

Kansas Open Burning Regulations

K.A.R. 28-19-645-648



**Answers to the question:
What Can Be Burned?**

A quick reference guide for fire departments and county staff.

Air Quality Contacts



KDHE District Offices:

- 1. Southwest District Office**
302 West McArtor Rd.
Dodge City, KS 67801-6098
(620) 225-0596
- 2. South Central District Office**
130 South Market, Suite 6050
Wichita, KS 67202-3802
(316) 337-6020
- 3. Southeast District Office**
1500 West 7th Street
Chanute, KS 66720-9701
(620) 431-2390
- 4. Northeast District Office**
800 West 24th St.
Lawrence, KS 66046
(785) 842-4600
- 5. North Central District Office**
2501-D Market Place, Suite D
Salina, KS 67401
(785) 827-9639
- 6. Northwest District Office**
2301 East 13th St.
Hays, KS 67601-2651
(785) 625-5663

KDHE burn permit applications can be located on the KDHE web site under the Air Compliance Section, at:
http://www.kdheks.gov/befs/dist_office.html

If located in Johnson, Sedgwick, Shawnee, or Wyandotte Counties, call your local contacts.

Local Air Quality Contacts:

- 7. Sedgwick Co. Dept of Env. Health**
1900 East 9th St.
Wichita, KS 67214
(316) 268-8350
www.wichita.gov/CityOffices/Environmental/airquality
- 8. Shawnee County Health Agency**
1515 NW Saline N Annex Ste. 101
Topeka, KS 66618-2838
(785) 291-2457
www.co.shawnee.ks.us/ha/ga-eh.asp
- 9. Unified Gov't of Wyandotte County**
619 Ann Avenue
Kansas City, KS 66101
(913) 573-6700
www.wycokck.org
- 10. Johnson Co. Env. Department**
11811 S. Sunset, Suite 2700
Olathe, KS 66061
(913) 715-6939
www.sharetheair.org/

Other Contacts:



Small Business Environmental Assistance Program (SBEAP)
1-800-578-8898
http://www.sbeap.org/publications/Open_Burning_FS_Web.pdf



The State of Kansas has adopted K.A.R. 28-19-645 as the regulation for open burning which states that there shall be no open burning of any materials unless covered by the exemptions provided in K.A.R. 28-19-647 & 648.

Exemptions can be granted by obtaining the proper permit from KDHE and any local authority with jurisdiction over the premises. Local authorities have the right to be more stringent than state regulations and may have additional burning restrictions or bans. Therefore, always contact the local authority prior to burning.

The following describes some, but not all, of the requirements and exemptions associated with the Kansas open burning regulation.

Residential Exemptions:



For residential, premises that contain five or less dwelling units, open burning is allowed when:

- Burn barrels are used for burning domestic trash only.



General Public Exemptions:

The general public can open burn when:

- Cooking or for ceremonial purposes, on public or private land used for recreational purposes.

Business Exemptions:



If you are a business, then burning requires a KDHE permit. Including for the following:

- Trees and brush from non-agricultural land clearing.
- Other items may be allowed upon review and with use of an air curtain destructor.



Agricultural Exemptions:

Before burning proceeds, the local jurisdiction must be notified unless it has a policy that notification is not required. Agricultural open burning includes:

- Burning of grass, wood species, crop residue, and other dry plant growth for the management of crop, range, pastures, wildlife, and watersheds.

Public Health:



Permits can also be obtained for those situations that are not already exempted or if there is no other practical means of disposal if it involves:

- Fires related to the training of government or industrial personnel in the fire fighting procedures. Specific conditions must be followed.)

- Fires set for the removal of dangerous or hazardous liquid materials;
- The interest of Public Health

Other Guidelines:



A person shall not burn smoke producing materials including heavy oils, tires, and tarpaper.

Here are some guidelines that should be followed during all burn events. In general:

- Avoid cloudy days or with a low cloud cover.
- Burn during daylight hours and don't add material 2 hours prior to sunset.
- Wind speeds should be between 5 to 15 mph.
- Don't create a traffic hazard with burning.
- Supervise your fire until it's out.
- Be courteous of neighbors – houses and businesses with 1,000 ft. of a permitted burn must be notified.

When in doubt, call your KDHE district or local office or the Small Business Environmental Assistance Program for more information. See map for contact information.