

July 26, 2010

~~~THE PROPOSAL~~~

...It would be my goal that The Dalles City Council pass a resolution effective no later than October 1, 2010 to ban back yard burning in The Dalles Urban Growth Area.
[Exhibit A]

~~~ THE REASON ~~~

...concerns for my health and the health of my family, my neighbors and the citizens of The Dalles.

~~~ THE ALTERNATIVES~~~

...are already in place and can be easily accessed by citizens of The Dalles.

Fall is my favorite time of year and I love to have my doors and windows open. So, there is a great deal of frustration on my part when I see my neighbor approach an ever-increasing yard debris pile with a blowtorch. It's legal – he has a burn permit – I've called the fire department to check. But like second-hand cigarette smoke, the smoke from the yard debris burn doesn't stay in my neighbor's yard. For several years I have fussed and fumed about the backyard burning that takes place in The Dalles, especially during the early spring and late fall months. And that's all I did – fuss and fume (no pun intended).

~~~ THE BIG STINK~~~

I was amazed at the citizen complaints that appeared in the Chronicle, and were taken by City Commissioners, when a pond at the Oregon Cherry Growers went septic in June 2007. Quoting the Chronicle (June 10, 2007) *"The odor problem from The Dalles Cherry Growers has assumed biblical proportions in the minds of many local residents."* ... *"Most of the 25 residents who were on hand for the [Monday night City Council] meeting..."* *"Mayor Van Cleave said, "I've had more complaints on this than anything in the 12 years I've been on city council and mayor...."* [Exhibit B]

Yes, it was a very smelly situation for the east end of The Dalles. So I wondered why there wasn't the same number of citizen complaints regarding backyard burning. Backyard burning has many of the same characteristics of the septic pond only more so

- it smells
- it permeates homes through doors, windows and heat pumps
- it makes being outside next to impossible
- it could affect the sale-ability of property
- of greatest consequence, it affects people's health

So why the big stink about the septic pond and not backyard burning? It was easy to complain about a business being responsible for the stinky situation. It wasn't personal. The backyard burning issue is personal. It involves one's neighbor...the family one lives next door to 24/7. Any type of confrontation is difficult. It's easier to sometimes close the window, shut the door, go for a ride and hope the fire is out by the time one gets back home.

~~~TO YOUR HEALTH~~~

Thus began my quest to find out about backyard burning. Across the nation, backyard burning (both barrel and yard debris) has been addressed for years, and is banned in cities and counties, small and large, as well as statewide in at least seven states. Historically, waste to be burned was made up of simple things like wood, paper and organically produced food waste. However, modern science has changed this and most of what goes into our waste is made up of chemicals, plastics and solvents. Burning 'modern' waste in open barrels, and yard debris at low temperatures, produces toxic fumes and can have long-term health affects, not unlike second-hand cigarette smoke. In a nutshell, the combustion from backyard burning pollutes the air with dioxins, particulates, carbon

monoxide, nitrogen, and sulfur oxides. The particulates can be carcinogenic and the other substances can irritate the eyes and lungs and stress the cardiovascular system. Currently, the uncontrolled burning of residential waste is thought to be the largest source of dioxins (think Agent Orange) to the environment in the U.S. The attached [Exhibit C] is from the FDA and EPA websites that list the pollutants emitted from backyard burning and their specific health effects.

~ LOCAL AIR QUALITY HISTORY ~

In January of 2006 an Air Quality Task Force was convened with the goal and objective *"To improve the air quality of Wasco County through local interventions to ensure the optimal health of its citizens."* There must have been some deep concern at that time about the air quality and health of citizens for the task force to be formed in the first place, and for representatives from the following organizations to participate:

Jennifer Vines MD OHSU acting as facilitator
Wasco Sherman Health Department Director (4 representatives)
DEQ (3)
Concerned citizen (4)
Mel's Sanitary Service
US Department of Forestry
Mid Columbia Medical Center
Maupin Stoves-N-Spas
The Dalles Chronicle
City of the Dalles
The Dalles City Council
Mid Columbia Fire and Rescue

The task force completed its work in early 2007 with hopes of having volunteers continue the process, as there was no funding for staff time or resources. Without a commitment by one of the agencies involved to keep the task force suggestions moving forward, only meeting minutes remain. A summary of the task force project appeared in The Chronicle in June 2006. [Exhibit D]

~~~DEQ ~~

According to the Oregon Administrative Rules (340264-0020) "In order to restore and maintain the quality of the air resources of the state in a condition as free from air pollution as is practicable, consistent with the overall public welfare of the state, it is the policy of the Environmental Quality Commission: (1) To eliminate open burning disposal practices where alternative disposal methods are feasible and practicable; (2) To encourage the development of alternative disposal methods." Rule 340-264-0060 states "(3) No person may cause or allow to be initiated or maintained any open burning of any wet garbage, plastic, asbestos, wire insulation, automobile part, asphalt, petroleum product, petroleum treated material, rubber produce, animal remains, or animal or vegetable matter resulting from the handling, preparation, cooking, or service of food or

of any other material which normally emits dense smoke or noxious odors.” A Google search of petroleum products, brings up lists of thousands items used every day. Items from these lists are more than likely being burned today. During a meeting with Fire Chief, Bob Palmer, he indicated that it is likely at least half the contents of today’s burn barrels are material that should not be burned.

While DEQ is interested in the air quality of the entire State of Oregon, in December 2008 DEQ had concerns about the air quality in The Dalles in particular, and forwarded a letter to all City officials with their concerns. They do not have a response on record. [Exhibit E]

**~ RECYCLING ~**

**~An available alternative~**

The Tri County Hazardous Waste and Recycling Program has done an incredible job of educating the public about managing waste. In The Dalles they have partnered with The Dalles Disposal Service to educate the public about recycling. They have educated through brochures, newsletters, mailers, and newspaper ads. The Dalles Disposal has made curbside recycling easy – collecting everything from newspapers to plastic bottles and tubs, to glass and cardboard. The transfer station is open six days a week to collect recyclable matter. There are free collection dates for recycling hazardous materials such as oil-based paints; pesticides; household cleansers and chemicals, antifreeze and old gas, batteries, fluorescent bulbs, thermometers. Computer towers, laptops, monitors and TV’s can be e-cycled for free. Perhaps the Recycling Program could assist with paper shredding service for confidential paper during the hazardous waste collection events. [Exhibit F]

**~ YARD DEBRIS ~**

**~An available alternative~**

Is there an alternative for yard debris? The Dalles Disposal offers yard debris roll-bins for curbside pickup throughout the year for a monthly fee. There are two months (one in the spring and one in the fall) when yard debris can be taken to the transfer station for free. There are other alternatives as well. Grasscycling. Just remove the bag from the lawn mower and leave the clippings. They are a natural organic fertilizer. Mulching can save water and inhibit weeds and releases nutrients as it decomposes. Home composting ordinary yard debris and kitchen waste can produce a superior soil conditioner that can be added to garden soil to help water absorption and minimizes the need for chemical fertilizers. Racking leaves into the street is **not** an alternative. A November 2009 Chronicle front-page article from Public Works reminded citizens “*leaves should either be composted or bagged for disposal.*” City ordinance 93-1175 Section 13 provides enforcement and penalties for dumping leaves in the street.

**"COMPOSTING NATURE'S WAY" ~ kitchen waste  
~Another available alternative~**

Earth Machine compost bins [[www.earthmachine.com](http://www.earthmachine.com)] are available from The Dalles Disposal for \$35. According to the EPA the average American throws away 1.3 pounds of food scraps daily; 475 pounds per year. Food waste (and yard trimmings) comprises 24% of the US Municipal solid waste stream. When food waste goes to landfills, the end product is methane, one of the most harmful greenhouse gases. On average, residents who compost at home can divert a minimum of 650 pounds per year from the solid waste stream. [[www.epa.gov/wastes/conservation/materials/organics/food/fd-gener.htm](http://www.epa.gov/wastes/conservation/materials/organics/food/fd-gener.htm)]

**~~~THE DALLES DISPOSAL~~~  
~~~THE 4B PROGRAM - BURN BARREL BUY BACK~~~  
~~~FREE YARD DEBRIS BAGS~~~**

I have had an initial discussion with The Dalles Disposal about incentives for citizens who would be impacted by a ban. Providing free yard debris bags, similar to the PUD's program to distribute free water-meter blankets, may make it easier for citizens to actually take their yard debris to the transfer station during the free drop-off months.

Adopting an incentive program ~ *4Bs-Program: Burn Barrel Buy Back*~ to stop burning household wastes by providing garbage pick up either free or at a discounted rate for a certain number of months for former burners who are willing to give up their burn barrels was also discussed and may be another option. With the City working together with The Dalles Disposal regarding a buy back program, it may make the program more attractive to current burners. [Exhibit G – Current TDD curbside information sheet]

**~2007-2009 WASCO COUNTY WATERSHED RECOVERY PLAN UPDATE  
REPORT~**

In 2007, Wasco County was significantly below its target level for waste recovery and recycling. As a result, a statutorily required review of its recycling service levels was required. In October 2007, the Tri County Hazardous Waste & Recycling Program Manager produced the 2007-2009 Wasco County Watershed Recovery Plan Update outlining barriers to increased yard debris recovery, which included "*The ideal solution would be to have a local commercial composting operation that could use our material.*" [Exhibit H]

**~ DIRT HUGGER LLC ~**

In May 2010 The Dalles Planning Commission approved a conditional use permit for a commercial compost facility ~ Dirt Hugger LLC ~ ([www.dirthugger.com](http://www.dirthugger.com)) ~ also see ~ <http://www.youtube.com/watch?v=Ti5uXILiCuM>) on part of the Mountain Fir Lumber Co. site at the Port. According to a recent Chronicle article, "*the feed stock for the composting process would be brought to the site from trucks from the local garbage collection company, although the plans could include some drop off of yard debris by the public.*" At the time of the drafting of this proposal documentation, the facility is not yet operational. They hope to have a permit in place by August 1, 2010.

~TRI COUNTY HAZARDOUS WASTE & RECYCLING PROGRAM  
ORGANICS MANAGEMENT STRATEGY~

The Tri County Hazardous Waste & Recycling Program hired Cascadia Consulting Group to prepare an assessment, and develop options, for organic material management in the Columbia Gorge region. One of the options for the near term included increasing curbside collection of residential curbside leaves and grass. With the implementation of a *4-B's Program*, and the real possibility of a local composting facility, this might help to meet a small portion of the Tri-County Hazardous Waste & Recycling Program's goal for managing local waste. [<http://tricountyrecycle.com/Documents/TriCountyOMS2010.pdf> ~ especially pages 4, 12, 26, 69-70 ~ Exhibit I]

~LETTERS TO THE EDITOR ~

In March 2010 I wrote a letter to the editor of the Chronicle to ask for comments on banning backyard burning. I received 12 responses. Of those responses, none were negative. One asked "*How will you draw the line between methed-out hillbillies burning Styrofoam and me doing all-wood style BBQ?*" I responded that recreational BBQ's were not affected by the ban and suggested that he invite his neighbors! There was one letter to the editor following mine suggesting that there be a ban to banning back yard burning. After speaking with the writer, his real question was, "What do I do with all the pine needles?" I have been personally approached by at least a dozen people saying they support a ban on backyard burning.

