

April Burning Restrictions – Know the Facts

April has arrived and many are hearing of the “burn ban” in effect. Butler County has not issued a county-wide burn ban, however, as part of the Kansas Smoke Management Plan, there are burning restrictions that are in place. The Kansas Flint Hills Smoke Management website (www.ksfire.org) has a list of FAQ's that highlights the restrictions in place for the month of April. Please keep in mind that Butler County is included as one of the 13 counties in the Flint Hills that are required to follow this plan.

Q: Is crop residue burning restricted in April?

A: Yes, crop residue burning is restricted for the 16 counties specified in the April Burning Restrictions of K.A.R.

28-19-645a (13 in Flint Hills + Johnson, Sedgwick & Wyandotte). Burning of the tall grass prairie is not considered crop residue burning.

Q: Is burning yard waste allowed at an individual residence during April?

A: Yes, unless restricted by a local ordinance.

Q: Are residential trash burn barrels permitted?

A: Yes, unless restricted by a local ordinance.

Q: Can a local fire chief override the April Burning Restrictions of K.A.R. 28-19-645a if requested by a local resident or business?

A: Yes, if local ordinance is more stringent. No when the purpose of the override is to allow something prohibited under state regulation.

Q: Are fire fighter training burns permitted?

A: Yes, with approval from KDHE. However, it is appropriate to request fire training be scheduled outside of the month of April in the affected counties.

Q: Is open burning for land clearing and construction projects allowed in April?

A: Not in the 13 Flint Hills Counties unless approved by KDHE unless local ordinance is more stringent. It is our intent to discourage nonagricultural burning during the month of April.

Q: Are air curtain destructors / incinerators allowed to operate in April?

A: Yes. ACDs are permitted by KDHE as a special type of incinerator.

Q: What is an example of open burning that might be “deemed to be necessary and in the public interest”?

A: Fires set to remove dangerous or hazardous liquid materials, debris from an ice storm or a tornado (where landfilling is not feasible) or storage capacity after ice storms or tornados is not sufficient to wait until May or later.

Q: What agencies and offices are involved in regulating open burning?

A: a. Local fire, emergency response and law enforcement, depending on local ordinance. b. The six KDHE District Offices. c. The Compliance Section of the Bureau of Air at KDHE in Topeka.

Q: Where is the first place a person should call with questions concerning open burning?

A: The local fire department or law enforcement authority. Next, our KDHE District Office.

Q: Which agency has the final authority on regulating open burning?

A: In most cases, the local fire department if they are more stringent. If local requirements are less stringent than KDHE, the state agency has authority.

Q: Are camp fires and bonfires allowed in April?

A: Yes, open burning for cooking or ceremonial purposes, on public or private lands regularly used for recreational purposes.

Q: Is the local permitted open burn site allowed to burn in April?

A No, unless KDHE issues a special circumstances or emergency approval specifically for April. Otherwise, all local permitted open burn sites are discouraged from open burning during the month of April, even if a permit had been previously issued. The success of the Flint Hills Smoke Management Plan is contingent on all parties cooperating to reduce smoke impacts