

## CHAPTER EIGHT - ILLEGAL METHODS OF DISPOSAL

### **Illegal Dumps:**

Personal, illegal dumps persist in many of the isolated parts of rural America. They are often holdovers from past public habits of siting convenient open dumps which today continue unchecked and unabated since they were started possibly decades in the past. Since the 1970s when open dumps and open burning of solid waste became illegal in Oregon, the composition of solid waste has changed so that it is no longer just unsightly and offensive. Solid waste today is likely to contain disease vectors and toxic or hazardous materials that, when deposited into the environment, create potentially significant groundwater, soil and air pollution issues.

Personal dumps are likely to consist of household waste, dumped and burned in a nearby low area or illegally dumped materials that are large and bulky items such as tires, construction debris, old appliances, mattresses, furniture and other items which are typically difficult to dispose of.

### **Regulatory Requirements**

ORS 459.205 states: Except as provided by ORS 459.215, a disposal site shall not be established, operated, or maintained without a permit issued by the Department of Environmental Quality. Disposal sites, by nature or volume of solid waste therein are likely to create a public nuisance, health hazard, air or water pollution or other serious problem and are therefore regulated by the Department of Environmental Quality to diminish the adverse consequences of unmanaged disposal sites.

### **Illegal Dumps in Morrow County**

There are numerous locations along Morrow County's roads and on private properties where anonymous dumpers have deposited. Open burning rules are outlined in OAR 340-264-0010 through 0190. State policy on open burning is aimed to eliminate open burning disposal practices where alternative

old furniture, appliances and other debris too large or difficult to easily dispose of. The County would benefit from a dedicated, funded clean-up program to help eliminate illegal dumping sites along the County's roads and on public and private properties where it cannot be easily established regarding who originated and/or contributed to the illegal dump site. People who manage personal dumps of household waste and other large waste items such as tires, appliances and other debris tend to be unaware of the consequences of maintaining and/or burning them. As each year passes the dumps may get larger and even more of a hazard. The Department of Environmental Quality provides informational literature and fact sheets concerning personal dumps and open burning.

### **Recommendation:**

See below

### **Burning:**

Open burning of household garbage and non-vegetation refuse is not only a public nuisance but also a threat to public health and the environment due to the emission of toxic substances. The US Environmental Protection Agency has determined that such open burning today constitutes the largest source of dioxins released to the environment in the United States, far exceeding the emissions from commercial waste incinerators. Dioxins are carcinogenic substances that persist in the environment and can be taken up in the food chain. Not only can nearby residents be exposed through smoke inhalation, but dioxin that falls out on crops is absorbed by plants and animals and ultimately by human consumers of those products.

### **Regulatory Requirements**

disposal methods are feasible and practicable and to regulate specified types of open burning. Generally, open burning is prohibited when it creates a nuisance or a

hazard to public safety or emits dense smoke or noxious odors. Open burning is prohibited when meteorological or air quality conditions warrant it. Solid waste is prohibited from open burning pursuant to OAR 340-093-0050.

Specific rules for Morrow County included in 340-264-0010, are as follows:

- a. Industrial open burning is prohibited, except as provided in OAR 340-264-0180.
- b. Agricultural open burning is allowed pursuant to ORS 468A.020 and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- c. Commercial open burning is allowed subject to OAR 340-264-0050, 0060, 0070, and the requirements and prohibitions of local jurisdictions and the State Fire Marshal.
- d. Domestic open burning is allowed subject to the requirements and prohibitions of local jurisdictions, the State Fire Marshal, and OAR-340-0050, 0060 and 0070.
- e. Slash burning on forest land within open burning control areas not regulated by the Department of Forestry under the Smoke Management Plan is prohibited, except as provided in OAR 340-264-0180.

Exempt from the State Requirements in OAR 340-0050 and 0060 are:

- a. Recreational fires and ceremonial fires, for which a fire is appropriate;
- b. The operation of any barbecue equipment;
- c. Fires set or permitted by any public agency in the performance of its official duty;
- d. Fires set for the purpose of disposal of dry tumbleweed

- e. plants that have been broken off and rolled about by the wind;
- f. Agricultural burning for disease or pest control when the fire is set or authorized in writing by the Department of Agriculture; and
- Open burning of carcasses of animals that have died or been destroyed because of an animal disease emergency. The burning is to be conducted by an authorized representative of the Oregon Department of Agriculture.

### **Recommendations - Burning and Illegal Dumps**

1. Provide the Citizens of Morrow County information in the form of brochures and flyers to be distributed in such a manner as to be effective for helping educate citizens about closure and/or removal requirements for their personal dumps.
2. Pursue the establishment of regular collection events for bulky items with sponsorship by Finley Buttes Landfill and the local, franchised solid waste collectors.
3. The County should assume responsibility for the cleanup of solid waste from anonymous dumpers along roadsides, with funds dedicated for that purpose. Additionally, the County should have cleanup support from Finley Buttes Landfill and the franchised collectors.
4. Enlist the participation of the cities and local rural fire protection districts to help inform residents about the requirements for open burning permits.
5. Enforcement of illegal dumping and open burning regulations should be referred to the County Code

Enforcement program and/or to the  
Department of Environmental  
Quality.