~EXEMPTIONS~

Industrial, commercial, construction waste, demolition waste, and slash burns are regulated by DEQ and are not part of this request. [OAR 340-264-0100] [Exhibit J]

Recreational fires, including cooking fires, and backyard bar-b-ques are not part this request. Recreational fires are discussed in the Mid-Columbia Fire & Rescuc Resolution No. 2008-16. [Exhibit K]

Fireplaces/wood-burning stoves are not part of this request. While fireplaces and wood-burning stoves create unhealthy air quality particularly during the winter months, it appears that the State of Oregon is considering statewide action. Beginning August 1, 2010 the State will require any uncertified woodstove to be removed prior to a home being sold. There are already financial incentives in place for homeowners to switch from uncertified woodstoves. [Exhibit L]

~CITIZEN NOTIFICATION~

Tri County Hazardous Waste & Recycling has indicated, that in the event a burn ban resolution is passed by the City, they will report about the ban in their semi-annual newsletter, which goes to all postal patrons in the City of The Dalles.

### ~FINANCIAL IMPACT~

According to Mid-Columbia Fire & Rescue about 750 burn permits are issued during a burn season. A breakdown between commercial, industrial, agricultural and domestic burn permit requests was not available. It would not seem out of line to assume there might be fewer than three hundred backyard burn permits issued. Of those, a large percentage may be for burning of just yard debris. The smaller percentage of those seeking permits for burn barrels would appear to be easily absorbed into regular neighborhood garbage and recycling pickups without a significant impact to The Dalles Disposal. There may be some impact with the yard debris, in the event that the proposed compost facility does not begin operation before October 2010.

The minimal \$5 burn permit fee that Mid-Columbia Fire & Rescue charges covers the administrative cost of issuing the permits. If permits were not issued there would be nothing to administer so technically there would be no significant or substantial revenue loss.

### ~FEES AND FINES~

Mid-Columbia Fire and Rescue handles fire calls in The Dalles. They currently have a resolution in place (No. 2008-16), which provides for a reasonable Burn Permit and Cost Recovery Fee Schedule to reimburse the District for the costs incurred. Perhaps the Fee Schedule could be adjusted to include a first time warning and a ticket for a second call for backyard burning offences when MCFR makes a fire run. City Ordinances allow for up to a 1-year jail sentence, and up to \$6,250 in fines for ordinance refractions. Fines larger than the garbage collection service may dissuade those who continue to backyard burn. [Exhibit M]

There is a concern that current burn barrel individuals might switch to indoor stoves or fireplaces to burn "modern" waste. Part of the reporting of illegal burns should include fireplace smoke that emits odors or unusually dense smoke. Educating the public about the potential financial cost of indoor burns should be considered.

### ~ THE SUMMARY ~

Backyard burning is the most significant remaining source of dioxin, which is a serious health concern. Our individual choice to burn impacts one's health, the health of one's family and one's neighbors. It impacts the quality of life. As citizens, we *should* act responsibly and do the right thing. But sometimes we need a little nudge. On a given day, one or two burns pollute a whole neighborhood; five or six backyard burns pollute the whole city and affect hundreds of people. The May 7, 2010 fire run report, as reported in the Chronicle, stated "*Responded to burn complaint...Smoke was getting into neighbor's house.*" Smoke doesn't know to stay home. A new type of household discipline needs to be established ~ one of really reducing waste and recycling more. All the i's may not be dotted, and the t's might not all be crossed in my proposal, but it's time to move beyond the task forces and the studies. The alternatives are in place. There is no

reason not to move forward. In a March 2010 newspaper article, City Manager Nolan Young was quoted as writing, "The city council is also an elected body under a representative form of government. They have a much bigger responsibility not only to maintain and provide the services that the city specifically provides, but also to provide leadership and direction in the bigger picture of quality of life for the community, which includes all aspects of the community." I would encourage the city council to provide the leadership and direction necessary to resolve to ban back yard burning in The Dalles by October 1, 2010.

Thank you.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kathy Heitkemper".

Kathy Heitkemper, A concerned citizen

~ADDITIONAL WEBSITE INFORMATION~

<http://www.ci.the-dalles.or.us/newsite/node/70?q=node/39>  
City of The Dalles ~ General Ordinances (particularly chapters 4 & 5)

<http://www.ci.the-dalles.or.us/newsite/sites/default/files/imported/agendas/planning/commission/PDFs/Minutes050610.pdf>  
Conditional Use Permit – Dirt Huggers LLC

<http://www.deq.state.or.us/lab/aqm/stations/tdc21252.htm>  
Air quality monitor – Cherry Heights

[http://arcweb.sos.state.or.us/rules/OARs\\_300/OAR\\_340/340\\_264.html](http://arcweb.sos.state.or.us/rules/OARs_300/OAR_340/340_264.html)  
Oregon Administrative Rules that apply to Open Burning  
Construction & Demolition, commercial, industrial, and agricultural open burning.

<http://www.deq.state.or.us/aq/burning/woodstoves/heatSmart.htm>  
The August 2010 law that requires uncertified wood stoves to be removed from a home before being sold.

<http://www.epa.gov/osw/nonhaz/municipal/backyard/>  
EPA's backyard burning website

<http://www.deq.state.or.us/aq/burning/index.htm>  
Oregon DEQ Air Quality Site (Burning and Smoke)

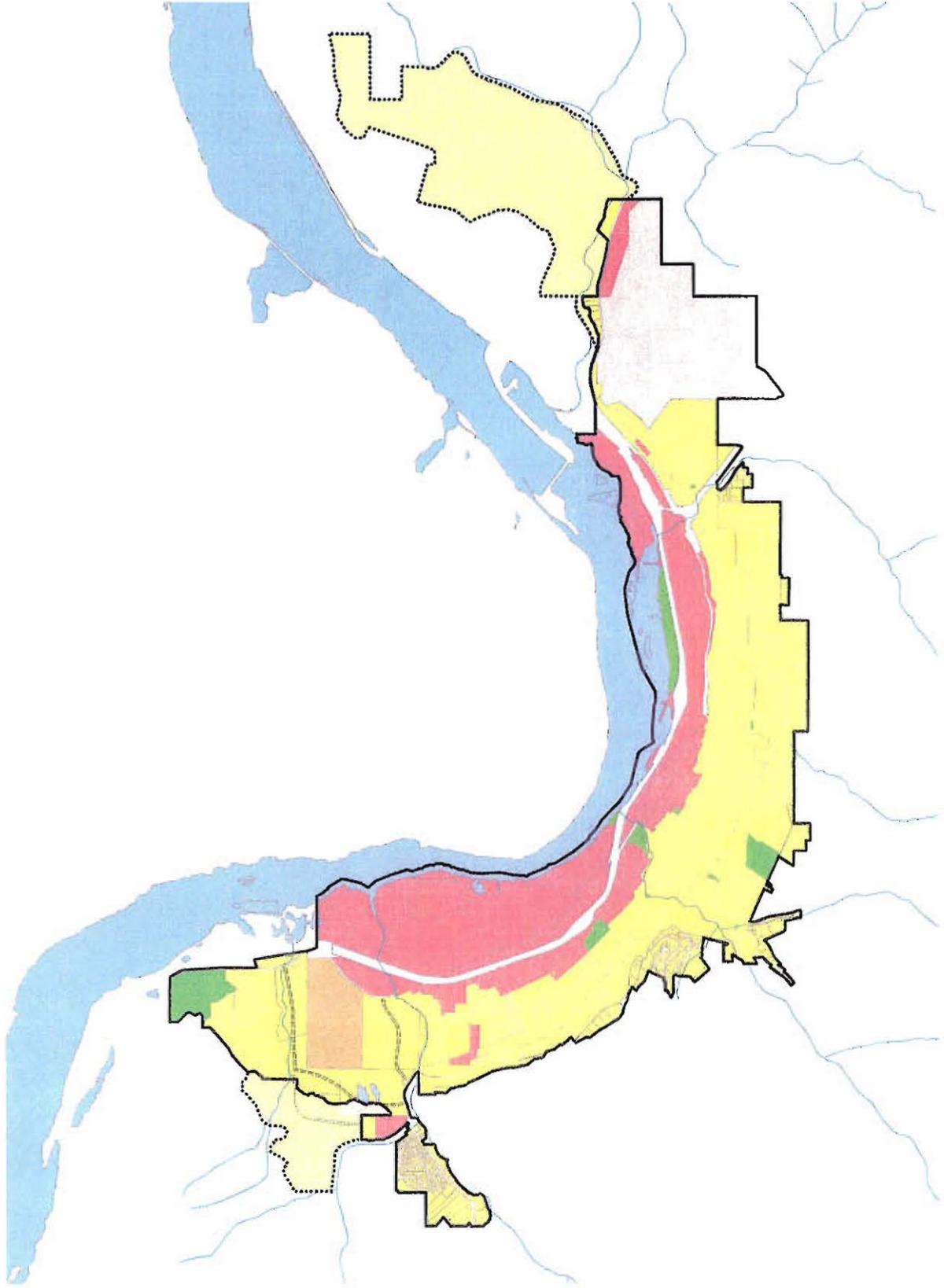
[www.mcfr.org](http://www.mcfr.org)  
Burning is allowed until June 15th following these guidelines: (in 2010 the date was July 1<sup>st</sup>)  
A permit is required and available at the Fire Station.

<http://landru.leg.state.or.us/ors/478.html>  
ORS Chapter 478 as referenced in MCFR Burn Permit information

[www.burnbarrel.org](http://www.burnbarrel.org)  
A project by the American Environmental Health Studies Project. Various links to national burn barrel issues.

<http://www.pca.state.mn.us/index.php/living-green/living-green-citizen/reduce-reuse-recycle/don-t-burn-garbage/the-4bs-program-burn-barrel-buy-back.html>  
4-B's Program – Burn Barrel Buy Back Program

**EXHIBIT A**



MAP 6 - Proposed Urban Growth Boundary Expansion

July 10, 2007

## EXHIBIT B

### Odor travails continue at city

*Cherry Growers' neighbors says something's got to give*

By RODGER NICHOLS  
*of The Chronicle*

The odor problem from The Dalles Cherry Growers has assumed biblical proportions in the minds of many local residents. Monday night's city council meeting was sprinkled with references to the "40 days" since the problem began June 1.

"I can't apologize enough for what has happened," Cherry Growers CEO Ed Johnson told the council. "There is nobody in this room who wants to have it gone more than we do."

Most of the 25 residents who were on hand for the meeting felt apologies and plans weren't enough.

"I haven't been able to go outside all summer," said Doug Leash, who lives near the top of Brewery Grade.

"I have been holding my tongue for 40 days," said Mary Merrill, who lives on 10th Street. "This problem is starting to have direct economic effect. I work for the Small Business Development Center, and I talk to lot of people from outside, who are looking to invest here. If this goes on much longer, I'm going to have to be honest about the smells."

