

Open Burning

According to Section 29A of Environmental Quality Act 1974; “open burning” means any fire, combustion or smouldering that occurs in the open air and which is not directed there through a chimney or stack.

It causes smoke and toxic fumes to be released into the atmosphere directly, therefore, negatively affecting the environment. Often, the practice is done outdoors where household waste materials are burnt as a means of waste disposal, away from an incinerator or a furnace chamber. The lack of a chimney or stack predisposes the atmosphere to more air pollution from the open burning. The burnt material is released, unregulated, and in its raw form into the atmosphere. Materials such as plastics have some toxic chemicals which once pre-disposed in the air; they pose not only a danger to the environment but also become a health concern for life.



Figure 1: Open Burning at a forest.

Environmental Quality Act 1974

Prohibition on open burning

- Section 29A

(1) Notwithstanding anything to the contrary contained in this Act, no person shall allow or cause open burning on any premises.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five hundred thousand ringgit or to imprisonment for a term not exceeding five years or to both.

Exclusion from “open burning”

- Section 29AA

(1) The Minister may by order published in the Gazette declare that any fire, combustion or smouldering for the purpose of any activity specified in that order is not open burning as defined in and for the purpose of Section 29A so long as such activity is carried out in accordance with or under such conditions as may be specified in the order and not in the place or area specified in the order.

(2) Notwithstanding that any fire, combustion or smouldering is excluded from the definition of open burning under subsection (1) or that it is for the purpose of any activity specified in an order made under subsection (1), no person shall allow or cause such fire, combustion or smouldering to occur in any area of the Director General notifies, by such means and in such manner as he thinks expedient,—

- (a) that the air quality in the area has reached an unhealthy level; and
- (b) that the fire, combustion or smouldering for the purpose of any activity other than those specified in the notification would be hazardous to the environment.

(3) In addition to the circumstances referred to in subsection(2), the Minister may by order published in the Gazette Specify the circumstances in which no person shall cause any fire, combustion or smouldering for the purpose of any activity specified in the order to occur notwithstanding that it is excluded from the

definition of open burning under subsection (1) or that it is for the purpose of any activity specified in an order made under subsection (1).

Owner or occupier of premises liable for open burning

- Section 29B

If open burning occurs on any premises—

- (a) the owner; or
- (b) the occupier,

of the premises who has control over such premises shall be deemed to have contravened subsection 29A(1) unless the contrary is proved.

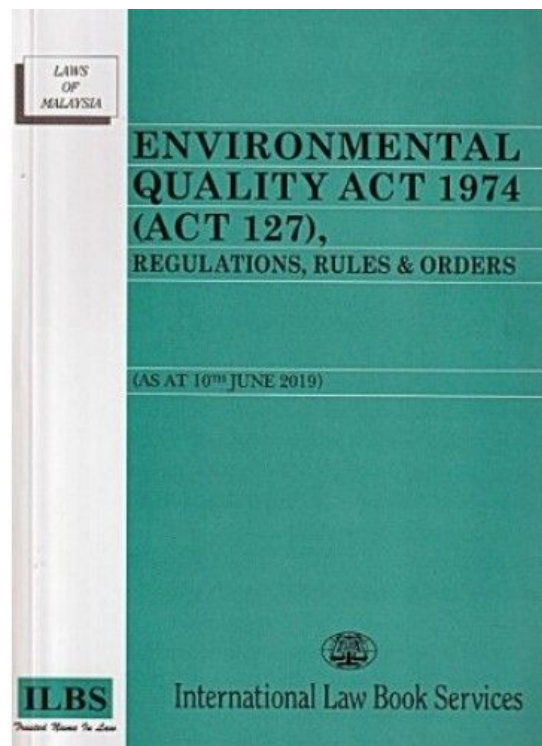


Figure 2: Environmental Quality Act 1974

Effects of Open Burning

- Destruction of property.
- Low visibility. Smoke is dense and can hinder movement from one place to another. This may lead to accidents for ships, planes and cars.
- Formation of haze. Caused by the open burning of forests/crops for agricultural purposes.
- Release of mercury. It neutralizes useful soil media for crop production and prevents prevalence of some key nutrients in the soil for plant use. Also, it kills fish thus affecting marine life ecosystems.
- Breathing difficulties. Respiratory disease - bronchitis, lung cancer and asthma.
- Global warming. Destruction of the ozone layer. Albedo effect - reduces the reflective nature of the environment due to the release of thick black smoke into the atmosphere caused by burning biomass. It results in reduced sunlight reflected back into space.
- Eye irritation. Once in contact with eyes, smoke irritates resulting in eye problems. In the same way breathing is made difficult, the eyes are more susceptible to these harmful particles given that eyes are external organs of the body.
- Increase in body toxicity. Alter the normal functioning of the body, cell division, they affect the reproductive system, suppress the immune system.

