



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES

“Open Fires” 250-RICR-120-05-4 - REQUEST FOR EXEMPTION

The requirements of “Open Fires” 250-RICR-120-05-4 (Part 4) can be found in its entirety on the Rhode Island Department of Environmental Management (RI DEM) website.

As stated in Part 4, 4.6.A. “*The following shall not be subject to this regulation:*”

1. *Open burning for weed abatement or pest control after receiving written approval from the Director.*
2. *Bonfires composed of clean, untreated wood or cellulose derivatives for festive occasions conducted by an institution.*
3. *Open burning of solid or liquid fuels or structures for the purpose of instruction and training of municipal, volunteer and industrial firefighters in the method of fighting fires when conducted under the direct control and supervision of qualified instructors after receiving written approval from the Director.*
4. *Open burning of combustible material after demonstration to the satisfaction of the Director that no alternative and practical method of disposal of said material is available. Alternative disposal methods may include chipping, cutting for forest products, landfilling, piling for protective cover for wildlife and others. Persons wishing to burn must receive written approval from the Director and demonstrate that approval has been granted by the municipality in which burning is to take place. Such burning must be conducted:*
 - a. *during periods of good atmospheric ventilation.*
 - b. *without causing a nuisance.*
 - c. *with smoke minimizing starters if starters or starting aids are used.”*

Applicants who submit a Request for Exemption to burn a structure, must also provide documentation that the structure does not contain lead-based paint, according to the definition of lead-based paint pursuant to “Removal of Lead Based Paint from Exterior Surfaces” 250-RICR-120-05-24 (Part 24). The requirements of Part 24 can be found in its entirety on the RI DEM website.

In all cases, local ordinances must be adhered to. Burning by resident homeowners on property owned by them, where there is no commercial, industrial, or salvage activity, is regulated by local ordinances, and does not require an exemption.

To request an exemption:

1. **Complete** Section I the attached Request for Exemption form.
2. **Contact** local fire district official for approval, and have them complete Section II of the Request for Exemption form. Fire district contact information can be found at: <https://fire-marshal.ri.gov/ri-fire-departments>
3. **Return** the completed form to the RI DEM Office of Air Resources
by mail: Department of Environmental Management
Office of Air Resources
235 Promenade Street
Providence, RI 02908-5767
or, by email: DEM.AirCompliance@dem.ri.gov
4. For an exemption to burn non-agricultural material, **Call** RI DEM Office of Air Resources 401-537-4392 to request a site visit by an inspector.
For an exemption to burn agricultural material, **Call** RI DEM Division of Agriculture at 401-537-4273 to request a site visit by an inspector.
5. **Wait** for an approval letter from the RI DEM Office of Air Resources before performing burn. Approved applicants will be issued a burn approval letter, that contains stipulations to be adhered to for the approved burn. Burning cannot be conducted until applicant has received an approval letter.

Questions about this regulation, and Request for Exemptions may be directed to the RI DEM Office of Air Resources at 401-537-4392.



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SECTION I: TO BE COMPLETED BY APPLICANT:

APPLICANT INFORMATION

Applicant Name: _____

Mailing Address: _____
(Street) (City, State) (Zip Code)

Email: _____ Phone: _____

PROPERTY INFORMATION

Property Owner: _____

Property Address: _____
(Street) (City, State) (Zip Code)

Property Type: Farm Forest Residential
 Other: _____

Structure Type: Barn House N/A
 Other: _____

Reason for Request: Firefighter Training Weed Abatement Pest Control
 Other: _____

SECTION II: TO BE COMPLETED BY LOCAL FIRE OFFICIAL:

Station Address: _____
(Street) (City, State) (Zip Code)

FIRE OFFICIAL APPROVAL:

Print Name: _____ Title: _____

Email: _____ Phone: _____

Signature: _____ Date: _____

SECTION III: TO BE COMPLETED BY RI DEM INSPECTOR:

Inspector: _____ Date: _____

Finding and Comments: _____

Return by mail: Department of Environmental Management
Office of Air Resources
235 Promenade Street
Providence, RI 02908-5767

Or, by email: DEM.AirCompliance@dem.ri.gov