Councilor Jim Wilcox, who is a real estate broker, said people who live on the east side of town have not been able to sell their houses because of the odor.

"You've effectively taken those houses off the market," he said.

Cherry Growers representatives told the council that, as of last Friday, about 780,000 gallons of sludge had been removed from the No. 3 pond, which has the problem.

The first disposal site has reached its capacity, and DEQ has approved a second site, near Pine Hollow, which will allow surface application rather than injection, a quicker process. But the site is farther from The Dalles, which will result in fewer trips per day.

The company said it expected to be able to haul about 50,000 gallons a day.

Other key points brought up at the meeting:

Cherry Growers officials have a tentative date for the pond to restart its normal activity: the week of June 23. But, CEO Johnson said, "I do want to caution the council, it's going to smell when it starts back up. We will be publishing that information in advance, but you should know that will be there."

The city will require the attendance of consultants at the next council meeting on June 23 to respond to technical questions, such as whether a plastic cover on the pond would be helpful, whether the ponds could be enclosed, or whether pure oxygen would be helpful.

The plant has been exploring the possibility of putting up signs so that people passing by will know those are not sewage treatment plants.

Mayor Robb Van Cleave did get an answer to his question, "Why can't you drain the whole pond?"

Johnson said his consultants advised against it. The last time it had been tried, in 1979, it made the situation worse.

"We can't drain it fast enough," he said. "Our consultants say if we do that, it would make the odor we've had so far look like nothing."

Long-term, the company is exploring a number of alternatives, he said, including micro-diffusers that would introduce air at the bottom of the pond, a larger belt press to remove the sludge and squeeze out the water, or perhaps an anaerobic digester, with the possibility of recovering energy from the system.

Van Cleave acknowledged "the considerable amount of money" the Cherry Growers have invested in solving the problem.

"But," he said, "I've had more complaints on this than anything in the 12 years I've been on city council and mayor. There's a lot of pressure to start fining the Cherry Growers. People are just plain damn mad."

## What are the health effects of pollutants emitted from backyard burning?

Backyard burning can emit pollutants such as hazardous air pollutants (HAPs), particle pollution, and volatile organic compounds (VOC). These pollutants can contribute to health problems that may affect homeowners, their families, their neighbors, and the community. While state, local, and Tribal regulations limit the amount of backyard burning, dangerous releases of HAPs can occur if a homeowner does not comply with these regulations. Burning trash produces many pollutants, including:

- Dioxins
  - Dioxins are released when items containing even trace amounts of chlorine are burned. One burn barrel can produce as much or more than a full-scale municipal waste combustor burning 200 tons a day (EPA).
  - Dioxins are persistent, bioaccumulative toxins (PBTs). They remain in the environment for extended periods of time and increase in concentration as they move up the food chain.
  - Dioxins enter the food chain by settling out of the air into water and onto vegetation. Since most backyard burning occurs in rural areas, dioxins are consumed by cattle and other animals that are eaten as food.
  - Dioxins can cause immune system suppression, disruption of hormonal systems, and cancer.
  - The EPA has developed an extensive Web site related to [dioxins](#).
  - The Wisconsin Department of Natural Resources (WDNR) has more information on the [health effects of dioxin](#). [EXIT Disclaimer]
  - The CARB has developed a [fact sheet on dioxins \(PDF\)](#). (1 pg., 86 KB) [EXIT Disclaimer]
- Particle pollution, also known as particulate matter
  - Particle pollution is released during trash or leaf burning as small bits of ash.
  - Particle pollution can lodge deep in the lungs and cause respiratory problems, cardiac arrhythmia (heartbeat irregularities), and heart attacks
  - Particle pollution can also impact the young, the elderly, and people with existing conditions such as emphysema, bronchitis, and asthma.
  - Particle pollution can also contain other harmful pollutants such as heavy metals.
  - EPA has developed an extensive Web site related to [particle pollution](#).
  - The Iowa Department of Natural Resources (IDNR) has developed information related to [particle pollution](#). [EXIT Disclaimer]
- Polycyclic Aromatic Hydrocarbons (PAHs)
  - PAHs are found in materials that do not combust completely.
  - Some PAHs can cause cancer.
- VOC
  - VOC is released during backyard burning of both leaves and trash.
  - The chemicals in VOC can form ground-level ozone which can cause breathing difficulties, especially with those who are young, elderly, or have existing respiratory problems such as asthma.
  - EPA has an extensive Web site devoted to [ground-level ozone](#).
- Formaldehyde
  - Formaldehyde is released when pressed wood products, paints, coatings, siding, urea-formaldehyde foam, and fiberglass insulation are burned.
  - Exposure to formaldehyde can result in watery eyes, a burning sensation in the eyes and throat, nausea, difficulty in breathing (i.e., coughing, chest tightness, wheezing), and skin rashes.
  - Prolonged exposure to formaldehyde may cause cancer.
  - EPA's Health Effect Notebook further describes the health effects related to exposure to [formaldehyde](#).
- Hexachlorobenzene (HCB)
  - HCB is produced during the burning of trash and is a highly persistent toxin that degrades slowly in the air. Therefore, it can travel long distances in the atmosphere.
  - HCB bioaccumulates in fish, marine animals, birds, lichens, and animals that feed on fish and lichens.
  - Based on animal studies, long-term, low-level exposures to HCB can damage a

- developing fetus, lead to kidney and liver damage, and cause fatigue and skin irritation.
- HCB is a probable human carcinogen.
- The EPA's Health Effects Notebook has more information on the health effects of HCB.
- Hydrochloric acid
  - Hydrochloric acid is produced when products containing polyvinyl chloride (PVC) are burned.
  - Hydrochloric acid can cause dermatitis, skin burns, rhinitis, laryngitis, tracheitis, hoarseness, choking, bronchitis, pulmonary edema, cough, nausea, vomiting, abdominal pain, diarrhea, dehydration, convulsions, chills, shock, lethargy, stupor, permanent visual damage, and circulatory collapse which may lead to death.
  - The EPA's Health Effects Notebook has more information on the health effects of hydrochloric acid.
- Carbon monoxide
  - Carbon monoxide is produced when leaves are burned and not completely combusted.
  - Carbon monoxide can react with sunlight to create ground-level ozone.
  - Carbon monoxide is absorbed into the bloodstream. It combines with red blood cells and reduces the amount of oxygen the red blood cells can absorb and supply to body tissues.
  - Unborn children, newborn infants, smokers, the elderly, and persons with heart and chronic lung disease are more susceptible to carbon monoxide exposure than the general population.
  - The EPA has developed an extensive Web site on the health effects of carbon monoxide.
- Benzo(a)pyrene
  - Benzo(a)pyrene is emitted when leaves are burned.
  - Benzo(a)pyrene can cause cancer.
- The ash left over from trash burning may also cause health hazards if buried or scattered in a yard or garden.
  - Heavy metals are often found in the inks of printed materials.
  - People can be exposed to heavy metals from ash because plants may take up these metals as they grow in a garden, or these heavy metals may contaminate ground or surface water.
  - Children are especially susceptible to heavy metals because they play in the dirt and put their unwashed hands in their mouths.
  - The ash may contain heavy metals such as:
    - Cadmium
      - Cadmium can cause lung damage and kidney disease.
      - The EPA's Health Effects Notebook has more information on the health effects of cadmium and its compounds.
    - Arsenic
      - Chronic oral exposure to arsenic can cause gastrointestinal problems, anemia, kidney and liver disease, and different types of cancers.
      - The EPA's Health Effects Notebook has more information on the health effects of arsenic and its compounds.
    - Mercury
      - Exposure to mercury can result in nervous system and kidney damage as well as developmental damage.
      - The EPA's Health Effects Notebook has more information on the health effects of mercury.
    - Chromium
      - Chromium can impact the respiratory system and may cause some types of cancer.
      - The EPA's Health Effects Notebook has more information on the health effects of chromium.

[http://www.epa.gov/air/community/details/barrelburn\\_add1\\_info.html#activity2](http://www.epa.gov/air/community/details/barrelburn_add1_info.html#activity2)

## EXHIBIT C

### 1. G8. What are the major sources of dioxins?

The amounts of dioxin released from various sources have changed significantly over time. Historically, medical and municipal waste incineration, manufacture and use of certain herbicides, and chlorine bleaching of pulp and paper resulted in the major releases of dioxins to air and water. Government regulatory actions along with voluntary industry actions have resulted in dramatic reductions in each of these sources, and they are no longer major contributors of dioxins to the environment in the United States. While the United States has taken action to control this type of emission, some of these sources of dioxin may occur elsewhere in the world. Currently, the uncontrolled burning of residential waste is thought to be the largest source of dioxins to the environment in the United States. Some evidence suggests that forest fires may also be a source.

<http://www.fda.gov/Food/FoodSafety/FoodContaminantsAdulteration/ChemicalContaminants/DioxinsPCBs/ucm077524.htm#g8>

June 22, 2006

**Task Force Offers Pollution Strategies**

*Jennifer Vines; Md The Chronicle*

Wasco County commissioned an Air Quality Task Force last fall to work in conjunction with the local Department of Environmental Quality (DEQ) to examine air quality in The Dalles and the rest of Wasco county. The Wasco-Sherman Health Department convened a group of approximately 15 local citizens including representatives from south county, the fire department, the Forest Service, Mid Columbia Medical Center, DEQ, small business owners, and several concerned citizens.

The focus of the group is on 2.5 micron particulate matter, an air pollutant of less than one tenth the size of a human hair that can penetrate deep into the lung and cause damage to the respiratory system. A major source of these air particulates around The Dalles is the open burning of wood and other substances. The level of particulates tends to be especially high in the fall when temperatures and air currents trap cold air near the ground preventing air exchange and causing a buildup of these particles.

Those most susceptible to the effects of these small particulates include children, pregnant women and people with lung or heart diseases such as asthma, emphysema or heart disease.

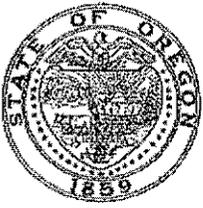
The Task Force is working closely with DEQ and public health officials to examine the levels of particulates, which are measured periodically at a monitoring station located at Cherry Heights. The group has found that levels for The Dalles are within the regulatory standards set by the U.S. Environmental Protection Agency (EPA), yet as poor air quality has been shown to adversely affect health in large studies in urban settings, physicians on the Task Force examined hospital data to see if emergency room visits for breathing complaints could be related to high levels of air pollution. While the analysis was suggestive of an association between poor air quality and respiratory illness, it remains difficult to draw conclusions about this relationship because many people may not have severe enough symptoms to warrant an emergency room visit, and other everyday exposures such as indoor tobacco smoke and viruses can also cause respiratory problems.

The Task Force has approved the following strategies to keep small particulate levels in the area as low as possible as there is no safe lower threshold for particulate level with respect to health, and maintaining low levels of air pollutants permits more flexibility for local industrial growth and development,:

- Creation of a woodstove and open burning advisory for safe days to burn between Oct. 1 and March 31.
- Public education through print media, radio, printed flyers and health fairs about how and when to burn safely and cleanly.

