowed with certain restrictions. The DNR must be notified at least 15 working days prior to the demolition and at least 30 days before the proposed controlled burn. A more complete listing of restrictions is given at www.iowadnr.gov/asbestos.

The burning of disaster rubbish is exempted for the duration of the community disaster where an officially declared emergency condition exists.

Residential waste can be burned in the backyard of dwellings of four-family units or less in cities without ordinances prohibiting the action. Garbage, tires, trade waste, and any locally recyclable goods or plastics are specifically excluded in the definition of “residential waste” and therefore cannot be burned.

If curbside pick-up or a redemption center for plastics, glass, metal cans and paper is locally available—even for a fee—it is illegal to burn these materials.

Check with your city or county government office before burning. Local ordinances may be stricter than state rules. Park and farm ordinances require burning permits. Other local governments may also require permits.

Open Burning Exemptions in Agriculture

Burning landscape waste which originates on the premises and is generated as a result of agricultural activities such as crop harvesting or livestock raising is allowed unless it is prohibited by local ordinance.

Burning of paper or plastic pesticide containers and seed corn bags resulting from farming activities on the premises is allowed. Burning must occur at least one quarter mile from any building inhabited by another person, as well as from a livestock area, wildlife area or water source.

The maximum burn allowed is one day’s accumulation or 50 pounds, whichever is less.

Burning of agricultural structures on the premises with advance permission from the local fire chief is allowed. Materials containing asbestos must be removed unless the building is a single residential structure. All asphalt shingles must be removed prior to the burn. See complete list of conditions at www.iowadnr.gov/asbestos.

Land managed under the federal conservation reserve program as well as prescribed burns for purposes of restoring, reconstructing or managing natural area vegetation such as prairies, grasslands, wetlands, woodlands, or wildlife habitat is allowed under the same conditions as allowed for other landscape waste. Only landscape materials may be burned.

Additional Questions? Contact your local field service office.

DO NOT BURN

1. Rubber tires
2. (Not even just one)
3. Materials containing asbestos
4. Asphalt
5. Railroad ties
6. 5 Treated wood
6. Dead animals
7. Demolition debris
8. Petroleum products
9. Plastic
10. Metals
12. Carpet
13. Furniture

This is a complete list. Before burning, contact the DNR if you are unsure of the rules.

For more information:
www.iowadnr.gov/openburning
Asbestos Rules
Field Offices

Locations:
Manchester
Field Office 1
543-502-2640

Mason City
Field Office 2
641-424-4073

Spencer
Field Office 3
712-262-4177

Atlantic
Field Office 4
712-265-3536

Den Moines
Field Office 5
515-725-0068

Washington
Field Office 6
319-653-2335

This document is not a complete interpretation of Iowa Admin Code 162 Chapter 51 open burn rules or Chapter 20 definitions. This document is intended solely as guidance and is subject to change at the discretion of the Iowa Department of Natural Resources and may be modified after reading applicable codes and regulations.
Questions?