

Learn *Before* You Burn

Kentucky Division for Air Quality



Our Mission

To protect human health and the environment by achieving and maintaining acceptable air quality through:

- Air monitoring
- Creating partnerships
- Public information
- Permitting and compliance



Open Burning in Kentucky

- What is it?
- Why be concerned?
- Legal or Illegal?
- Restrictions
- How you can help



What is Open Burning?



Outdoor burning of any material without an approved burn chamber, stack, or chimney with control devices approved by the KY Division for Air Quality.

Open burning is regulated under KY Title 401 KAR 63:005.

Open Burning Creates Fire and Safety Hazards



The Kentucky Division of Forestry estimates that 35 to 40 percent of wildfires in Kentucky start when open burning gets out of control.

Open Burning Impacts Air Quality



- Makes it harder for areas to meet air quality standards

- Can't always tell where or when open burning is occurring, making it challenging to control



Open Burning Impacts Soil & Water



Chemicals and heavy metals from open burning settle out of the air and into soil and water.

Open Burning Harms Human Health



Smoke from open burning:

- Depresses the central nervous system
- Is especially harmful to children, the elderly, and adults with respiratory diseases

Where there's smoke ...

- Dioxins
- Furans
- Benzene
- Arsenic
- Carbon monoxide
- Lead
- Mercury
- Hydrogen chloride
- Hydrogen cyanide



Backyard Burn Barrels:

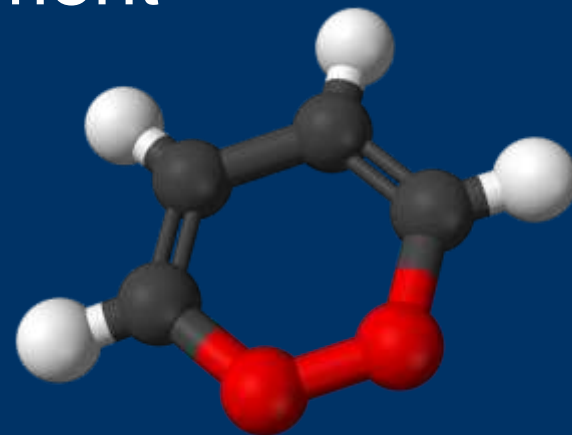
Largest single source of airborne dioxins in U.S. (U.S. EPA)



In just one year, a single backyard burn barrel can produce more dioxins than a municipal trash incinerator.

