

ACHD Open Burning Regulation

FACT SHEET

- No material other than clean wood, propane, or natural gas may be open burned EXCEPT for:
 - Commercially available fire logs, paraffin logs, or wood pellets;
 - Paper or commercial smokeless fire starters in order to start a fire;
 - Charcoal for the preparation of food only.
- Fires may be no larger than 3' wide by 3' long by 2' high.
- Fires must be at least 15 feet from the nearest neighbor's dwelling or inhabited area, including:
 - Property line
 - Roadway
 - Sidewalk
 - Public access area
- Wood burning activities are prohibited on Air Quality Action days, with the exception of burning for the commercial preparation of food
 - Subscribe to receive email, text, or smart phone app notifications of burn ban days at www.alleghenycounty.us/alerts
- Burning may be prohibited or reduced if it is considered a nuisance, based on the following criteria:
 - The severity of the amount of air pollutants;
 - The duration or frequency of open burning;
 - The topography of the surroundings;
 - The meteorological conditions.
- Open burning permits are available for ceremonies fostering of agriculture, abatement of a public health hazard, and firefighting instruction; however, all permitted open burning is prohibited on Air Quality Action Days.
 - Contact ACHD at (412) 578-7963 for more information

Open Burning Regulation

§2105.50 OPEN BURNING *{Subsection f amended May 8, 2007, effective, August 17, 2007, and amended July 16, 2009, effective July 26, 2009. Subsections a, b, and d amended, and Subsections e and f renumbered, November 13, 2014, effective January 1, 2015.}*

a. General.

1. No person shall conduct, or allow to be conducted, the open burning of any material, except where the Department has issued an open burning permit to such person in accordance with this Section or where the open burning is conducted solely for the purpose of preparation of food for human consumption, recreation, light, or ornament, and in a manner which contributes a negligible amount of air contaminants, and which is in accordance with Subparagraphs A through C, below.
 - A. No material other than clean wood, propane, or natural gas may be burned except as provided for in this subparagraph.
 - i. Charcoal may be used in an outdoor fireplace or grill for the purpose of cooking.
 - ii. Commercially available fire logs, paraffin logs, or wood pellets may be used in outdoor fireplaces.
 - iii. Paper or commercial smokeless fire starters may be used with clean wood to start an allowed fire.
 - B. Any volume of clean wood being burned shall be no larger than 3' wide x 3' long x 2' high and shall be at least 15 feet from the nearest neighbor's dwelling or inhabited area, any property line, roadway, sidewalk, or public access way.
 - C. Open burning using chimineas, firepits, or outdoor fireplaces may only be conducted using materials meeting Subparagraph A, above.

d. **Permits.**

1. The Department may issue a permit for open burning during a period specified by the Department, but only where the open burning is solely for:
 - A. The abatement of a fire or public health hazard when the burning is conducted under the supervision of a public officer;
 - B. The instruction of personnel in fire fighting, except that instruction using only propane does not require a permit;
 - C. The fostering of agriculture;
 - D. The conducting of a ceremony; or,
 - E. Clearing and grubbing wastes subject to, at a minimum, the following requirements:
 - i. Air curtain incineration units shall be used at all times when burning clearing and grubbing wastes.
 - ii. The use of air curtain incineration units shall not be permitted unless approved by the Department in writing with respect to equipment arrangement, design, and existing environmental conditions prior to commencement of burning.
 - iii. Approval for use of an air curtain incineration unit at one site may be granted for a specified period not to exceed three months, but may be extended for additional limited periods upon further written approval by the Department.
 - iv. The application for said permit must be accompanied by a non-refundable permit application fee, by check or money order payable to the "Allegheny County Air Pollution Control Fund," to cover the costs associated with processing, reviewing, and acting upon the application. The amount of the fee shall be set by the Board of Health.
 - v. If operated at commercial, industrial, or institutional facilities, the air curtain incinerator may also be subject to the NSPS requirements of 40 CFR 60 Subpart CCCC or EEEE.
 - F. Any fees approved by the Board of Health under the terms of this section shall not become effective until approved by Allegheny County Council.

- f. **Enforcement.** Notwithstanding any other provision of this Article the prohibitions of this Section may be enforced by any municipal or local government unit having jurisdiction over the place where the burning occurs. Such enforcement shall be in accordance with the laws governing such municipal or local government unit and the Pa. Air Pollution Control Act. In addition, the Department may pursue the remedies provided by §2109.02 of this Article for any violation of this Section.
- g. **Violations.** The open burning of any material (except as provided in Paragraph a.1 above) without a permit under this Section or in violation of any condition contained in such permit, or the failure by the person responsible to immediately report and take all reasonable steps to extinguish a coal refuse pile fire, shall be a violation of this Article giving rise to the remedies provided in §2109.02 of this Article.
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REVISED DEFINITION

§2101.20 DEFINITIONS *{Amended November 13, 2014, effective January 1, 2015.}*

"Open burning" means any fire or combustion from which air contaminants pass directly into the open air without passing through a flue. The term includes any fire or combustion which occurs in a chiminea, fire pit, outdoor fireplace or grill.