Future interventions may include recycling program improvements and various incentives to decrease the amount and certain types of materials that Wasco County residents burn. Citizens are also encouraged to exchange their uncertified wood stoves for a more efficient certified stove to reduce small particulate pollution.

For details regarding proper burning of wood and other materials, visit the DEQ web site (<http://www.deq.state.or.us/aq/burning/index.HTM>) or call 1-800 452-4011. The Air Quality Task Force will continue to meet periodically to oversee the development and implementation of these interventions. The Health Department would like to extend its sincere thanks to the members of the Task Force for their time and attention in addressing this important matter.



# Oregon

Theodore Keltonoski, Governor

Department of Environmental Quality  
Eastern Region Bend Office  
475 NE Bellevue, Suite 110  
Bend, OR 97701  
(541) 388-6146  
FAX (541) 388-8283

December 18, 2008

Noland Young  
City Manager  
City of The Dalles  
313 Court Street  
The Dalles, OR 97058

Re: **Open Burning in The Dalles Area**  
Wasco County

Dear Respected Official,

This fall there were a few weeks the air quality in your area was very poor due to air inversions and stagnant air conditions. The number of air quality complaints resulting from the open burning practices in that area has risen considerably. I have enclosed the three most recent complaints for your information. Maybe you should consider establishing a voluntary burn advisory where green days are generally allowable for burning, yellow days request no open burning and red days request no open burning and refrain from using wood stoves and fireplaces if they have alternative methods of heating such as electricity or natural gas.

As the State of Oregon's environmental agency, it is the Department's responsibility to encourage the reduction of adverse environmental impacts to communities in Oregon. A couple years ago, the County Public Health sponsored an Air Quality Task Force in The Dalles area. An advisory was developed and there was public education regarding wood stoves and open burning. We would hope that something like this could be reinstated. Not only does open burning degrade the livability of our communities, it damages our health, our crops our property and our environment. Many health conditions can be caused by inhaling or ingesting even small amounts of pollutants from open burning; especially vulnerable are small children, the elderly, or people with preexisting respiratory conditions.

We believe the increased interest in air quality in The Dalles area is a result of the public having a better understanding of the adverse health effects resulting from breathing the smoke from open burning. Many communities are adopting ordinances that restrict open burning activity based on population growth and availability of other alternatives to open burning. Other communities have established burning advisories where green days generally allow burning, while yellow days restrict burning and red days prohibit burning. These advisories are determined on the predicted forecast for the weather conditions in that area.

The Department would like to encourage you to look at one of these options for your community. We would be more than happy to work with you to develop a program that works for your community.

If I can be of further assistance, please call me at (541) 633-2016.

Sincerely,

Bonnie Hough  
Natural Resource Specialist  
Eastern Region Air Quality Division

Enclosures

Cc: Linda Hayes-Gorman, Air Quality Program, DEQ:Bend Office  
Larry Calkins, Air Quality Program, DEQ:Hermiston Office  
DEQ:The Dalles Office

# Reduce Waste + Recycle More

spring 2010

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## Why Should I Recycle?

*It's easy, it makes a difference, it matters, it creates jobs, it helps save the environment, it sets a good example, it makes you feel good about yourself. 😊*

**Save Money:** have less in your trash can— reduce your monthly service by switching to a 32 gallon “mini-can” (in The Dalles) or to on-call service as needed or combine with a neighbor

**Reuse and Conserve Resources:** recyclable materials can be used again rather than mining virgin raw materials, helps preserve land by reducing need to drill or dig for materials

**Help the Economy:** recycling creates far more jobs than just having everything go to landfills and incinerators. In Oregon, this is creating jobs such as a new plant in St. Helens to recycle plastic water bottles and a plastics-to-oil project in Brooks.

**Save Energy:** it takes less energy to make recycled products than from scratch (it takes 95% less energy to remake an aluminum can from existing material than to make new from bauxite ore)

**Reduce Greenhouse Gases:** reduce carbon emissions through reduced energy use via recycling, reduce methane gases by keeping organic material out of landfills by composting.

**Reduce Pollution:** in most cases making products from recycled materials creates less air and water pollution than making products from virgin materials.

**Save Landfill Space:** the more material that is recycled, reused, composted and otherwise diverted



Fall 2009 class of Master Recyclers

keeps the landfill in operation longer; it is very costly, complicated and land use intensive to site a new landfill.

### How can I encourage other folks to start recycling?

#### First, lead by example

You can't expect someone in your life to recycle if you don't. This is especially important for children, who are watching everything you do...good and bad. Show folks how you recycle, and make it part of your routine with them. For example, if you are co-hosting a party in the neighborhood, bring your curbside bin and offer to collect the pop cans and water bottles, and take them back to the grocery store for the deposit money. If you are staying in a motel with family, make sure they know where to place the complementary newspaper in the recycle container in the room. If you have a friend who is a new gardener, point out how they can reduce their garbage by diverting apple cores and potato peelings to a compost bin and make their own free soil amendment.

**Second, make it easy for them** Make sure they have recycling bins, a separate container for glass and a container for can/bottles with a deposit. Help them set everything up in a convenient place at home or on the job...Back porch? Pantry? Garage? Front office? Lunch room? Explain what can be recycled, and what stuff just goes into the trash. Make sure they have a brochure or flyer with a list of what to recycle, and where it goes—whether they need to haul it to a near-by depot or what the curbside schedule is.

**Third, praise their efforts!** Be positive and helpful, make them feel good about the small steps. Maybe they will start by collecting their pop cans and water bottles, rather than tossing them into the trash. Maybe they will focus on recycling all the computer paper generated at the office. A pat on the back works wonders to help people make positive changes in their lives like recycling.



# Where can I recycle?

Combined (mixed) recyclables can be taken to:

- **The Dalles Disposal Service**  
1317 W 1st St, The Dalles  
541-298-5149 • Mon-Sat 9am-5pm
- **Hood River Garbage Service**  
3440 Guignard Drive, Hood River  
541-386-2272 • Mon-Sat 9am-5pm
- **Mel's Sanitary Service Inc.**  
Transfer Station  
57590 Yew Drive, Tygh Valley  
541-483-2500 • Mon-Fri 8am-2pm

## "24-7" Self-Service Recycling Depots

Maupin  
Odell  
Mt. Hood

Sherman County recycling depots:

- Grass Valley (Mon & Tues 1-3 pm)
- Moro (2nd Fri & Sat 9 am-4:30 pm)
- Wasco (3rd Fri & Sat 9am-4:30pm)
- Rufus (4th Fri & Sat 9am-4:30 pm)

Separated (sorted by type) recyclables can be taken to:

### A&P Recycling

280 Webber Street, The Dalles  
Mon-Fri 10-6, Sat 8-2.  
Closed Sunday & holidays

**Dufur Lions Recycling Depot**  
Dufur City Park  
Saturday mornings

Newspapers can be taken to:

Lions Club trailers at Safeway  
and Rosauers parking lots  
Hood River

Mid-Columbia Special Olympics bins  
by Hollywood Video, Albertsons  
and The Dalles Middle School  
The Dalles

St. Peter's Pack 398 bin at  
St. Mary's Academy, The Dalles

Bottles and cans with a deposit:

Hood River LEO Club Recycling Program  
First Saturday of each month, 9am-1pm  
Rosauers parking lot, Hood River



# Save Money & Waste Less

## BE A SMART AND THRIFTY SHOPPER

- Avoid buying what you don't need... make a list and stick to it
- Buy only what you need...in the amount that you need...why waste your money?
- Choose products with minimal packaging to reduce waste
- Avoid packages made of several layers of different materials that can't be separated
- Avoid individually packaged single-serving products to save money and have less trash
- Buy products as concentrate, economy size, or in bulk
- Look for handmade and locally grown products with less packaging
- Can you make it yourself rather than buying "ready-made" in a package?

## BRING..AND USE...YOUR OWN

- Paper or plastic? Neither! Carry your own reusable shopping bag (holds more, breaks less)
- Tote your own refillable travel coffee mug and water bottle
- Use long-lasting durable goods, not disposable...cloth napkins and dishtowels, washable sponges and rags, cloth diapers, rags for cleaning, rechargeable batteries, washable utensils, reusable food containers, reusable coffee filters or tea infusers, dryer balls (instead of softener sheets)

## PUT A LID ON TRASH

- Recycle everything you can...newspapers, magazines, junk mail, office paper, shredded paper, paper bags, "grayboard" boxes like cereal or tissue, cardboard tubes, milk cartons and juice boxes, plastic bottles and tubs, aluminum and tin cans, clean foil...plus "on-the-side" make sure to recycle glass jars

and bottles plus corrugated cardboard

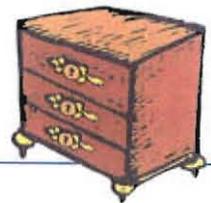
- Compost kitchen food waste, garden trimmings and yard debris
- Sell, give away or donate goods instead of throwing them out
- Choose on-line banking and bill-paying, request electronic newsletters instead of printed copies

## "PLAY IT AGAIN, SAM"

- Choose products that come in refillable containers, can you reuse that glass jar for storage?
- Purchase recycled content products—look for recycled content on the label
- "Use it up...wear it out...make it do...do without" (use what you already have)
- Wring every last bit of usefulness out of most everything you own
- Take of, maintain and repair what you have, rather than replace
- Borrow, rent, or share items used infrequently
- Shop at secondhand and thrift stores as well as through local classified ads

Just Say  
**NO**  
to Junk Mail!

Contact  
Direct Marketing Assn  
[www.dmchoice.org](http://www.dmchoice.org)  
**STOP CATALOGS**  
[www.catalogchoice.org](http://www.catalogchoice.org)



## FREE Hazardous Waste Collections

### HOUSEHOLDS AND BUSINESSES:

**Hood River Garbage** • 3rd Friday of each month • 9am-2pm  
March 19, April 16, May 14, June 18, July 16, August 20, Sept 17,  
Oct 15, Nov 19, Dec 17

**The Dalles Disposal** • 3rd Saturday of each month • 9am-2pm  
March 20, April 17, May 15, June 19, July 17, August 21, Sept 18,  
Oct 16, Nov 20, Dec 18

**PRE-REGISTRATION** required for businesses to get an appointment, call our contractor  
**PSC Environmental Services LLC** at 1-800-547-2436.

### RURAL EVENTS FOR HOUSEHOLDS ONLY:

|             |                    |          |                                 |
|-------------|--------------------|----------|---------------------------------|
| Parkdale    | Saturday, April 3  | 10am-2pm | Fire District, 4895 Baseline Dr |
| Maupin      | Saturday, April 24 | 10am-2pm | Public Works, 390 Third St      |
| Dufur       | Saturday, May 22   | 10am-2pm | City Park                       |
| Moro        | Saturday, May 8    | 1pm-3pm  | Road Dept, 4th & Hood St        |
| Tygh Valley | Saturday, June 26  | 10am-2pm | Mel's Sanitary Service Inc      |

### AGRICULTURAL COLLECTION EVENT:

|      |                 |           |                          |
|------|-----------------|-----------|--------------------------|
| Moro | Saturday, May 8 | 10am-12pm | Road Dept, 4th & Hood St |
|------|-----------------|-----------|--------------------------|

**PRE-REGISTER** for the ag event with our contractor by calling 1-800-547-2436.

## TONS OF ELECTRONICS RECYCLED!

### Good Job Folks!

2009 was the first year for Oregon E-Cycles, the new statewide recycling program for computer towers, laptops, monitors and TVs. The transfer stations above Biggs, at The Dalles Disposal and at Hood River Garbage served as official Oregon E-Cycles sites. Folks in Sherman, Wasco, and Hood River counties really took advantage of this new, FREE program to recycle those old dinosaurs lying around in closets, storage rooms, and garages.