Dioxins & Furans

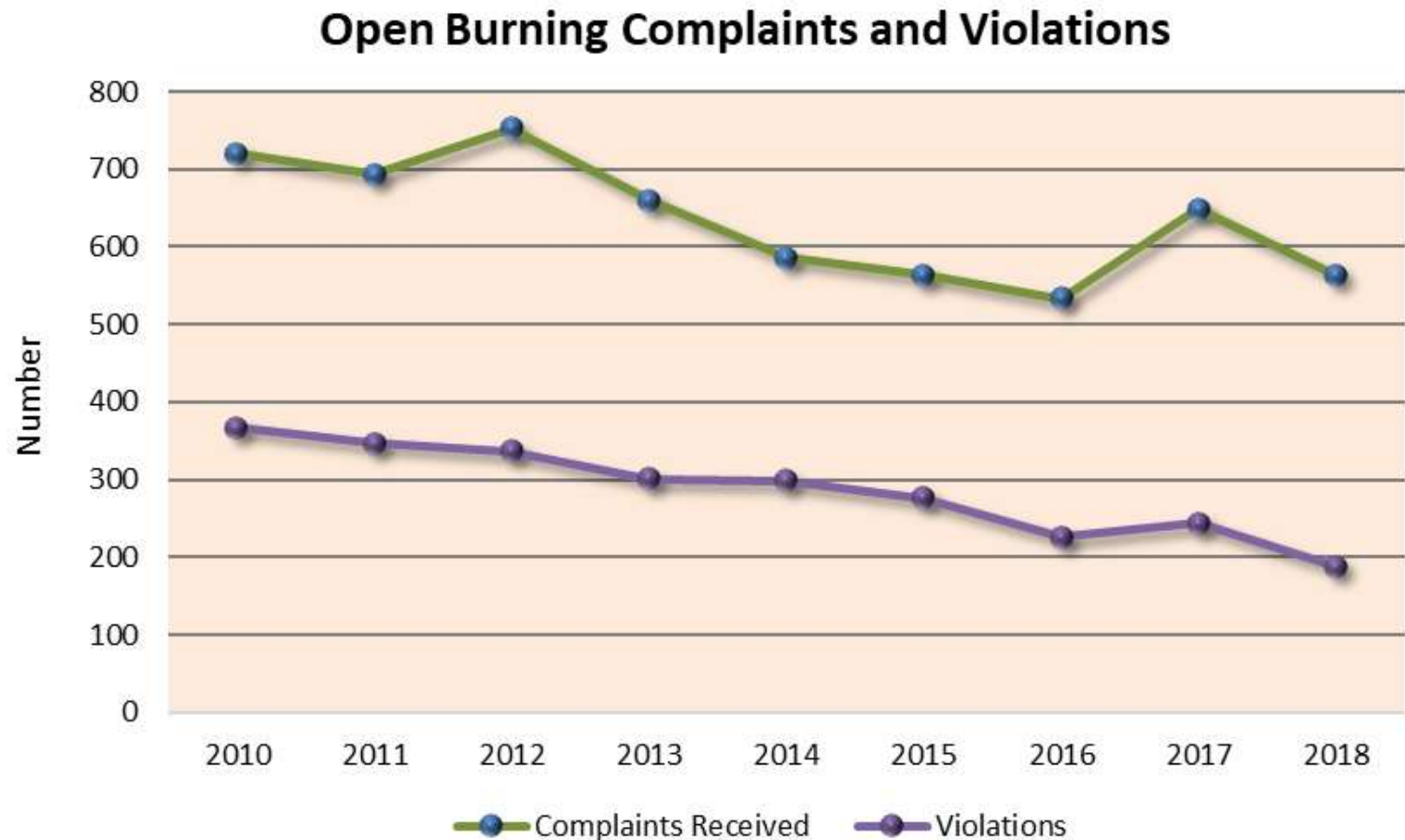
- A family of chlorinated organic chemicals
- Includes the main chemical ingredient in “Agent Orange”
- Found in plastics, bleached paper products
- Extremely toxic
- Highly persistent in the environment
- Accumulate in fatty tissues



Dioxins move through the food chain



Illegal open burning in Kentucky continues to be a problem



How Do We Respond?

- Receive complaint
 - Need an address where the burning happened in order to investigate
- Enter information into complaints database
- Site visit generally within 3-5 working days
- Inspection of burn site
- Depending on the outcome of the investigation, a Letter of Warning or Notice of Violation may be issued

It is not necessary for an inspector to witness the actual burn; evidence may be obtained from debris and ash piles, photos, etc.

Legal, or Illegal?



What, when, where, and how a material is burned determines if the burning is legal or illegal.

Call **502-782-6592** to learn before you burn.

Legal, or Illegal?



Local county and municipal ordinances may have more stringent rules than the state regulation described in this presentation.

Legal Burning Activities



- Fires set for recreational or ceremonial purposes (camp fires, bonfires)
- Small fires set for comfort heat at construction sites (only when air temp. is below 50°)
- Fires set for cooking (camp fires)

Legal Burning Activities



Burning of:

- Natural growth disturbed as part of land clearing activities (development sites, etc.)
- Trees and tree limbs, felled by storms

Ozone season exceptions: Jefferson, Boone, Kenton, Campbell, Boyd, Bullitt, Oldham, and Lawrence (partial)

Legal Burning Activities



Fires set for recognized agricultural, silvicultural, range, or wildlife management practices.

Legal Burning Activities

Fires set for the purpose of instruction and training of firefighters.



- Contact the State Fire Commission for more information.
- Materials likely to produce toxic emissions must be removed prior to burn.
- Additional restrictions apply.

Legal Burning Activities

Leaf burning, with some restrictions



Iowa DNR

Generally only in cities with $< 8,000$ population (check local ordinance)

The following counties are not allowed to burn leaves during ozone season, May - September:

*Jefferson, Boone, Kenton,
Campbell, Boyd, Bullitt, Oldham,
and Lawrence (partial)*

Uncoated Household Paper Products

Check local ordinances



Office paper



Plain cardboard



Newspaper

What About Trash?

Nearly everything found in household trash is illegal to burn.

