

Open Burning in Kansas

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An integral part of our history, open burning in Kansas has likely been practiced since the time when the oceans receded and prairie grasses emerged across the Great Plains. Fast forward to the 21st century...we now have regulations in place to better manage or prevent open burning activities for the sake of minimizing the overall amount of contaminants released into the air, promoting a healthier living environment for us all. Not only does burning release very fine particulate matter into the air contributing to regional haze problems, other typical contaminants introduced into the atmosphere include carbon monoxide, sulfur dioxides (SO_x), nitrogen oxides (NO_x), volatile organic compounds (VOCs), and potentially other hazardous air pollutants (HAPs). These contaminants, when released into the air from open burning activities, impact respiratory health, especially in sensitive populations such as children and the elderly.

Although incidental open burning on residential premises is not regulated, open burning of wastes, structures, vegetation, or other materials by commercial operations, like a business, is prohibited unless the commercial operation is granted special permission by Kansas Department of Health and Environment (KDHE). Unless you fall under a specific exemption from the regulations or get approval to burn from the KDHE, you may not perform open burning on your property. There are no exemptions for commercial businesses; instead, all solid waste must either be recycled or disposed at a permitted landfill. The SBEAP document at http://www.sbeap.org/publications/Open_Burning_FS_Web.pdf provides a good overview for businesses related to open burning in Kansas.

Besides open burning for cooking or ceremonial purposes, the most common exemption related to open burning is the agricultural burning of vegetation for specific land management purposes. However, even open burning of agricultural land has recently been examined due to the release of high-levels of particulate matter and the formation of harmful ozone, especially during the month of April when many of these agricultural lands are burned for land management purposes. Most of these air quality problems have occurred in the Flint Hills Region, and as a result Kansas now has a smoke management plan for a 16-county area there. The plan details certain burn restrictions and can be found at <http://www.kdheks.gov/bar/air-monitor/flinthills.html>.

If you are a commercial business that has been burning waste, feel free to contact SBEAP to help you identify ways you can reduce, reuse, or recycle your wastes so you can minimize or reduce your disposal needs. For example, do you have a stack of used wooden pallets behind your business? If yes, consider reusing them. You may also wish to consider using a commercial composting facility as a viable alternative for cardboard, wood waste, paper, and food waste disposal. For clean construction site wood waste, KDHE encourages alternatives to burning such as mulching, recycling, or disposal at a permitted construction and demolition (C&D) landfill. Following is a list of some frequently asked questions related to open burning at commercial operations.

Some residents are allowed to burn their household waste in a burn barrel. Can I burn solid waste generated at my business in a burn barrel or dumpster?

The answer is NO. All solid waste generated at a commercial business must either be recycled or disposed at a permitted landfill.

Can clean wood waste generated at a construction site be burned?

KDHE enforces regulations that prohibit open burning of clean wood waste unless approval has been obtained from KDHE to conduct such burning. KDHE has allowed such burning under specific conditions and guidelines. Clean wood does not include painted or pressure-treated lumber or engineered wood products such as plywood or particle board. KDHE encourages alternatives to burning such as mulching, recycling, or disposal at a permitted construction and demolition (C&D) landfill. Note: Residents are also prohibited from open burning of painted or treated lumber, pallets, or wood wastes other than trees and brush, on their property. Leaves should be mulch-mowed or composted, not burned.

Our business burns excess wood waste and pallets behind our building here in the country. We've never had to get a permit/approval before. Do we need one?

Businesses must have an **approval from KDHE** to conduct open burning of any kind of business waste. **Local burn permits** issued by your county organization are not acceptable and **do not qualify businesses to burn business waste**. Businesses practicing open burning of clean wood wastes on a frequent basis or in large quantities, such as pallets, crating lumber, milling or cabinet manufacturing wood wastes, etc., need to pursue other methods of disposal such as recycling or composting. If recycling or composting is not feasible, alternatives include installing a KDHE-approved incinerator or air-curtain destructor. For locations of permitted composting facilities in Kansas, contact KDHE Bureau of Waste Management at 785-296-1600.

As a retail store manager, I burn our packaging cardboard in a small incinerator outside the back door of our building. This is not open burning, but is it a problem?

Yes, these small incinerators historically used for disposal of cardboard, or destruction of documents, office wastes, or any other solid waste materials, are not designed to meet stringent air pollutant emission control regulations enacted and enforced by the U.S. Environmental Protection Agency in recent years. If you are still operating one of these older incinerators, you must stop using the incinerator, disable the unit (chain/lockout the unit's door, disconnect the gas supply), and find other appropriate means of solid waste disposal or recycling of these wastes. Recycling of cardboard and shredded documents are environmentally friendly alternatives. Go to www.kansasrecycles.org, or call SBEAP at 800-578-8898 to help find recycling vendors in your area.

Our company uses a burn-off oven to clean our paint hooks. Can we use this oven to burn other combustible waste at our facility?

If your company uses a burn-off oven to burn paint waste off of paint hooks, the oven cannot be used to burn combustible materials such as wood, cardboard, paint filters, or other waste materials. To burn combustible materials, a KDHE-approved incinerator is required, along with an operating permit.

SBEAP operates a toll-free technical hotline. In addition, SBEAP can visit your facility to review current compliance needs and identify pollution prevention opportunities. Contact SBEAP at 800-578-8898 or sbeap@ksu.edu.