

## Open burning in context

Open burning of vegetation is the largest source of fine particulate matter pollution in B.C., as well as a significant source of other air pollutants. Open burning is undertaken for a variety of purposes and in a wide range of settings:

- Waste disposal/fire hazard abatement for forest and agriculture industries
- Community fire hazard reduction
- Land clearing for agriculture and development
- Transportation and utility rights of way
- Other natural resource industries
- Clean up of debris for rural landowners

Burning of vegetative debris is a prescribed activity under the provincial *Environmental Management Act*. Rules under which this burning is authorized are provided in the Open Burning Smoke Control Regulation (OBSCR). The regulation affects anyone burning vegetative debris, although most agricultural practices and some backyard burning activities are exempt from the provisions.

## Consultations on revising the OBSCR

A ministry audit in 2004 identified concerns with the regulation. Since that time the ministry has conducted extensive consultations, with intentions papers seeking public comment in 2008 and 2010 and engagement with a stakeholder review group through 2011-13. For detailed information and summaries of public comments see the ministry's [open burning regulatory review website](#). The ministry has reviewed comments received through 2013 and as a result, has substantively updated the proposed revisions to the regulation.

## Key features of the proposed revisions

### Smoke sensitivity zones

The revised regulation will establish three smoke sensitivity zones covering the entire province. This will replace the two category system (“cities, towns and villages” and “everything else”) used in the current regulation. The zones will be delineated on maps that will be part of the final regulation.

The **high smoke sensitivity zone** includes a buffer of 10 km around densely populated areas, modified based on the topography

## Key Points

This update provides information on revisions proposed by the ministry and the planned path forward.

The proposed revisions are intended to:

- ➔ Improve air quality in populated areas
- ➔ Simplify burning requirements in remote areas
- ➔ Support enforcement, encourage use of cleaner technologies and provide flexibility for community wildfire protection

Key features of the revisions:

- ➔ Establishes three smoke sensitivity zones, covering the entire province
- ➔ Smoke management plans may be established on a case by case basis
- ➔ Setback distances will be increased
- ➔ Provisions addressing prohibited materials, community wildfire protection plans, burning of diseased vegetative debris, use of air curtain incinerators, burning at log sorts, best management practices and reporting

## Additional Information

For an overview on how smoke from different sources is managed in BC see: [A Smoke Management Framework for BC](#) under the “reports” tab at: [www.bcairquality.ca](http://www.bcairquality.ca). The site also provides general information on [Air Quality in B.C.](#)

The existing Open Burning Smoke Control Regulation can be accessed [here](#). Guidance material on complying with the regulation is available [here](#).

## Open Burning Smoke Control Regulation (OBSCR)–Policy Intentions

### High Smoke Sensitivity Zone

**HIGH**

- Strict burning requirements
- Densely populated areas (5% of province)

### Medium Smoke Sensitivity Zone

**MEDIUM**

- Requirements similar to current regulation
- Smaller communities and surrounding areas (10-15% of province)

### Low Smoke Sensitivity Zone

**LOW**

- No venting or smoke release requirements
- Areas more than 20 km from major communities (80-85% of province)

of specific communities. Burning requirements in this zone are most restrictive. One day burns are permitted with a “good” venting index forecast and two day burns are permitted if the venting index is forecast to be “good” on day one and “fair” or better on day two. The ministry’s aim is to require rapid burns during periods of good venting to reduce human exposure to smoke. The ministry estimates that less than 5% of the province’s land area will be in this zone. The primary change to burning rules in this zone is the shorter burn period than in the current regulation (from sunrise on day one to sunset on day two, versus 72 or 96 hours in the current regulation).

An estimated 10-15% of the province will be designated as **medium smoke sensitivity zone**. The zone encompasses settled rural areas, and buffers of up to 10 km around high smoke sensitivity zones, 1-5 km around smaller communities that are not part of the high smoke sensitivity zone and 1-3 km around provincial numbered highways. Burning in this zone will require a forecast of at least two days of “fair” or better venting index. Burn periods are up to four days in length (sunrise day one to sunset day four). Relative to current requirements the venting index requirements are more permissive, however the burn periods are slightly shorter.

