



MEDIA RELEASE

For immediate release:

August 4, 2010

For more information contact:

Karen Everett
301-475-4200 ext. 1342

Open Burning Permits

As of December 31, the St. Mary's County Health Department will no longer issue permits for open air burning of land clearing debris.

The Health Department's Division of Environmental Health Services had been issuing the permits and had developed an Open Air Burning Program which was linked to the air quality index.

However, the Maryland Department of the Environment, Land Management Administration regulates the disposal of solid waste, and defines land clearing debris such as stumps, limbs, logs and brush, and construction and demolition debris derived from dwellings and other structures as a regulated solid waste.

Under the state's solid waste regulations, "a person may not engage in solid waste handling that, among other things, creates a nuisance, pollutes the air, impairs the quality of the environment or creates other hazards to the public health, safety or comfort." Therefore, the burning of land clearing debris generated when a forested lot is cleared for construction constitutes the burning of solid waste. This does not apply to land being cleared for agricultural purposes, material that constitutes yard waste from a single family home, or recreational fires, such as camp fires or bonfires. Open burning of timber and other materials generated from the demolition or construction of structures is also considered burning of solid waste and is not allowed. The open burning of unwanted dwellings or other structures prior to demolition is also considered burning of solid waste and is not allowed, unless the activity is being carried out as a part of an approved fire training exercise by a local fire department.

Therefore, the St. Mary's County Health Department will not allow open air burns after Dec. 31, 2010. Open air burning permits will continue to be issued for burns which can be completed by Dec. 31.

Though the local Health Department will no longer have the authority to issue open burning permits, Health Department inspectors will still have the responsibility of responding to nuisance complaints generated by any open burning. If investigation of an open burning complaint reveals a violation of Maryland solid waste disposal regulations, then the notice of violation will be forwarded to Maryland Department of Environment for appropriate enforcement action.

For information on the disposal of land clearing debris, call the Maryland Department of the Environment, Solid Waste Program at 410-537-3318. For more information on the St. Mary's County Health Department, call 301-475-4330 or log on to www.smchd.org.

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