



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR AND HAZARDOUS MATERIALS ENFORCEMENT

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Procedures for Open Burning and the Use of Smudge Pots Pertaining to New Jersey Fruit, Vegetables and Floriculture

Extreme cold temperatures are forecasted for Thursday and Friday evenings (April 23 and 24, 2015) that could seriously affect fruit, vegetable, and floriculture crops in bloom or near bloom around the state. Therefore, the New Jersey Department of Environmental Protection (DEP) has authorized the following procedure for open burning and/or the use of smudge pots for Monday and Tuesday to help farmers protect their crops.

- Farmers who believe they will open-burn and/or use smudge pots must provide notice to the DEP 24-hour Communications Center at **1-877- WARN DEP** (1-877-927-6337) prior to the use of either technique. Farmers are encouraged to call DEP if they believe they may need to use either technique; notification to DEP does not require the implementation of either procedure. If a farmer does not call DEP in advance but uses either technique, the farmer may notify DEP the morning following the use of either technique but no later than 9:00 am.
- Farmers must record the incident number provided to them by the Communications Center.
- The following information is to be provided by the farmer:
 - Name of the individual who is making the decision to conduct the open burning/use of smudge pots
 - Name of the farm
 - Actual street address of the farm on which either technique will be used (no P.O. Boxes)
 - Telephone number of a contact at the farm
 - Predicted temperature (in F) at orchard(s) anticipated when the technique will be used
 - Predicted wind speed at orchard(s) anticipated when the technique will be used
 - Predicted hours of open burning/use of smudge pots
 - Predicted material to be used for open burning/use of smudge pots

- Upon completion of the open burning or the use of smudge pots, the farmer must provide the following information within 2 business days to the DEP 24-hour Communication Center at 1-877-WARN DEP (1-877-927-6337):
 - The DEP Communications Center incident number
 - Ambient orchard(s) temperature (in F) at the time the technique was used
 - Actual wind speed at the orchard(s) location at the time the technique was used
 - A statement that all restrictions in the open burning or use of smudge pots were followed. The restrictions are noted below.

RESTRICTIONS

- No open burning will be permitted unless:
 - a) The temperature within the orchard area is at or below the critical temperature for the bud stage. The attached report lists the critical temperatures for New Jersey crops.
 - b) The wind velocity is less than 10 miles per hour.
 - c) Both conditions (a and b above) must be met simultaneously before open burning or the use of smudge pots can occur.
- Smudge pots must be fueled only with either kerosene or No. 2 fuel oil.
- Open burning can consist only of either the following materials: clean scrap lumber (untreated), felled trees, prunings, hedgerows or firewood.
- **NO** refuse, trade waste, garbage, etc., are to be added to the authorized open burning material.
- Tires are prohibited as part of the open burning process.
- Failure to adhere to these provisions and the restrictions may result in appropriate enforcement action.

Attachment
Critical Temperatures for Frost Protection