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Backyard burning produces toxic air pollution

FROM DIANNE SAXE, Environmental Law Specialist: Burning waste, such as plastic containers, junk mail, painted lumber and other construction debris, is sometimes seen as a convenient way to avoid trips to the landfill...

For example, we now know that "backyard" waste burning is Ontario's largest source of cancer-causing dioxin emissions. Most prevalent in rural areas, Environment Canada reports that 24 per cent of residents burn garbage in open pits, woodstoves, burn barrels and fireplaces...

Plastics, some kinds of treated paper, rubber and painted wood are the biggest culprits. Even carefully sorted, paper-only waste can contain plastics. Envelope windows are usually plastic, as are some inserts in junk mail...

The dioxins, other pollutants, soot and fine particles released into the air through burning can be transported long distances, making them a problem both locally (near emission sources) and globally.

These pollutants are linked to many health concerns, including cancer, disruption of endocrine function, developmental problems, endometriosis, cardiovascular disease, asthma and diabetes. Backyard burning also causes fire hazards, bad odours, reduced visibility and the toxic ashes can contaminate wells.

Under the Ontario Fire Code, backyard burning is not permitted unless approved in advance by the fire department. There is an exception for a small, confined fire supervised at all times, which is used to cook food on a grill or a barbecue.

Additionally, your municipality may have a bylaw that controls backyard burns, including the times during which they may be set.

The City of Vaughan, for example, does not permit open-air fires between sunset and sunrise. Fires must be at least 60 metres from any building, structure, hedge, fence, roadway or overhead wiring and at least 15 metres from any property line.

Cornwall's bylaw even advocates being a good neighbour by not interfering with your neighbours' ability to enjoy their properties, as required under the Environmental Protection Act.

Persons violating the Ontario Fire Code can be prosecuted, and conviction can result in a fine of up to \$25,000 for an individual. The latest data from the Office of Fire Marshal shows that fire departments across Ontario received 9,228 calls for unauthorized burning in 2005, up from 7,388 the previous year.

Contravention of the municipal bylaw can result in additional fines and a bill for the full cost of recovery measures, including the cost of Fire department vehicles, equipment and staff. Environmental Protection Act fines can be higher still.

There are many good reasons to avoid backyard garbage burning, for the benefit of the environment, health, and good relations with neighbours. And there are good alternatives to burning, such as seeking out local recycling options for recyclable waste; composting organic waste such as food scraps, leaves, and grass; using the nearest garbage landfill or depot for remaining waste; and, of course, reducing waste altogether by purchasing items with less packaging.

Dianne Saxe, one of Canada's leading environmental lawyers, is a Certified Specialist in Environmental Law and member of the Ontario Bar Association Environmental Section Executive. She also holds one of Canada's only Doctorates of Jurisprudence (PhD) in environmental law.

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