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Supervisors hot over burn ban

By LOHR McKINSTRY, Staff Writer

ELIZABETHTOWN — People once took their brush and small branches to the local trash-transfer station.

Once a month or so, the town had a controlled burn to dispose of what had been dropped off.

But new State Department of Environmental Conservation regulations that go into effect today will change all that.

Individuals won't be able to legally burn anything except for small campfires, brush and agricultural waste. Even those will require a permit within the Adirondack Park.

And towns that had DEC permits for burning brush have been told they will not be renewed.

REJECTED

Supervisors in Wilmington, Moriah, Schroon, Westport, Essex and other towns all said they tried to renew about-to-expire burning permits and were rejected.

The new regulation ends municipal burning of brush but still allows individuals to burn it.

DEC officials say the change is designed to reduce pollution and the number of forest fires, but some members of the Essex County Board of Supervisors believe it will just encourage more homeowners to burn.

Board of Supervisors Chair Cathy Moses (R-Schroon) said people will be burning at home because they can't take anything to a municipal site.

"I have great concern about that. I have air-quality issues where people are burning in their yards. People who have asthma and breathing problems have issues. I think it's going to be a real problem."

ENFORCEMENT

Although the new burn ban targets backyard burn barrels, which are allegedly heavy polluters, it also bans the burning of leaves, newspapers and agricultural plastics, such as hay-bale wraps.

Fines for non-compliance start at \$375, but it's not clear how DEC will be able to monitor home fires for non-brush materials.

"You're more likely to have papers and other items burned there," Supervisor Ronald Jackson (R-Essex) said.

"I got my (municipal permit) rejection notice. All the towns that have burning pits, it's watched, it's safe. People burning at home are not going to have a sufficient fire."

He said that although municipal burning permits are not being issued, individual homeowners can still receive a permit to burn brush.

"It's OK to burn at home. They can't prevent that."

'FIRE HAZARD'

Supervisor Randy Preston (I-Wilmington) said the new regulation was created for urban areas, not places like the Adirondacks.

"DEC is creating a fire hazard by allowing this to happen. They are allowing individual homeowners to apply and receive a permit (within the Adirondack Park) to burn on their own property."

He said he tried to find out why municipal permits were not being issued.

"The only answer I got was this came from the powers that be in Albany. This is someone sitting behind a desk who's not in the real world."

Jackson said he believes the new regulation will have the opposite effect as intended.

"They are creating more fires and more pollution — exactly what the DEC is supposed to prevent."

The Board of Supervisors has unanimously voted to ask DEC to reverse itself and issue municipal burning permits again.

"When people can't take their brush to the transfer station, the calls are going to start coming in," Moses said.

"We need to retain that controlled burn (authority)."

CONCERN

Adirondack Council Communications Director John Sheehan can also see reason for concern about the state allowing individuals to burn brush.

"We've seen a lot of backyard fires get out of control," he said Tuesday.

And he wonders how the state will monitor what people will be burning.

As for practice of the towns burning brush, Sheehan said, "I'd rather see them composing than burning — you don't need to burn it."

"But I would rather have it be in one place, with proper supervision" than have scattered fires throughout a town.

EXCEPTIONS

Starting today, the new state regulations ban all open burning, with these exceptions:

- Burning of limbs and branches (by individuals) between May 15 and March 15 in towns with populations of fewer than 20,000. (Individuals who live within the Adirondack Park will need a permit.)
- Barbecue grills, maple-sugar arches and similar outdoor cooking devices.
- Small cooking and campfires.
- On-site burning of organic agricultural wastes but not pesticides, plastics or other non-organic material.
- Liquid-petroleum-fueled smudge pots to prevent frost damage to crops.
- Ceremonial or celebratory bonfires.
- Disposal of a flag or religious item.
- Burning, on an emergency basis, of explosives or other dangerous matter or contraband by police.
- Prescribed burns performed according to state regulations.
- Fire training, with some restrictions on the use of acquired structures.
- Individual open fires to control plant and animal disease outbreaks, as approved by DEC upon requests by the commissioner of Agriculture and Markets.
- Open fires to control invasive plant and insect species.

Read more details about the new burn rules on the Web: www.dec.ny.gov/

[chemical/58519.html](http://www.dec.ny.gov/chemical/58519.html)