The Dalles Disposal collected almost 52 tons (103,700 pounds) of computers, monitors, laptops and TVs; Hood River Garbage collected almost 50 tons (99,990 pounds). That's a total of over 100 tons of old electronics (the equivalent of 5 full semi-trucks!) that were kept OUT of the landfill and kept IN the recycling system.

All these old electronics were picked up by a recycling company called CRT Processing and taken to their facility in Clackamas for proper recycling. According to their company website, this company is "committed to responsi-

ble and ethical recycling of electronics, and waste is never shipped offshore." This was an important reason why CRT Processing was selected by the State of Oregon to participate in the Oregon E-Cycles program.

Now that folks are used to the free, easy recycling of computer towers, laptops, monitors and TVs through the Oregon E-Cycles program, landfills are no longer allowed to accept these materials for disposal. So remember, RECYCLE ELECTRONICS at the transfer station above Biggs, The Dalles Disposal and Hood River Garbage: old computer towers, old monitors, old laptops and old TVs only.



Find out more by visiting  
[www.oregonecycles.org](http://www.oregonecycles.org)

## Got Bag?



### Make it a Habit and Grab it

Remember to bring your reusable shopping bags!

- Attach your grocery list to your bags
- Put bags on the front seat of the car so you remember them
- Keep a bag in your purse or at work for shopping errands
- Store extra bags in your backpack, bike or car so always handy

### CONGRATULATIONS

to the Hood River Valley Leo Club Recycling Project

In 2009, they collected \$2881 from sorting 57,624 deposit cans and bottles. They donate this money to many different organizations and programs in the community. So take your beverage containers with a deposit to the youthful and energetic Leos, they'll be waiting for you the first Saturday of every month at the Rosauers parking lot in Hood River. The Leo Club provides Leadership, Experience and Opportunity for young people and is sponsored by the Lions Club.

# Composting

Nature's Way  
to Reduce Waste  
+ Recycle More



**Earth Machine  
Compost Bins**

only \$35 • Available at:

**Hood River Garbage**  
3440 Guignard Dr., Hood River

**The Dalles Disposal**  
1317 W First St., The Dalles  
AND NOW...

**Mel's Sanitary Service**  
Transfer Station  
57590 Yew Dr., Tygh Valley

## Making Cents at A & P

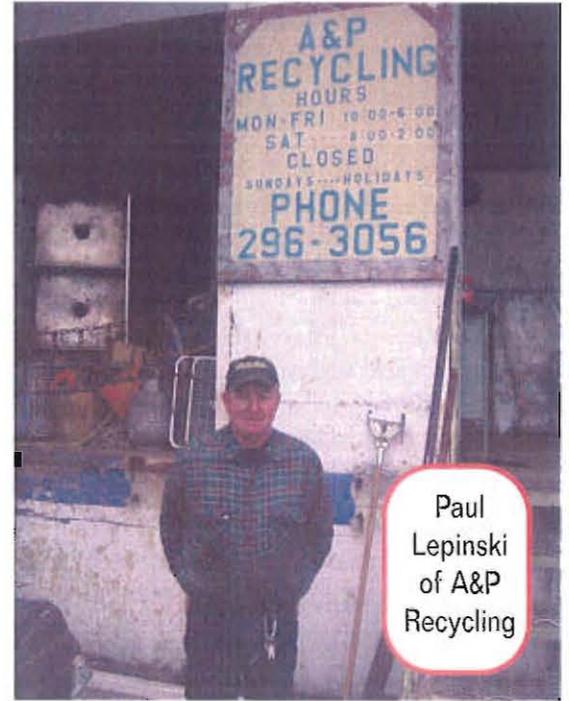
By Jodi TePoel, LINKS/AmeriCorp intern

**T**hirty-two years into being a major recycling staple in The Dalles, Paul Lepinski is still going strong. His passion for the earth and environment comes through in his baby blue eyes when you stop to say hello.

Paul is no stranger to the world of recycling. He began his career working for a local bottling facility. When the bottle bill came into effect, Paul's boss put him in charge of the returns. Finding his niche in 1978, Paul and friend Art Braun, opened their own privately owned recycling company. They aptly named it A&P Recycling (Art and Paul).

Today, Paul finds homes for the wide variety of recyclables that come through his door; some is purchased from customers and the remainder is dropped off. He estimates that 640 trees are saved each week by the 40 tons of cardboard they recycle. Newspaper is about 15 tons per month, which includes the white Special Olympics boxes you see around town.

Plastic film, also known as those pesky grocery sacks and shrink wrap, is about 3 tons per month. Paul figures that because of curbside recycling and the expanded bottle bill, their quantity of glass has gone down to about 40 tons a year.



Paul  
Lepinski  
of A&P  
Recycling

The two things he doesn't have a home for are Styrofoam and electronics. He'd really appreciate it if you'd make sure your containers are clean as well!

**A&P Recycling (541) 296-3056**  
Hours are Mon-Fri 10-6, Sat 8-2  
Closed Sundays and Holidays

reduce waste + recycle more



Printed on recycled paper

**Tri-County**   
Hazardous Waste & Recycling Program

419 E. Seventh St., The Dalles OR 97058

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# MARK YOUR CALENDAR



## FREE! Hazardous Waste Collections in 2010



Illustration Source: Metro, Portland, Oregon 2008



## NOW ACCEPTING LATEX PAINT

A new statewide paint recycling program is here!



### For businesses\* and households (3rd Friday-Saturday of each month)

|                             |            |          |         |                     |
|-----------------------------|------------|----------|---------|---------------------|
| Hood River Garbage Service  | July 16    | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | July 17    | Saturday | 9am-2pm | 1317 W First St     |
| Hood River Garbage Service  | August 20  | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | August 21  | Saturday | 9am-2pm | 1317 W First St     |
| Hood River Garbage Service  | Sept 17    | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | Sept 18    | Saturday | 9am-2pm | 1317 W First St     |
| Hood River Garbage Service  | October 15 | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | October 16 | Saturday | 9am-2pm | 1317 W First St     |
| Hood River Garbage Service  | Nov 19     | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | Nov 20     | Saturday | 9am-2pm | 1317 W First St     |
| Hood River Garbage Service  | Dec 17     | Friday   | 9am-2pm | 3440 Guignard Drive |
| The Dalles Disposal Service | Dec 18     | Saturday | 9am-2pm | 1317 W First St     |

\*Businesses and Agricultural Producers – mandatory pre-registration is required to get an appointment. Please call PSC Environmental Services at 1-800-547-2436.

### For businesses\* and households (satellite events)

|               |              |          |          |                                |
|---------------|--------------|----------|----------|--------------------------------|
| Odell         | September 11 | Saturday | 10am-2pm | Mid-Valley Mkt, 3380 Odell Hwy |
| Cascade Locks | September 25 | Saturday | 10am-2pm | WW Plant, 105 Herman Cr Ln     |
| Tygh Valley   | October 9    | Saturday | 10am-2pm | Mel's Sanitary Service Inc     |
| Mosier        | October 23   | Saturday | 10pm-2pm | Mosier Community School        |

### For agricultural producers\* only

|            |             |           |          |                             |
|------------|-------------|-----------|----------|-----------------------------|
| Hood River | November 9  | Tuesday   | 10am-2pm | Hood River Garbage Service  |
| The Dalles | November 10 | Wednesday | 10am-2pm | The Dalles Disposal Service |

# Tri-County



Hazardous Waste & Recycling Program

Serving Wasco, Sherman and Hood River Counties

419 East 7th Street, The Dalles, OR 97058

Questions? Call the Tri-County program at 541-506-2636  
or visit [www.tricountyrecycle.com](http://www.tricountyrecycle.com)

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- Oil & latex paints
- Yard & garden products
- Household cleaners & chemicals
- Automotive fluids (**NOT** motor oil)
- Old gas & kerosene
- Pool & spa chemicals
- Hobby solvents & glues
- Propane bottles & tanks
- Lithium, ni-cad and rechargeable batteries (**NOT** alkaline or lead acid)
- Old ballasts, fluorescent tubes & CFL bulbs
- Thermostats & thermometers
- Fire extinguishers

Properly  
dispose of  
your leftover  
chemicals for  
**FREE**

LEARN about safer  
alternatives



**NOW ACCEPTING LATEX PAINT!**  
A new statewide paint recycling program is here!



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WASTE CONNECTIONS INC.  
*Connect with the Future*

## THE DALLES DISPOSAL

Thank you for allowing us to serve you!

Our goal is to provide you, our customer with the best possible service in a courteous, effective manner. Should you ever have any concerns or questions, please call one of our Customer Support representatives at

**541-298-5149.**

**Please follow these guidelines so that we may provide you with the best possible service:**

1. Have your items out by 6:00am.
2. Place 90 gallon roll cart or 32 gal can within 2 feet of the street or curb or an additional fee will apply.
3. Please identify the can with your address or house number on the front of the can or under the lid.
4. 32-gallon can is the maximum size allowed for can service.
5. Overweight cans/carts will not be serviced. Please be aware of the following weight limits:

| Can Size        | Weight Limit |
|-----------------|--------------|
| 20 Gallon Can   | 30 lbs       |
| 32 Gallon Can   | 65 lbs       |
| 90 Gal Rollcart | 125 lbs      |

Please make sure lids are completely shut and that the waste is level full. Overfilled cans, rollcarts or containers will be assessed an extra fee at the approved rate fee.

6. **No Hazardous wastes or sharps.** Please call office for information regarding proper disposal alternatives for these items.
7. All diapers and animal excrement must be bagged.
8. Vacation credit is given if you are gone for four weeks or more. Please call before leaving to let us know. Credits will not be given without advance notice.
9. Extra bags, boxes, or cans are charged at approved rate fee.
10. Recyclable materials may be placed in paper bags or boxes until recycle bins arrive. Recycle bins remain the property of The Dalles Disposal, and are to be returned when a customer moves or are not in use.
11. If your service has been missed, please call immediately. Credit is not given due to being missed or due to weather conditions. Extra's are taken at no charge at next regular scheduled pick-up.
12. Notification of address change, service change, or termination of service is the responsibility of the customer. Charges will continue to accrue unless we are notified of a change.
13. No rocks, dirt, sod, loose ashes, combustible material, or liquid waste, please.
14. Bagging your trash prevents items from blowing during collection and keeps your neighborhood clean. Tightly secure loose and dusty materials in bags such as ashes, kitty litter, sawdust, animal waste, and packing "peanuts" before placing it in the garbage can.
15. You may pre-pay for 11 months and receive the 12<sup>th</sup> month free.
16. There will be a \$28.28 handling charge on all non-sufficient funds checks.
17. All payments are due by the 15<sup>th</sup> of the month and delinquent by the 20<sup>th</sup> of the month in which you are billed. Late fees, (1.5% of balance due—minimum of \$1.00), service suspension, and a delinquency fee may be assessed.

