

## Southern Oregon Hemp Burning Guide

### A source of air pollution

Hemp waste qualifies as an agricultural waste and is regulated by the Oregon Department of Agriculture. However, there are still some Department of Environmental Quality regulations that must be followed when burning hemp waste.

Burning creates visible smoke, which may create a nuisance condition, and emits a number of air pollutants that can adversely affect public health. DEQ asks farms to consider their airshed prior to burning.

### Don't burn prohibited materials

DEQ regulations prohibit open burning of the following materials at anytime, anywhere in Oregon:

- Plastic products
- Rubber products
- Tires, includes burning tires to start an approved agricultural waste fire
- Wet garbage and food waste
- Petroleum and petroleum-treated materials, including waste oil
- Asphalt or industrial waste
- Any material that creates dense smoke or noxious odors
- Any material that contains asbestos

It's against the law to conduct any open burning that:

- Creates a public or private nuisance
- Is a hazard to public safety

For the hemp industry in particular, this means plastic row cover, plastic netting, and irrigation tubing may not be burned. It is recommended these materials be removed from the vicinity of any burn piles prior to ignition.

### Alternatives to open burning

- Compost plant materials on site
- Take materials to a local recycling center or landfill

ODA's Hemp Program website contains more information on regulations, licenses, and registration: <https://www.oregon.gov/ODA/programs/Hemp/Pages/default.aspx>

### Specific regulations

The rules governing open burning are found in Oregon Administrative Rules, [Chapter 340, Division 264](#). **Open burning violations can result in fines of up to \$12,000 per day of violation.** The Office of the State Fire Marshal may also make a separate determination to prohibit open burning. Contact your local DEQ office to confirm if your area has any special restrictions.

Open burning for agricultural purposes is usually allowed unless fire safety concerns restrict or prohibit burning on a given day. Contact your local fire department to inquire if an agricultural burn permit is necessary.

Agricultural burning must be an integral and necessary part of the agricultural activity. The agricultural activity might include clearing of land, but does not include the construction and use of dwellings. Burning associated with a dwelling is considered to be domestic burning, backyard burning, or burning of yard debris and is not part of the farming operation.

Prohibited materials can't be burned, even in an agricultural setting. If prohibited materials are being burned, a complaint can be filed with DEQ at: <https://www.oregon.gov/deq/Get-Involved/Pages/File-Pollution-Complaint.aspx>

Jackson County Ordinance 1810.07 specifically prohibits any open burning on days when the ventilation index is below 400, except in the case of agricultural burning for pest or disease control. This means, if it is determined to be a "no burn" day in Jackson County, this applies to most agricultural burning as well. To determine the daily open burn status, farms located in Jackson County can call the Jackson County Burn Line at 541-776-7007. Complaints for agricultural burns on a "no burn" day can be filed at:

<https://jacksoncountyor.org/hhs/Environmental-Public-Health/Wood-Stove-and-Open-Burning/Air-Quality-Complaint-Form>

Farms in Josephine County can call the Josephine County Burn Line at 541-476-9663, ext. 3 to determine open burn status. Other counties should check with their local DEQ office or local fire department to confirm no local restrictions apply.

Complaints outside of Jackson County, or for "burn" day activities can be directed to ODA at 503-986-4652 or [Hemp@oda.state.or.us](mailto:Hemp@oda.state.or.us).

To file a pollution complaint with DEQ go to: <https://www.oregon.gov/deq/Get-Involved/Pages/File-Pollution-Complaint.aspx>

or call 888-997-7888.

### Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696 or toll free in Oregon at 800-452-4011, ext. 5696, or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).



State of Oregon  
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Environmental  
Quality

### Air Quality Division

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*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*