

REGULATION 1.11 Control of Open Burning

Air Pollution Control District of Jefferson County Jefferson County, Kentucky

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity And Function: KRS 77.180 provides that the Air Pollution Control Board may make and enforce all needful orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation provides for the control of open burning by any source.

SECTION 1 Definitions

Terms used in this regulation not defined herein shall have the meaning given them in Regulation 1.02.

SECTION 2 Prohibition of Open Burning

No person shall cause, allow, or maintain any open fire except as follows:

- 2.1 Fires for the cooking of food for human consumption on other than commercial premises or fires determined by the District to be for recreational purposes,
- 2.2 Fires set for the purpose of sections 2.2.1 through 2.5 must not violate KRS Chapters 149, 150, or 227, or any other state or local ordinances. The use of tires or heavy oil to start or maintain combustion is prohibited.
 - 2.2.1 General agricultural production for weed abatement, disease control, and pest prevention providing such fires are declared to be necessary for these purposes by the District, after advisement by the following recommendation panel: the Soil Conservation District, the Jefferson County Agricultural Agent, and the Jefferson County Department of Public Protection. The panel's recommendation will be forwarded by the Jefferson County Extension Service to the District for its consideration.
 - 2.2.2 Controlling a public health hazard providing such fires are declared to be necessary for these purposes by the Health Department having jurisdiction with notice to the District,
- 2.3 Fires set for prevention of a fire or safety hazard, providing said hazard is so declared by the fire department or by the appropriate regulatory agency having jurisdiction where said hazard exists,
- 2.4 Fires set for the purpose of bona fide instruction and training of public and industrial employees in the methods of fighting fires, providing notice is given in each instance to the District five days in advance by the official in charge,
- 2.5 Fires set for the purpose of debris removal necessitated by acts of God (i.e., tornado, very severe windstorm, flood, etc.) having caused community-wide damage, which if prohibited, would place a severe burden on other disposal methods; and declared necessary by the Mayor

of Louisville, the mayor of a fourth class city, or the Jefferson County Judge/Executive. The particulate matter emissions from such fires shall not be equal to or greater than 40% opacity, and

- 2.6 Flare stacks for the combustion of waste gases provided that such stacks be equipped with smokeless tips which prevent emissions into the open air of particulate matter of greater than 20% opacity for more than three minutes in any 24 hour period.

SECTION 3 Supersession

This regulation supersedes Regulations 6.06 and 7.05.

Adopted v1/4-19-72; effective 4-19-72; amended v2/10-17-72, v3/9-1-76, v4/2-19-86, v5/12-17-86, v6/1-20-88, v7/12-20-89, v8/2-22-90.

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