The **low smoke sensitivity zone**, covering roughly 80% of the province, will be subject to the general burning provisions set out in the regulation. These general

requirements include a prohibition on causing smoke impacts to communities. However, burns in this zone will not be subject to specified limits with respect to venting index or burn duration. Delineation of this zone, where the risk of smoke impacts on populations is low, should greatly simplify open burning over much of the province. However if the removal of venting and smoke release requirements causes local pollution problems the ministry still has the option to impose stricter burning requirements in selected areas of the low smoke sensitivity zone.

### *Smoke management plans*

The revised regulation will empower the ministry to substitute requirements on a case by case basis, in place of the “default” requirements in the regulation. These substitution powers could be used to approve existing smoke management plans or to develop new ones where appropriate.

### *Setback distances*

Setback distances for burning will be increased to 500 metres from residences or businesses and 1,000 metres (1 km) from schools, hospitals and care facilities.

Setback distances will be reduced to 50 metres in specific situations – community wildfire protection or management of diseased vegetative debris. Burning within the specified setback distances under these situations will need to follow best management practices set out in the regulation.

Burning within the increased setback distances but still more than 100 metres from residences or businesses and 500 metres from schools, hospitals and care facilities (the same setbacks as the current regulation) will be allowed if specified conditions are followed:

- One day burns only
- Venting index “good”
- Vegetative debris being burned is “seasoned” in accordance with the definition in the regulation
- Neighbours are notified

## ***Additional proposed revisions***

### ***Prohibited materials***

The prohibited materials list in the current regulation will be expanded, with the addition of several materials unsuitable for open burning. Note however, that the addition of accelerant materials intended to assist rapid combustion will remain legal – as this reduces air pollutant emissions.

### ***Community wildfire protection plans***

A specific provision for burning that takes place under “community wildfire protection plans” will facilitate burning that is required for the critical goal of reducing wildfire hazard to communities. This will allow burning with reduced setbacks and only “fair” venting index, provided notice is given to adjacent residences and businesses.

### ***Diseased vegetative debris***

A specific provision for burning diseased vegetative debris will facilitate the priority disposal of diseased material that might put farms or forests at risk. This provision will allow burning with reduced setbacks and only “fair” venting index for vegetative debris that is verified as diseased.

### ***Use of air curtain incinerators***

The ministry encourages use of air curtain incinerators – which reduce open burning emissions by up to 95%. The revised regulation will include provisions for reduced setback requirements and relaxed venting requirements when air curtain incinerators are used.

### ***Burning at log sorts***

Provisions governing burning at log sorts for each smoke management zone will be revised (replacing the requirement to obtain a permit in all but the high smoke sensitivity zone). Existing permits for log sorts will not be affected.

### ***Best management practices (BMPs)***

Best management practices – such as seasoning vegetative debris before burning, minimizing soil content in piles and constructing piles to maximize airflow, will be required. Seasoned vegetative debris will be defined as debris meeting one of the following criteria: containing

<30% moisture content; seasoned at least four months; or standing dead.

### ***Power to prohibit open burning***

The ministry will retain the ability to prohibit open burning during periods of poor air quality or when pollution is occurring from open burning. The criterion for prohibiting open burning is B.C.’s ambient air quality objective for fine particulate matter.

### ***New reporting requirements***

New reporting requirements will be included in revised provisions to allow the ministry to better track emissions from open burning. Implementation of reporting requirements will follow enactment of the regulation by a specified period (e.g., one year) to enable development of an efficient reporting system.

### ***Custom ventilation forecasts***

The revised regulation will allow use of custom ventilation forecasts. These provide location-specific forecasts of the atmosphere’s ability to disperse smoke.

## ***The path forward***

The ministry plans to conduct a series of webinars on the proposed revisions, including a general overview webinar and information targeted to municipal, agriculture and forestry interests. If you are interested in participating in one of these webinars, please contact the email or mail addresses below.

If you have any questions or comments about the ministry’s proposed revisions, please submit them by e-mail or mail to the addresses below **by June 17th, 2016**.

**Email:** [OBSCR@gov.bc.ca](mailto:OBSCR@gov.bc.ca)

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Victoria B.C. V9B 6K8

All comments received through the webinars, mail or email will be compiled and reviewed by ministry staff prior to final drafting of the revised regulation. The ministry intends to complete revisions to the regulation in 2016.