



# Cape Cod Cranberry Growers' Association

## **GROWER ADVISORY**

### Open Burning and Agricultural Exemptions

Waste from the bog operation can rapidly accumulate during routine bog maintenance. A practical solution for cleaning up this waste is often to burn it. Burned material often consists of small trees and brush cleared around the bog edge or for some, burning on the dike itself to reduce pest pressure. Typically such burning has been conducted in the winter or early spring. Open burning is regulated under 310 CMR 7.07 by the DEP and the local fire department under MGL CH48 S13. This advisory will not cover the subtle differences found at the level of the local fire department. Rather, this advisory will focus on what is required by the Department of Environmental Protection (DEP), what exemptions are extended to agriculture, and how local fire departments must be notified.



#### **Department of Environmental Protection Requirements**

Under all circumstances open burning must be conducted during periods of good atmospheric ventilation as determined by the DEP. Air quality information can be accessed through the DEP's regional office, Division of Air Quality Control or by contacting the Air Quality (daily ozone report) hotline at 1-800-882-1497 or on the web at [www.mass.gov/air](http://www.mass.gov/air).

DEP Southeast Regional Office  
Division of Air Quality  
Chris Tilden  
508-946-2823  
20 Riverside Drive,  
Lakeville MA. 02347

The DEP sets up the parameters for open burning though all permitting is done at the local level (see below). Permits for agricultural burning can be issued by local fire departments 365 days a year. The authorization to burn for residential purposes only takes place between January 15<sup>th</sup> and May and generally local fire departments are more willing to issue permits during this time. The agricultural exemption (310 CMR 7.07(3)(b)) states that open burning is allowed for activities associated with the normal pursuit of agriculture which the Department has determined necessary with agriculture being defined as those operations which raise commercial foodstuffs and/or livestock on an area larger than one acre. All material to be burned must be generated on-site.

The Department of Environmental Protection discourages burning of any materials in the evening when air stagnation conditions exist. Still night air creates severe air quality problems if burning occurs during the evening hours. This problem ceases when the earth becomes warm after sunrise. Therefore, The Department of Environmental Protection suggests that open burning permits for agriculturally generated materials be effective each day from two hours after sun-rise until 4:00 PM, and that the permits do not allow fires to be started past 12:00 noon. In this way, fires will occur only during the morning and early afternoon hours when ventilation (air movement) is best.

#### **Local Fire Department Requirements**

Under all circumstances a permit is required from the local fire department. This is to ensure that open burning is done under safe conditions and so that not too many burnings are being conducted at once. Local fire department numbers are given on the chart on the following page. The local fire department must maintain a record for each permit issued including the date of permit issuance, name, and address of the person receiving the permit including the location and type of materials to be burned. This record is readily available for public inspection.

#### **Under all circumstances the following are prohibited:**

1. Burning of brush trees, cane and driftwood from commercial or institutional land clearing operations (**NOTE: This does not apply to land destined for or land remaining in agricultural use**).
2. Burning of hay, leaves and stumps.
3. Burning of tires.
4. Burning during adverse weather conditions
5. Stacking, placing or storing combustible material such that DEP may presume it will be burned.

<b>Local Fire Department Business or Permitting Phone Numbers*</b>			
Acushnet- 508-998-0250	Easton-508-230-0750	Mashpee- 508-539-1454	Raynham- 508-824-2713
Barnstable- 508-362-3312	Falmouth- 508-548-2325	Mattapoissett- 508-758-4150	Rehoboth- 508-252-3725
Berkley- 508-822-6354	Foxborough- 508-543-1230	Middleborough- 508-946-2461	Rochester- 508-763-2611
Bourne- 508-759-4412	Freetown- 508-763-4017	Nantucket- 508-325-7535	Sandwich- 508-888-0505
Brewster- 508-896-7018	Halifax- 781-293-2323	Norfolk- 508-528-3207	Scituate- 781-545-8748
Bridgewater- 508-697-0900	Hanover- 781-826-7850	Norton- 508-285-0200	Sharon- 781-784-1522
Carver- 508-866-3440	Hanson- 781-293-9571	Norwell- 781-659-8160	Taunton- 508-824-4024
Chatham- 508-945-2324	Harwich- 508-430-7546	Orleans- 508-255-0050	Wareham- 508-295-2973 (Onset) 508-295-2222
Dartmouth- 508-636-2441	Kingston- 781-585-0531	Pembroke- 781-293-2300	Wrentham- 508-384-3131
Dennis- 508-398-2241	Lakeville- 508-947-4121	Plymouth- 508-830-4213	Yarmouth- 508-398-2212
Duxbury- 781-934-5693	Marion- 508-748-1177	Plympton- 781-585-2633	
East Bridgewater- 508-378-2271	Marshfield- 781-837-1315		

*\* Please note that these are business or permitting numbers, dial 911 for fire emergencies*

The information in this guide is provided by the Cape Cod Cranberry Growers' Association as a service to its members. The information represents our interpretation of the state requirements and by no means is intended to act as a substitute for reading and following the specific regulatory requirements.

The Massachusetts Open Burning Regulations can be viewed at:

**310 CMR 7.07**

Funding Provided by the USDA, Natural Resource Conservation Service – Cranberry Conservation Initiative

**For More Information Contact:**

Department of Environmental Protection  
Southeast Regional Office  
20 Riverside Drive  
Lakeville, MA 02347  
Phone: 508-946-2700  
Web: [www.mass.gov/dep/air](http://www.mass.gov/dep/air)

Jeff LaFleur, Executive Director  
Brian Wick, Regulatory Services  
Cape Cod Cranberry Growers' Association  
3203-B Cranberry Highway  
East Wareham, MA 02538  
Phone: 508-759-1041  
Email: [jlafleur@cranberries.org](mailto:jlafleur@cranberries.org) | [bwick@cranberries.org](mailto:bwick@cranberries.org)  
Web: [www.cranberries.org](http://www.cranberries.org)