**Section 237.120 Exemptions**

The following activities are not in violation of Section 9(c) of the Act (Ill. Rev. Stat. 1981, ch. 111½, par. 1009(c)) or of this Part unless they cause air pollution as defined in the Act. Nothing in this Section shall exempt such activities from applicable local restrictions.

a) The open burning of agricultural waste, but only:

1) On the premises on which such waste is generated; and

2) In areas other than restricted areas; and

3) When atmospheric conditions will readily dissipate contaminants; and

4) If such burning does not create a visibility hazard on roadways, railroad tracks or air fields; and

5) More than 305 meters (1,000 feet) from residential or other populated areas; and

6) When it can be affirmatively demonstrated that no economically reasonable alternative method of disposal is available.

b) The open burning of domicile waste, but only:

1) On the premises on which such waste is generated; and

2) In areas other than restricted areas; and

3) When atmospheric conditions will readily dissipate contaminants; and

4) If such burning does not create a visibility hazard on roadways, railroad tracks or air fields.

c) The open burning of landscape waste, but only:

1) On the premises on which such waste is generated; and

2) When atmospheric conditions will readily dissipate contaminants; and

3) If such burning does not create a visibility hazard on roadways, railroad tracks or air fields; and

4) In those areas of the State which are not in the following prohibited areas:

A) Municipalities having a population in excess of 2,500 according to the latest federal census.

B) Municipalities of any size which adjoin a municipality having a population in excess of 2,500.

C) All municipalities wholly within 40 air miles (64.5 kilometers) of Meigs Field, Chicago, Illinois.

D) All municipalities wholly within 20 air miles (32.3 kilometers) of McKinley Bridge connecting St. Louis, Missouri and Venice, Illinois.

E) Rural areas 305 meters (1,000 feet) or less from a municipality in which open burning of landscape waste is prohibited.

d) The setting of fires to combat or limit existing fires, when reasonably necessary in the judgement of the responsible government official.

e) The burning of fuels for legitimate campfire, recreational and cooking purposes, or in domestic fireplaces, in areas where such burning is consistent with other laws, provided that no garbage shall be burned in such cases.

f) The burning of waste gases, provided that in the case of refineries all such flares shall be equipped with smokeless tips or comparable devices to reduce pollution.

g) Small open flames for heating tar, for welding, acetylene torches, highway safety flares and the like.