Solutions to Open Burning

Individual

- Recycle/Reuse

Most of the items taken out for open burning are often reusable. Materials made from plastic can be used for other purposes in order to lengthen their useful life. Newspapers and glass are other items that can be put into other uses. For items that cannot be put to reuse at home, they can be submitted to recycling plants for further processing.

- Report to authorities

Inform relevant authorities on any cases of open burning in your neighbourhood.

- Composting

Turning your kitchen or yard waste into useful compost. It can be a natural alternative to fertilizer to help maintain soil quality and fertility. This can help improve plant growth and lead to better yields.



Figure 3: Composting

Government

- Environment Day

Hari Alam Sekitar Negara (HASN) is an annual event that is held by the Ministry of Energy and Natural Resources and the Department of Environment during Sambutan Minggu Alam Sekitar Malaysia (MASM). It's purpose is to invite the whole community to celebrate the spirit of love for the environment. HASN is organized simultaneously across the country with various activities such as Opening Ceremony, Envirowalk / Envirorun / Enviroride / Envirohunt / Envirohill, New Material Design Competition Exhibit from Waste, Health Inspection, Vehicle Free Examination and Vehicle Smoke Test, Nature Exhibition around and so on.



Figure 4: Hari Alam Sekitar Negara (HASN)

- Legislation

(1) Sending officers to premises after receiving an open burning report.
According to Section 29A(2) or 29B, Environmental Quality Act 1974;

- a) Compound - RM 2000.00 maximum for every burning pile
- b) Punishment - RM 500,000.00 or prison of not more than 5 years or both

(2) On Sept 11 2019, The Department of Environment (DOE) has imposed a ban on open burning in the whole country except for cremation, religious purposes, grilling/barbecue and flaring until the end of the southwest monsoon period. DOE director-general Norlin Jaafar issued the order in view of the haze that has enveloped the country since Sept 5 2019. In accordance with the powers vested with the Director-General of Environmental Quality as per Section 29AA (2) of the Environmental Quality Act 1974.

- Rakan Alam Sekitar (RAS)

It was launched on June 4, 2009 by YAB Tan Sri Muhyiddin Bin Mohd Yassin, then Deputy Prime Minister of Malaysia. RAS is an initiative of the Ministry of Natural Resources and Environment (NRE) in raising awareness and mobilizing community members in environmental conservation and conservation activities. They also assist government agencies responsible for eradicating activities that are harmful or polluting the environment.

Objectives:-

1. Provide awareness of the environment in every section of society.
2. Instill a feeling of responsibility within society to take action to take care of the environment.
3. To provide an appropriate channel for the community to make complaints or views on the environment to government agencies.



Figure 5: Rakan Alam Sekitar (RAS)

Open Burning Cases in Malaysia

Kuala Langat Fire - 5 Mac 2020

More than 75% of the fire at the Kuala Langat South Forest Reserve has been extinguished, with the rest expected to be put out completely within a week, depending on weather conditions. Selangor state environment, green technology, science and consumer affairs committee chairman Hee Loy Sian said the feedback from the Selangor Fire and Rescue Department indicated that it would take at least five to seven more days before the fire was snuffed if there was no rain. He added “Fires here have become an almost yearly affair, as these small farmers illegally clear the land to plant cash crops such as ginger, dragon fruit, galangal and even bananas” and “We will also take to court anyone found to be practising open burning”.

Source:

<https://www.thestar.com.my/news/nation/2020/03/05/kuala-langat-fire-expected-to-be-extinguished-within-a-week>



Figure 6: Kuala Langat Fire

Open Burning Causes Forest Fires In Penang - 5 Feb 2020

A large portion of a forested area between Bukit Bendera and Kek Lok Si in Air Itam near here caught fire after indiscriminate open burning Tuesday (Feb 4) night. Bernama reported Paya Terubong Fire and Rescue station chief Muzamer Mohd Salleh as saying that the fire occurred in a thick forest area that had no access road, forcing the firemen to walk to the site.

Penang exco member Phee Boon Pooh said that the fire is believed to have been sparked off due to open burning from logging activities in the area.

However, efforts were still ongoing to put out the fire at a third area but their efforts were being hampered by dense jungle, leading to accessibility problems, which was causing even more dangerous conditions. Phee said the fire up the hill was still burning at midnight.

Source:

<https://www.thestar.com.my/news/nation/2020/02/05/open-burning-causes-forest-fires-in-penang>



Figure 7: Forest Fire In Penang