

## **Wisconsin Statewide Law on Open Burning: Which Materials Are Legal To Burn?**

**Which of these household materials can be legally burned in a burn barrel or an open fire on the same property where generated?**

State law does not prohibit burning small dry quantities of the household materials with a 4mark, if they are burned on the same property where generated. Local ordinances may be more restrictive; check with your local municipality before burning. (The number listed after the materials below refers to the legal explanations of why the item may or may not be burned.)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Plastic Milk Jug <b>1,5</b>        | <input type="checkbox"/> Corrugated Cardboard <b>5</b>         | <input type="checkbox"/> Plastic Soda Bottles <b>1,2</b>    |
| 4 Leaves (dry) <b>8</b>                                     | <input type="checkbox"/> Asphalt Sealant <b>1</b>              | <input type="checkbox"/> Magazines / Catalogues <b>5</b>    |
| <input type="checkbox"/> Treated Lumber <b>3</b>            | <input type="checkbox"/> Plastic Food Wrap <b>1</b>            | 4 Waste Mail <b>7</b>                                       |
| <input type="checkbox"/> Newspaper <b>5</b>                 | <input type="checkbox"/> Plywood <b>6</b>                      | <input type="checkbox"/> OSB / Composite Board <b>6</b>     |
| <input type="checkbox"/> Insulated Electrical Wire <b>1</b> | <input type="checkbox"/> Plastic Pipe <b>1</b>                 | <input type="checkbox"/> Plastic Weed Barrier <b>1</b>      |
| <input type="checkbox"/> Rubber Hose <b>1</b>               | <input type="checkbox"/> Food Waste / Garbage <b>4</b>         | <input type="checkbox"/> Water Softener Salt Bag <b>1,2</b> |
| <input type="checkbox"/> Tires <b>1</b>                     | <input type="checkbox"/> Wooden Furniture <b>3</b>             | 4 Paper Plates / Cups <b>10</b>                             |
| 4 Tree Branches <b>8,9</b>                                  | <input type="checkbox"/> Plastic siding <b>1</b>               | 4 Napkins / Paper Towel <b>10</b>                           |
| <input type="checkbox"/> Plastic Garbage Bags <b>1</b>      | <input type="checkbox"/> Aluminum Beer Cans <b>5</b>           | 4 Paper Grocery Bags <b>7</b>                               |
| <input type="checkbox"/> Waste Oil <b>4</b>                 | 4 Pine Needles <b>8</b>  | <input type="checkbox"/> Plastic Vapor Barrier <b>1</b>     |
| <input type="checkbox"/> Asphalt Shingles <b>1</b>          | <input type="checkbox"/> Nylon Carpet <b>1,2</b>               | <input type="checkbox"/> Plastic Toys <b>1</b>              |
| <input type="checkbox"/> Painted Siding <b>3</b>            | <input type="checkbox"/> Polystyrene Plates <b>1,2</b>         | <input type="checkbox"/> Old Building <b>11</b>             |
| 4 Clean Dry Firewood <b>9</b>                               | <input type="checkbox"/> Tar Paper <b>1</b>                    | 4 Untreated Unpainted Lumber <b>9</b>                       |
| <input type="checkbox"/> Nylon Upholstery Fabric <b>1,2</b> | <input type="checkbox"/> Polystyrene Foam Packaging <b>1,2</b> |   |
|   | <input type="checkbox"/> Urethane Foam Pad <b>1,2</b>          |   |

### **Explanations & Alternatives:**



1. All plastic, rubber and asphalt materials are prohibited from open burning under state law.
2. This synthetic material is "plastic" and may not be burned.
3. Wood that is painted or chemically treated may not be burned under state law.
4. These materials are specifically prohibited from open burning under state law.
5. These materials must be recycled under state and local recycling laws. They cannot be burned. (It is legal to use a small amount of paper or cardboard material to kindle a fire.)
6. These materials contain resins and glues making them unsuitable for burning. They are not "dry unpainted, untreated wood" as referenced and exempted in the law.
7. Even though state law allows burning after removing any plastic, many local recycling programs cover these materials. Recycling is a better alternative. If recycling is not an option, proper disposal is better than burning.
8. Even though state law allows burning, composting and/or beneficial use of this material is a better alternative.
9. Clean dry unpainted untreated wood is legal to burn, but if it isn't going to be beneficially used for heating, consider options other than burning.
10. This waste paper material is not recyclable. Proper disposal is a better option than burning. Wet paper or paper mixed with plastic can't be burned.
11. Individuals or businesses may not burn a building. The only exception is that a building may be burned only by a fire department for training purposes after notification to DNR and removal of illegal materials.

## **Remember:**



- All materials emit **pollutants** when burned. Generally, the materials that cause the most toxic emissions are those that are prohibited from burning under state law. Try to avoid burning any waste material.
- If prohibited and allowed materials are **mixed**, they cannot be burned. Any prohibited materials must be removed before the allowed materials are burned.
- Check **local ordinances**! A local municipality may ban the burning of any material even if statewide regulations allow it.
- Check for **burning permits**. Even if the material is legal to burn, the DNR or the local municipality often requires a burning permit. During periods of high fire hazard, burning may be prohibited.
- Consider other **alternatives**. Even if the material is legal to burn, more environmentally sound alternatives are available.
- This information only applies to small quantities of **household** waste being burned on the same property where generated. The regulations do not allow **businesses** to burn the same materials that a household may. If in question, consult the regulations.

## **Additional Information:**



- For additional information, contact your DNR service center or log onto the DNR Open Burning Web site: <http://dnr.wi.gov/org/caer/ce/ob/>.
- Does your municipality have an open burning ordinance? Check with your local clerk or fire chief.
- For additional information on burning permits log onto the DNR Forest Fire Prevention Web site: <http://dnr.wi.gov/org/land/forestry/Fire/index.htm>.
- The open burning regulations are in ch. NR 429 and s. NR 502.11, Wis. Adm. Code.
- For games, educational resources and fun on open burning activities, students and teachers should log on to Air Defenders web site: <http://www.airdefenders.org/>. This site is filled with information and activities all about open burning and respiratory health.
- Looking for a presentation about open burning? Contact the Department of Natural Resources Bureau of Air Management at 608-266-7718.
- You can download an electronic copy of this Model Ordinance from the WDNR Web site <http://www.dnr.state.wi.us/org/caer/ce/ob/>. The Ordinance is available as a PDF or as a Microsoft Word document.
- For more information on open burning, and what is happening nationally on the issue, log onto EPA's Open Burning Web site: <http://www.epa.gov.epaoswer/non-hw/muncpl/backyard/>.