- Plastic
- Coated paper and cardboard
- Food
- Foam insulation
- Styrofoam
- Metal & glass
- Aerosol cans
- Rubber
- Painted products
- Diapers, clothing



Today's Trash is Different

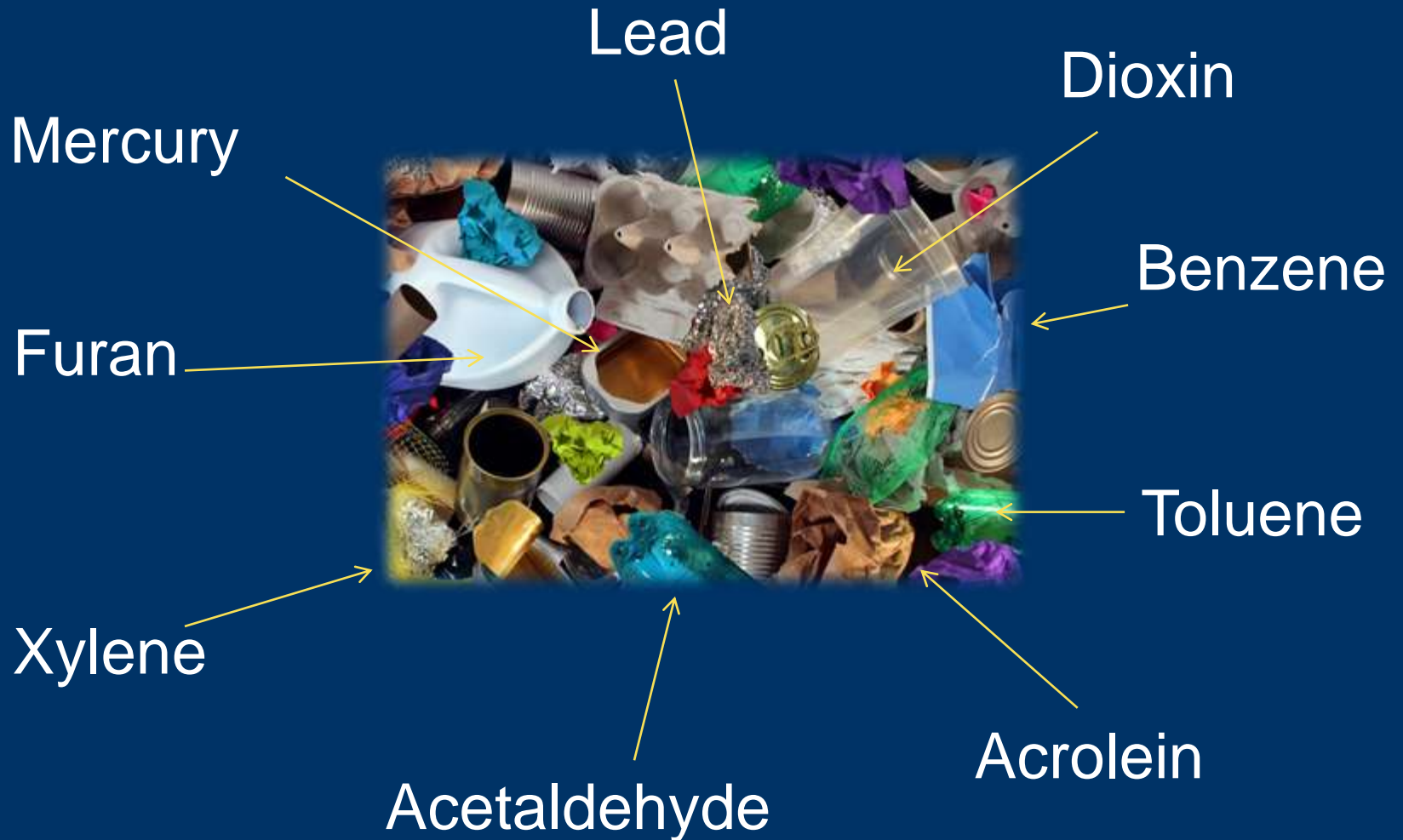


Yesterday's trash



Today's trash

What's in that trash?



Prohibited Burn Items...

- Tires
- Plastic
- Rubber
- Coated wire
- Insulated wire
- Foam insulation
- Used oil



Prohibited Burn Items: Agricultural

- Bedding material
- Muck piles
- Mulch
- Hay
- Treated, stained, or painted lumber
- Fence posts & wood pallets



Prohibited Burn Items

Grass clippings



- Grass clippings produce excessive smoke
- Grass clippings are “yard waste”, which is not permitted to be burned according to 401 KAR 63:005

Prohibited Burn Items...



- Agricultural chemical containers
- Household chemical containers

Prohibited Burn Items: Buildings



- Buildings may not be disposed of by burning.
- Buildings may be demolished and buried onsite.

