

Kansas Department of Health and Environment
Bureau of Waste Management Policy 2010-P3
related to
Permitting Requirements for Dead Animal Burial Sites
revised January 11, 2011

Purpose

This policy clarifies when a Kansas Department of Health and Environment (KDHE) solid waste disposal permit is required for burying dead animals.

Background

Each person that buries dead animals is operating a solid waste disposal area and must first obtain a permit from KDHE (*KSA 65-3407*). The following are exceptions to this permit requirement:

- 1) KDHE can authorize the disposal of livestock without a permit in the event of a disaster or emergency (*KSA 65-3407c*); and
- 2) Individuals may dispose of solid waste from their own residential or agricultural activities on their own land, as long as the waste doesn't cause a nuisance or adversely affect public health or the environment (*KSA 65-3409*).

There is no exemption to the permitting requirement for animal cemeteries, which are considered solid waste disposal areas.

Action

In accordance with the exemptions to the permitting requirements provided above, and using reasonable regulatory discretion for minor animal burial activity, any person that operates an animal disposal site must obtain a permit from KDHE except for the following exempt activities:

- (1) KDHE-authorized disposal in the event of a disaster or emergency resulting from animal disease, weather-related deaths, transportation accidents, or other eligible incidents.
- (2) On-site disposal by individuals in accordance with the following guidelines:
 - (a) On any given acre during a 12-month period, disposal is limited to no more than 7,000 pounds of any combination of horses, cattle, swine, turkeys, and/or chickens.
 - (b) Animals must be buried within 48 hours (unless a longer time-frame is authorized by KDHE) and covered with a minimum of three feet of soil. The addition of quick or slaked lime is recommended to control odors and discourage scavenging.
- (3) On-site disposal by confined animal feeding operations that have been issued a KDHE Bureau of Water permit provided the burial practices given above for individuals are followed. If the facility exceeds the animal quantities given in (2)(a), the facility operator must technically demonstrate that there will be no impact to groundwater, surface water, or air quality to remain exempt from permitting.
- (4) Pet cemeteries disposing of only dogs, cats, and other small animals.

- (5) Non-commercial burial of five or fewer animals of any kind brought from an off-site location.

This policy shall remain in effect until it is revoked or is rendered obsolete by future amendments to the solid waste laws or regulations.

A handwritten signature in black ink that reads "William L. Bider". The signature is written in a cursive, flowing style.

William L. Bider
Director, Bureau of Waste Management

January 11, 2011