Our office and transfer station is located at 1317 W. 1<sup>st</sup> Street – The Dalles, Or. 97058

Our office hours are Monday – Friday 9:00am-5:00pm.

Transfer Station hours are Monday – Saturday 9:00am – 5:00pm.

**Wasco County Wasteshed Recovery Plan Update**

**2007—2009**

**(Excerpted Version—relating only to yard debris)**

Submitted by  
Pat Bozanich  
Tri-County Hazardous Waste & Recycling Program Manager  
October 18, 2007

## **Barriers to Increased Yard Debris Recovery**

### ***Rural backyard burning***

Most rural customers who do not hire out their gardening services burn their yard debris. This is an on-site solution that does not require a truck or out-of-pocket expense. Increased lot sizes often mean that rural yard waste has more woody waste and less grass waste than urban debris. This results in larger volumes and less weight than urban waste which means higher transportation costs per ton.

### ***Disposal fees***

At TDD transfer station yard debris receives a \$5.33 discount over trash for a level pickup load (up to 3 cubic yards), but the cost is still \$16.80 load. This fee serves as a disincentive for those who can burn their debris.

### ***Perceived curbside participation penalty***

Although there is weekly, curbside, yard debris pick-up in The Dalles, it is on a subscription-only basis and involves an additional monthly fee. No curbside yard debris collection is available in the rest of the county.

### ***Hauled to Metro region***

Yard debris is not composted in the local area. It is hauled to the Metro region for processing. This is an expensive and inefficient system.

### ***Lack of collection and storage space***

The Dalles Disposal transfer station has limited space for collecting yard debris, as does the Northern Wasco Landfill.

### ***Tub grinders expensive to own and maintain***

Pre-chipping debris before hauling to Metro region would decrease transportation costs, but would require additional space and capital investment.

## **Yard Debris Recovery Strategies**

### ***Backyard burning***

Many urban jurisdictions have banned backyard burning: some as a way to address air pollution problems, others to encourage yard debris recycling programs. Banning backyard burning in a rural area is a much more complex issue. It would not be prudent to institute a burn ban unless feasible, low-cost alternatives were already in place.

### ***Perceived curbside participation penalty***

Only 6% of The Dalles residents participate in the curbside yard debris program. This means two things. It is an expensive and inefficient program to operate, and it is not diverting much material from the waste stream.

Many jurisdictions provide curbside yard debris recycling to all residents and build the program cost into the rate base. Participation in these programs is higher than in subscription-based programs because citizens do not perceive that there is a

participation penalty and they tend to feel that since they are paying for it, they should use it. More participants mean more cost-effective service (better truck and driver utilization) and more diversion from the waste stream.

***Disposal fees***

***Material hauled to Metro region***

***Lack of collection and storage space***

***Tub grinders are expensive to own and maintain***

***Metro area composting programs may be reaching capacity***

Hood River Garbage accepts household yard debris for free on Wednesdays. They have a much higher yard debris recycling rate than TDD. However, the debris is hauled to the Metro area for composting and increased fuel prices are threatening the continuation of that program. The drive from Wasco County is even longer. A free yard debris day at The Dalles Disposal would increase the amount of material received, but would not deal with a lack of storage space or the ability to grind material to increase transport efficiency. The same constraints presently apply to absorbing significant increases in The Dalles curbside program.

The ideal solution would be to have a local, commercial composting operation that could use our material. We briefly explored the option of starting a composting operation, but quickly ran into issues involving siting, cost, and expertise.

***Possible yard debris recovery solutions***

Increasing the number of home composters would decrease the waste stream without putting additional stress on the present yard debris infrastructure. The OSU Master Gardener Program started and helps staff the Hood River compost demonstration site. Wasco County also has an active Master Gardener Program. The Master Recycler/Composter Program may also produce compost enthusiasts who will help with such an educational effort.

As noted earlier, rural yard debris tends to include more limbs and less grass than urban programs. Some method of helping residents chip woody waste would improve the opportunity to home compost.

Establishing a composting demonstration site in northern Wasco County, and improving home composting education in the county presently look like the most cost-effective methods for handling yard debris waste. Increasing participation in The Dalles curbside yard debris program by switching from a subscription-based program and spreading costs over the rate base might prove to be a good choice in 2009 if we are still short of our goal. A decrease in fuel prices or the establishment of a local commercial composting operation would make this option more appealing. We should do what we can to encourage the development of a local commercial composting facility.

TDD currently offers free yard debris drop-off during the month of April and during one week in October—both of which are prime yard debris generation periods. These opportunities are not well publicized. Increasing promotion of these opportunities

could substantially improve participation, but as noted earlier, there are physical constraints at TDD that argue for moving with some caution in this direction.

## **Yard Debris Waste**

### ***Improve home composting education effort***

Partner with Master Gardeners and others to develop a home composting demonstration site.

Create brochures and other educational resources.

Investigate a roving chipper program to help encourage home composting. Master Gardeners and Master Recyclers could help with education efforts, demonstration site development and classes. Materials for site development could be donated by local businesses.

### ***Encourage the development of regional commercial composting facility***

Get listed on the County Needs and Issues Inventory list(s)

No rate impact

## Recommendations

Based on the priorities identified through the evaluation process and results of the evaluation, Cascadia recommends refining an organics management strategy based on the top three scenarios that can be implemented in stages.

In the **near term**, the system should be **moderately sized, easy to implement, low-cost, and low-risk**. Elements to set up immediately include the following:

- Enhancing **mobile chipping** of woody yard debris and commercial scrap wood in rural areas.
- Supporting **centralized grinding** of woody yard debris and scrap wood for mulch or boiler fuel.
- Fostering **home composting**.
- Increasing **curbside collection of residential curbside leaves and grass** by franchised haulers.
- Encouraging **private haulers and large commercial generators** to communicate with each other to make their own arrangements to handle organic materials for beneficial use.

In the **medium term**, the Tri-County area could **expand the system** through the following efforts:

- Maximizing the **diversion of yard trimmings**.
- Piloting a **commercial vegetative food scraps collection** program.
- Developing a **local composting and grinding facility**.
- Securing a **long-term agreement** with out-of-area composting facility.
- Modifying **franchise and collection agreements** to expand organics collection.

In the **longer term**, the Tri-County area could build a **comprehensive organics management system**:

- Developing infrastructure to **collect and process all types of residential and commercial organics**, including yard trimmings, scrap wood, food scraps of all types, and soiled paper.
- Potentially expanding the system to address organics outside the municipal solid waste stream, such as **forestry slash and agricultural residues**.

As a follow-up the January 2010 stakeholders' meeting, **creating a local working group of stakeholders** will help the region identify and advance local solutions that begin to capture the opportunities associated with improved management of organics. The group should clarify shared goals, identify challenges and solutions, and recommend strategies to the Tri-County program's Steering Committee.

In January 2010, the Tri-County program issued a **Request for Expression of Interest** regarding organics management activities in the region, including current or potential producers, processors, haulers, product sellers, and product users. The Program will evaluate those responses and may follow up with stakeholders as part of the decision-making process on moving forward with a selected strategy. A stepwise approach will enable the region to begin with lower-cost, low-risk, smaller-scale solutions first and expand the materials and quantities handled over time, building on the initial successes.

Table 4 presents the three most prevalent compostable materials in each waste sector. Collecting food waste from the residential and commercial waste sectors has the potential to divert up to approximately 4,700 tons of material.<sup>5</sup>

Table 4. Hood River County, Top 3 Compostable Materials from MSW by Waste Sector (tons)

| Waste Sector | Food         | Leaves and Grass | Compostable Paper | Clean Wood   | Total |
|--------------|--------------|------------------|-------------------|--------------|-------|
| Residential  | 1,300        | 500              | 300               |              | 2,100 |
| Commercial   | 3,400        |                  | 1,900             | 600          | 5,900 |
| Self-haul    |              | 500              | 400               | 500          | 1,400 |
| <b>Total</b> | <b>4,700</b> | <b>1,100</b>     | <b>2,500</b>      | <b>1,100</b> |       |

Detailed waste composition results for Hood River County can be found in *Appendix B*, Tables 11 through 13.

### Wasco County

Wasco County has a larger population but is more densely populated than Hood River County. Agriculture, in the form of cherry orchards, wheat farms, and cattle farms, is one of the key industries in Wasco County. As in Hood River County, these farms are both a source of organic materials as well as a potential market for value-added materials made from organics, such as soil amendments.

As with Hood River County, compostable materials compose approximately 40% of Wasco County's residential sector waste (see Figure 5, Figure 6, and Figure 7). Commercial sector waste contained the highest percentage of compostable material, an estimated 45%. The largest portions of the compostable material fractions for both residential and commercial waste were food waste at 23% and 24%, respectively. Green yard waste made up a significant portion of the residential compostable fraction (10%), while compostable paper accounted for about 13% of the commercial waste sector.

Almost one-half of waste from Wasco's self-haul sector was composed of C&D waste, while the compostable materials fraction made up about 23%. Green yard waste and clean wood accounted for approximately 8% and 7%, respectively, of the self-haul waste sector.

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<sup>5</sup> Data regarding the ratio of total food waste that is pre-consumer and that is post-consumer were not available.

Table 14. Organic Materials Collection Options in the Tri-County Area

| Collector                                              | Jurisdiction                    | Residential                                                                                                                                                                                                                                                                      | Commercial                                                                                                                                      | Notes                                                                                                                                                                                                                                                               |
|--------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Hood River Garbage Service (Waste Connections)</b>  | Hood River County               | <b>Drop-off only.</b> Yard trimmings drop-off is offered for free to residential customers on Wednesdays. On other days, residential customers can drop off yard trimmings for \$10.25 per cubic yard.                                                                           | <b>Drop-off only.</b> Yard trimmings drop-off is offered to non-residential customers for \$10.25 per cubic yard.                               | Hood River Garbage Service hires D&Z Grinding to grind the material into mulch. Mulch is available for free if customers pick it up themselves or for a fee if the hauler delivers material in a drop box. The delivery fee is approximately \$120 per drop box.    |
| <b>The Dalles Disposal Service (Waste Connections)</b> | Wasco County and Sherman County | <b>Pick-up.</b> The Dalles Disposal offers residential weekly and biweekly yard trimmings collection for \$5 to \$8 per month.<br><br><b>Drop-off.</b> Yard trimmings drop-off is available for \$18.09 for the first 3 cubic yards, plus \$6.05 for each additional cubic yard. | <b>Drop-off only.</b> Yard trimmings drop-off is available for \$18.09 for the first 3 cubic yards, plus \$6.05 for each additional cubic yard. | Material is collected in a drop box or trailer that is hauled by a private carrier to a facility in Vancouver owned by Columbia Resource Company (Waste Connections).                                                                                               |
| <b>Mel's Sanitary Service Inc</b>                      | Southern Wasco County           | <b>None.</b>                                                                                                                                                                                                                                                                     | <b>None.</b>                                                                                                                                    | Does not offer any organics collection service.                                                                                                                                                                                                                     |
| <b>Gary Donovan (private collector)</b>                |                                 | <b>None.</b>                                                                                                                                                                                                                                                                     | <b>Pick-up.</b> Contracts with fruit packing facilities and others.                                                                             | Hauls cull fruit from the three major packing facilities for cattle feed. Hauls some organic materials (leaves, stems, paper, and fruit) to Portland area, where it is "cold-composted" for future use. Interested in lease property for local composting business. |



## 6. Community Meeting on Organics Management Options

On January 20, 2010, the Tri-County Hazardous Waste and Recycling Program (TCHWRP) held a community meeting at the Mosier Grange on how to address how to manage organics materials in the Columbia Gorge. Community participants included local residents, agricultural growers, businesses, and organics management professionals from within the Columbia Gorge and elsewhere. Cascadia Consulting Group and the TCHWRP provided information from an organics Inventory of the Columbia Gorge area, an assessment of the current organics management infrastructure, and interviews with local stakeholders and organics management professionals. Cascadia also presented potential organics management scenarios and the criteria used to score them. Stakeholders asked questions and provided comments during two discussion periods.