Prohibited Burn Items: Construction/Demolition Debris



- Asbestos materials
- Construction debris
- Demolition debris
- Drywall
- Shingles

Prohibited Burn Items:

Waste from businesses, schools
& churches



- Other than land clearing for development, businesses may not dispose of any waste by burning.
- Debris from private businesses may not be transported for burning elsewhere.

Disposing of Storm Debris

County or municipal governments only, with approval

- May be legally burned (observe fire hazard season restrictions & county burn bans).
- Large piles should be divided and burned incrementally over time.
- Care should be taken to locate burn piles away from residences and areas that could be impacted by smoke.



Contact the Division for Air Quality before burning large stockpiles of debris.

Disposing of Storm Debris

Demolition debris may *not* be burned. Debris may contain asbestos and other hazardous materials.



Demolition debris piles should be kept wet until final disposal in a landfill.

Restrictions During Fire Hazard Season

Oct. 1 – Dec. 15 *and*
Feb. 15 – April 30



During fire hazard season, burning within 150 feet of any woodland or brushland area is allowed *only during evening hours* between 6 p.m. & 6 a.m.

Restrictions during ozone season:

May – September



- Only in Boone, Boyd, Bullitt, Campbell, Jefferson, Kenton, Lawrence, & Oldham counties
- No open burning for land clearing permitted
- Other restrictions apply

Burn Bans

- Can be declared by county Judge Executive or Governor
- Generally during extreme risk of wildfire hazard
- Check Division of Forestry's County Burn Bans page



The screenshot shows the website of the Kentucky Division of Forestry. The header includes navigation links: Environmental Protection, Natural Resources, Energy, Nature Preserves, and Newsroom. Below this, a dark bar contains links for Conservation, Forestry, Mining, and Oil & Gas. The main banner features a forest fire image with the text "COUNTY BURN BANS". Below the banner is a breadcrumb trail: Home / Natural Resources / Forestry / Wildland Fire Management / County Burn Bans. The main content area has two columns. The left column contains a paragraph explaining that burn bans are issued by county judges/executives and are enforced with assistance from local law enforcement. The right column has a heading "Current Burn Bans" and a message stating "There are no county burn bans at this time." The bottom of the page begins with the heading "Burn bans generally prohibit the following:".

Environmental Protection Natural Resources Energy Nature Preserves Newsroom

Conservation Forestry Mining Oil & Gas

COUNTY BURN BANS

Home / Natural Resources / Forestry / Wildland Fire Management / County Burn Bans

In addition to forest fire hazard seasons and outdoor burning regulations enforced by the Kentucky Division of Forestry (KDF), the Kentucky Division for Air Quality and the Kentucky Division of Waste Management, further restrictions may be initiated at the local level through county burn bans and local ordinances. County burn bans are issued by the county judge/executive and are enforced with assistance from local law enforcement. Violation of a burning ban is a misdemeanor punishable by law.

Burn bans generally prohibit the following:

Current Burn Bans

There are no county burn bans at this time.

Where Can You Burn Approved Materials?



- Use common sense to locate fires away from nearby residences or businesses.
- Do not locate fires near streams, sinkholes, or under/over utility lines.
- Check to make sure local city/county ordinances allow burning.

Illegal burning could result in fines up to **\$25,000** per day per violation.



In addition to Division for Air Quality rules, other state and local regulations may apply.

Most Open Burning is Not Necessary



- Brush could be composted, piled up for wildlife, or simply left to decay.
- Recycling is available in most counties.
- Debris that is not recyclable should be landfilled.

Spread the Word

- Contact the Division for Air Quality for posters and brochures. Email your request to Roberta.Burnes@ky.gov.
- Report illegal burning by calling 502-782-6592.



Kentucky Division for Air Quality

Regional Offices

Ashland	Karen Deskins	(606) 929-5285
Bowling Green	Troy Tabor	(270) 746-7475
Florence	Clay Redmond	(859) 525-4923
Frankfort	Natasha Parker	(502) 564-3358
Hazard	Steve Hall	(606) 435-6022
London	Pete Rayburn	(606) 330-2080
Owensboro	Mac Cann	(270) 687-7304
Paducah	Beth Lents	(270) 898-8468

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300 Sower Blvd. 2nd Floor

Frankfort, KY 40601

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Need more
information?

burnlaw@ky.gov

502-782-6592



eec.ky.gov/Environmental-Protection/Air