

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

Filed with the Secretary of State on
This rule becomes effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of natural resources and environment by sections 5503 and 5512 of 1994 PA 451, MCL 324.5503 and MCL 324.5512, and Executive Reorganization Order Nos. 1995-16 and 2009-31, MCL 324.99903 and MCL 324.99919)

R 336.1310 of the Michigan Administrative Code is amended as follows:

PART 3. EMISSION LIMITATIONS AND PROHIBITIONS—PARTICULATE MATTER

R 336.1310 Open burning.

Rule 310. (1) A person shall not cause or permit open burning of refuse, garbage, or any other waste material, except for the burning of any of the following:

(a) Prior to April 1, 2011, waste material from and at 1- or 2-family dwellings if the burning does not violate any other department rules.

(b) Yard clippings and leaves from and at 1- or 2-family dwellings if the burning does not violate any other department rules.

(c) Structures and other materials used exclusively for fire prevention training.

(d) Trees, logs, brush, and stumps in accordance with applicable state and local regulations if the burning is not conducted within a priority I area as listed in table 33, a priority II area as listed in table 34, nor closer than 1400 feet to an incorporated city or village limit and if the burning does not violate any other department rules.

(e) Beekeeping equipment and products, including frames, hive bodies, hive covers, combs, wax, and honey, if burned for bee disease control.

(f) Logs, brush, charcoal, and similar materials that are used in preparing food or for recreation.

(g) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.

(h) Prescribed burns designed to meet ecological or silvicultural management objectives and in accordance with part 515 of the act.

(i) Wooden apple storage bins burned for disease or pest control if constructed from untreated lumber and located at an apple producing or processing facility. The burning shall not be conducted within a priority I area as listed in table 33, a priority II area as listed in table 34, nor closer than 1400 feet to an incorporated city or village limit.

(2) The exceptions specified in subrule (1) of this rule do not authorize open burning if prohibited by local law or regulation.