### Community Meeting Participants

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A total of 46 participants attended the Tri-County community meeting on organics management strategies. Attendees represented a broad array of stakeholder groups including the following:

- Current and potential organics processors.
- Waste management professionals.
- Farmers and orchard growers.
- Local businesses that generate food scraps and food processing residue.
- Local government officials who work on solid waste, health, economic development, and other issues.
- Members of the public.

Participants attended from Hood River County, Wasco County, Klickitat County, Skamania County, and western Washington.

### New Information and Opportunities

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A current organics processor reported that the Washington State Department of Natural Resources is supporting a pilot project Bingen, Washington, to produce renewable energy using woody biomass from forestry slash. According to WDNR, Parametrix plans to apply fast pyrolysis technology to convert forest biomass to liquid fuels and bio-char at the SDS Lumber plant. Its goal is to demonstrate the commercial viability of this conversion technology and its products. The pilot project is expected to be completed in 18 to 24 months, with a commercial facility starting operation within another 12 to 18 months. Along with SDS Lumber, the project partners include Renewable Oil International and Organix, Inc.

One local government representative noted that an organics management program could be implemented in stages. He suggested diverting source separated materials to a landfill with methane capture (as opposed to one without methane capture) as an interim step.

A firewood producer reported that he has several acres of log yard and is looking for help to manage the material. A local orchardist commented that most orchard trimmings may not currently be burned in open piles. She stated that most orchardists grind smaller pieces and use larger pieces as firewood.

A Natural Resources Conservation Service (NRCS) staff person from The Dalles mentioned a federal cost-share program that pays growers to chip rather than burn woody debris and suggested finding a way to leverage the funds more locally. The federal NRCS Conservation Stewardship Program essentially provides an “air quality payment” to farmers that adopt conservation practices, including avoiding on-site burning.<sup>17</sup> Except for large tree trunks and stumps, most woody materials are expected to be handled on-site, rather than diverted to a facility for processing.

A similar federal conservation program, the Environmental Quality Incentives Program (EQIP), currently offers a cost-share of about 50% for forestry slash treatment, or thinning. Under this program, the woody material can go to a local composting site, waste-to-energy facility, or other option, as long as open burning is avoided.<sup>18</sup> Additionally, the federal Biomass Crop Assistance Program (BCAP) would potentially match the EQIP cost-share for the costs of collecting the woody material that goes to “waste-to-energy” (but not to composting or elsewhere).<sup>19</sup> The combination of conservation payments from EQIP and BCAP could cover much of the collection costs for delivering forest slash to a waste-to-energy facility, which could include the SDS Lumber pilot project. Current and pending federal subsidies are creating incentives that favor handling larger woody materials at biomass waste-to-energy facilities, rather than composting operations.

At the state level, the Oregon Watershed Enhancement Board and other watershed programs have supported the development of on-farm manure composting facilities to address problem areas.

## Stakeholder Questions and Concerns

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### *Organics Collection and Transportation*

Two participants asked how well the current yard waste collection program is working. One participant asked whether residents would subscribe to curbside collection. A representative of Hood River Garbage Service and The Dalles Disposal reported that the quantities delivered to the Hood River Transfer Station for mulching are manageable and that between 5 and 20 percent of curbside solid waste customers in The Dalles are also subscribed to regular curbside yard waste collection.

One organics management scenario includes importing organic material to a local composting facility. Some participants expressed concerns about additional traffic on Interstate 84 (unless material is back-hauled on trucks already returning from eastern Oregon or Washington), about the costs and environmental footprint of trucking materials, and about spreading pests and diseases to local orchards. After a question on transport costs for back-hauling material, one participant suggested that trucking

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<sup>17</sup> Natural Resources Conservation Service, U.S. Department of Agriculture, “FY 2010 Conservation Stewardship Program,” <http://www.or.nrcs.usda.gov/programs/csp/index.html>.

<sup>18</sup> Natural Resources Conservation Service, U.S. Department of Agriculture, “Environmental Quality Incentives Program,” <http://www.nrcs.usda.gov/PROGRAMS/EQIP/>.

<sup>19</sup> Farm Service Agency, U.S. Department of Agriculture, “Biomass Crop Assistance Program,” <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ener&topic=bcap>.



## **Burning Regulations for Wasco County - The Dalles Open Burn Control Area**

**You need to apply for a permit with the Fire Department to burn the following types of material:**

- Industrial - Includes the burning of waste, including process waste, produced as the direct result of any manufacturing or industrial process.
- Commercial - Includes the burning of any waste like:
  - Waste material from offices, wholesale or retail yards and outlets, warehouses, restaurants, mobile home parks and dwellings containing more than four dwelling units, for example apartments, condominiums, hotels, motels or dormitories
  - Any material not otherwise covered under other the other waste classifications
- Construction Waste - Includes the burning of waste material generally used for, resulting from or produced by a building or construction project. This could include wood, lumber, paper, crating and packing materials processed for or used during cleanup of a construction site.
- Demolition Waste - Includes the burning of waste material resulting from or produced by the complete or partial destruction or tearing down of any man-made structure, or the clearing of any site for land improvement or cleanup. Land clearing waste is typically considered demolition waste except when it is included in the definitions of agricultural waste, yard debris or slash. Examples of land clearing waste include the removal of trees, brush, logs, stumps, debris or man-made structures for the purpose of site clean up or site preparation.
- Slash - Includes forest debris or woody vegetation to be burned that is related to the management of forestland used for growing and harvesting timber, not otherwise regulated by the Department of Forestry.

**You do not need a DEQ permit but must receive permission from your local Fire Department to burn the following types of material:**

- Domestic - Includes household waste material such as paper, cardboard, clothing, yard debris (wood, needle or leaf materials from trees, shrubs or plants) or other material generated in or around a dwelling of four-or-fewer family living units, or on the property immediately adjacent to the dwelling.
- Yard Debris - Includes wood, needle or leaf materials from trees, shrubs or plants from the real property immediately adjacent to a dwelling of not more than four family living units.

**Smoke from the burning of the materials listed below are especially hazardous to people's health and the environment. These materials can never be open burned:**

- Wet garbage
- Plastic
- Asbestos
- Wire insulation
- Automobile parts

- Asphalt
- Petroleum treated materials
- Painted wood and wood treated with creosote or pentachlorophenol
- Rubber products including tires
- Animal remains
- Animal or vegetable matter resulting from the handling, preparation, cooking or service of food
- Any other material that emits dense smoke or noxious odors

**The following requirements apply to any burning, when allowed:**

- You are responsible for any fire, smoke or odors created from open burning and for any damage that results from your fire.
- A responsible person must constantly attend any open burning.
- This person must be capable of and have the equipment to extinguish the fire.
- This person must also completely extinguish a fire before leaving it.
- The burning must be conducted between the hours of 7:30 AM and two hours before sunset.
- The fire cannot create a nuisance or a hazard to public safety.
- No burning can occur during a period when prohibited by the Department of Environmental Quality or the State Fire Marshal because of adverse fire safety, meteorological or air quality conditions.
- If you plan to move debris from one site to another and burn it you need a DEQ permit.

**Section 2 – General**

- A. Permits required: Permits required by this resolution shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. When required by ORS, a permit shall also be obtained from other enforcing agencies. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

Through mutual agreement the Oregon Department of Forestry will recognize all permits issued by Mid-Columbia Fire & Rescue to have the same force and effect and will honor all permits issued by the District as if they were ODF's.

**B. Types of permits**

1. Burn Permit. An annual permit required to conduct burning operations within the jurisdictional boundaries of Mid-Columbia Fire and Rescue.
2. Exceptions. A burn permit shall not be required for recreational and agricultural fires outside of the urban growth boundary.

- C. Inspections required: An inspection by a fire official shall be conducted prior to the ignition of any burn requiring a Variance Permit.

**Section 3 – Length of Permits**

All issued permits shall be valid from date issued until the following date of June 30<sup>th</sup>.

**Section 4 – Cost Recovery Fees**

- A. Burn Permit Fee: A cost recovery fee of \$5.00 shall be assessed to each permit.

- B. Negligent and Illegal Burns: Possession of a valid permit does not relieve a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury, constitutes prima-facie evidence that the burning was not safe.

If fire-fighting apparatus and/or personnel, are required to respond and be used actively or on a standby basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in willful violation of ORS 478.960 (1) to (5), the person responsible therefore shall be liable to the district furnishing such apparatus or personnel, or both, for the actual costs incurred by the district in controlling, extinguishing or patrolling the fire. Such costs shall be consistent with the Oregon State Mobilization Plan.

- C. Incidents resulting from violations of ORS 478.960 for controlling, extinguishing and/or patrolling said fire shall be billed in accordance with MCFR Board Policy, Chapter 7, Section 7.5.

- D. The Fire Chief or his designee is authorized to reduce and/or waive any cost recovery fees.

**Section 5 – Revoking of Permits**

Failure to comply with all rules and regulations listed on the permit, Oregon Fire Code, Oregon Revised Statutes and DEQ Rules are grounds for revoking a permit for a period up to one year from date of violation.

**Section 6 – ORS 478.990 Penalties**

- (1) Violation of any provision of ORS 478.930 is a Class D violation. Each day's refusal to remove fire hazards after notice by the inspecting officer to the owner of the premises where the hazard exists is a separate offense.
- (2) Burning without a permit required under ORS 478.960 (4) or in violation of a condition thereof is a misdemeanor.
- (3) Violation of ORS 478.960 (4) is a misdemeanor.

Subject to ORS 153.022 and 153.025, violation of any rule or regulation made by a rural fire protection district or other public body as defined in ORS 174.109 pursuant to ORS 478.300 (2) is a misdemeanor.

# Mid-Columbia Fire and Rescue

## Burn Permit

Nothing in this permit relieves a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury constitutes prima facie evidence that the burning was not safe. The Fire District shall not assume any responsibility for any damages caused thereby.

### General Burn Permit Regulations

1. No person shall burn waste materials or trash in an unguarded manner without a permit, when a permit is required by the district code or this chapter. (ORS 478.930)
2. All issued permits shall be valid from date issued until the following date of June 30<sup>th</sup>. (Resolution 2008-16)
3. All outdoor burning is prohibited during windy conditions. (ORS 478.960)
4. All outdoor burning shall be extinguished by 11:00 A.M., May 15<sup>th</sup> through October 15<sup>th</sup> and at dusk during all other open periods of the year. (ORS 478.960)
5. No waste matter shall be burned, under permit or otherwise, which shall, in burning, cause or create a dense smoke or offensive odor. **OREGON LAW PROHIBITS BURNING OF RUBBER PRODUCTS, TIRES, PLASTIC, WET GARBAGE, PETROLEUM AND PETROLEUM-TREATED MATERIALS, ASPHALT AND INDUSTRIAL WASTE.** (478.960; DEQ Regulations) The burning of many other common items including raw or untreated lumber, is prohibited in many locations and under a variety of circumstances. It is the responsibility of the permit holder to assure that all burning complies with state and local regulations.
6. The Fire Department may prohibit any and all open burning when atmospheric conditions or local circumstances make such fires hazardous. (ORS 478.960)

### Open Burn Regulations

1. Piles shall be limited to 3 feet in diameter and 4 feet in height.
2. All open fires shall be constantly attended by a competent person until each fire is extinguished.
3. Attendant shall have fire extinguishing equipment readily available. (ORS 478.960)
4. The following minimum clearances shall be maintained at all times:
  - a. 50 feet from any structure if over 3 feet in diameter;
  - b. 25 feet from any structure if under 3 feet in diameter;
  - c. 5 feet from any property line.

### Incinerator Regulations

1. The incinerator shall be of substantial non-combustible construction and shall be covered with a heavy-duty screen of not less than 14 gauge and having mesh not larger than 1/4 inch openings.
2. A responsible party shall be in attendance on the property at all times during incinerator operations.
3. Fire extinguishing equipment shall be readily available. (ORS 478.960)
4. The following minimum clearances shall be maintained at all times:
  - a. 15 feet from any structure;
  - b. 10 feet from all other combustibles;
  - c. 5 feet from any property line.
5. Incinerators and the equipment thereof shall be maintained in good condition and repair at all times.
6. No person shall so construct, erect, install, maintain or use any incinerator or barbecue pit, or so burn any combustible material as to constitute or occasion a fire hazard by the use or burning thereof as to endanger the life or property of any person thereby.

Signature \_\_\_\_\_

(Not Valid unless Signed)

Failure to follow the burning regulations shall be grounds to revoke the burning permit and/or assess any and all fees associated with such enforcement action(s). (ORS 478.960; Resolution 2008-16)



## Oregon Department of Environmental Quality

# EXHIBIT L

### **Oregon's Heat Smart Program – Required Removal of an Uncertified Woodstove Upon Home Sale**

The 2009 Oregon Legislature signed Senate Bill 102 into law requiring the removal of any uncertified woodstove from a home when it is sold. This bill is part of a program to help protect Oregonians from uncontrolled wood smoke. Residential wood burning is a significant source of air pollution, including fine particulate and air toxics.

Beginning August 1, 2010, if you are selling a home with an uncertified woodstove, you will be required to remove this device from the home.

Residents of Deschutes County, Jackson County, Klamath County, the town of Lakeview, and the cities of Bend and Medford currently have regulations that require homeowners to remove a non-certified solid fuel heating device when a home is sold. If you are a resident of these areas, please check with your local agency to determine what requirements apply to you.

- ▶ [Frequently Asked Questions about the Heat Smart program](#)

### **DEQ's Heat Smart Rulemaking**

DEQ will develop a proposed "heat smart" rule to be considered by the EQC. To help develop that rule, DEQ is working closely with an advisory committee of stakeholders to establish the removal notification requirements for homeowners and implement the program. Once a proposed rule is developed, DEQ will begin a formal and public rulemaking process to seek public comment on the proposed rules. DEQ's heat smart rule may be modified based on public comment. DEQ hopes to take its final proposed rule to the EQC for consideration in October 2010.

If you would like to be informed of these rules as they are being developed, please [click here](#).

### **Advisory Committee**

On April 8, 2010 DEQ convened an Advisory Committee to explore the practical effects and details to implement the uncertified woodstove removal upon home sale requirement statewide.

- ▶ [Advisory Committee Members](#)

### **April 8, 2010 meeting – Eugene DEQ office**

- ▶ [Agenda](#)
- ▶ **Agenda Item A:** Background on Oregon's Woodstove Program
- ▶ **Agenda Item B:** Notification and Disposal
- ▶ **Agenda Item C:** Education and Outreach

**MID-COLUMBIA FIRE & RESCUE  
RESOLUTION NO. 2008-16**

A Resolution Establishing Burn Permit,  
Fire Suppression and Standby Cost Recovery Fees

WHEREAS, ORS 478.410(4) authorizes a District to create fees for any services provided by the District; and

WHEREAS, Mid-Columbia Fire & Rescue has adopted Ordinance 2008-01, authorizing the District to create fees for services through the adoption of Resolution; and

WHEREAS, the Burn Permit, and Cost Recovery Fees established by this resolution have been evaluated by the Board of Directors and the Directors have reviewed the actual costs of providing these services; and

WHEREAS the Board of Directors has determined that the fees do not exceed the actual cost of providing these services; and

WHEREAS, the Board of Directors has determined that it is fair, reasonable, and appropriate to adopt a cost recovery mechanism to collect the costs of providing Burn Permits, and Recovery Costs for illegal burns, and the Board of Directors has determined that such fees will be limited to cost recovery only and will not be used to generate revenue for the District;

**THEREFORE, BE IT ORDAINED** that Mid-Columbia Fire & Rescue does hereby adopt Resolution 2008-16, which provides a reasonable Burn Permit and Cost Recovery Fee Schedule to reimburse the District for the costs incurred of this service.

**Reference:**

1. Oregon Revised Statutes (ORS), Chapter 478, Sections 910 through 965 "Fire Prevention Code; Fire Permits.
2. Oregon Fire Code (2007), Chapter 1, Section 105 "Permits".
3. Oregon Fire Code (2007), Chapter 2 "Definitions"
4. Oregon State Fire Marshal Mobilization Plan.
5. MCFR Board Policy Chapter 7, Section 7.5 "Billing for Recovering Fire Suppression Costs for Violation of ORS 478.960".

**Section 1 – Definitions**

- A. **Agricultural Burn:** The burning of any grass field, grain field, pasture, rangeland or other field by open burning or by use of mobile equipment or flaming equipment on any land or vegetation outside of the urban growth boundary and has direct necessity for the production of an agricultural product. The destruction of diseased and/or rotated fruit trees shall be classified as an agricultural burn for the purposes of this resolution.
- B. **Bonfire:** An outdoor fire utilized for ceremonial purposes.
- C. **Burn Pile:** Any pile of debris that only contains allowable material as outline in the Oregon Fire Code, ORS 478.960 and DEQ Regulations.

- D. **Illegal Burn:** Any open burning or incinerator use being conducted without a permit and/or failure to follow the required regulations as outlined in the general burning permit instructions.
- E. **Incinerator:** Any device of substantial non-combustible construction that is covered with a heavy duty screen of not less than 14 gauge or any similar device with a duct, stack, flue or chimney.
- F. **Open Burning:** The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys, necessary to provide combustion air and permit the escape of exhaust gas are open.
- G. **Recreational Fire:** An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

**Section 2 – General**

- A. **Permits required:** Permits required by this resolution shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. When required by ORS, a permit shall also be obtained from other enforcing agencies. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

Through mutual agreement the Oregon Department of Forestry will recognize all permits issued by Mid-Columbia Fire & Rescue to have the same force and effect and will honor all permits issued by the District as if they were ODF's.

- B. **Types of permits:**
  - 1. **Burn Permit.** An annual permit required to conduct burning operations within the jurisdictional boundaries of Mid-Columbia Fire and Rescue.
  - 2. **Exceptions.** A burn permit shall not be required for recreational and agricultural fires outside of the urban growth boundary.
- C. **Inspections required:** An inspection by a fire official shall be conducted prior to the ignition of any burn requiring a Variance Permit.

**Section 3 – Length of Permits**

All issued permits shall be valid from date issued until the following date of June 30<sup>th</sup>.

#### **Section 4 – Cost Recovery Fees**

- A. **Burn Permit Fee:** A cost recovery fee of \$5.00 shall be assessed to each permit.
- B. **Negligent and Illegal Burns:** Possession of a valid permit does not relieve a person starting a fire from responsibility for providing adequate protection to prevent injury or damage to the person or property of another. If such burning results in the escape of fire and injury or damage to the person or property of another, such escape and damage or injury, constitutes prima facie evidence that the burning was not safe.

If fire-fighting apparatus and/or personnel, are required to respond and be used actively or on a standby basis in connection with the extinguishment or control of a fire that has been started or allowed to spread in willful violation of ORS 478.960 (1) to (5), the person responsible therefore shall be liable to the district furnishing such apparatus or personnel, or both, for the actual costs incurred by the district in controlling, extinguishing or patrolling the fire. Such costs shall be consistent with the Oregon State Mobilization Plan.

- C. Incidents resulting from violations of ORS 478.960 for controlling, extinguishing and/or patrolling said fire shall be billed in accordance with MCFR Board Policy, Chapter 7, Section 7.5.
- D. The Fire Chief or his designee is authorized to reduce and/or waive any cost recovery fees.

#### **Section 5 – Revoking of Permits**

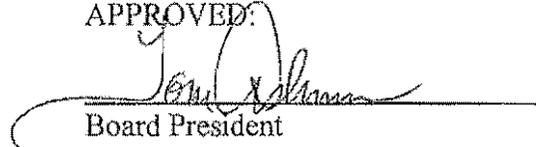
Failure to comply with all rules and regulations listed on the permit, Oregon Fire Code, Oregon Revised Statutes and DEQ Rules are grounds for revoking a permit for a period up to one year from date of violation.

#### **Section 6 – ORS 478.990 Penalties**

- (1) Violation of any provision of ORS 478.930 is a Class D violation. Each day's refusal to remove fire hazards after notice by the inspecting officer to the owner of the premises where the hazard exists is a separate offense.
- (2) Burning without a permit required under ORS 478.960 (1) or in violation of a condition thereof is a misdemeanor.
- (3) Violation of ORS 478.960 (4) is a misdemeanor.
- (4) Subject to ORS 153.022 and 153.025, violation of any rule or regulation made by a rural fire protection district or other public body, as defined in ORS 174.109, pursuant to ORS 478.300 (2) is a misdemeanor.

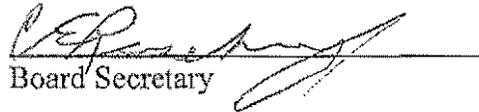
APPROVED AND ADOPTED by the Board of Directors this 15<sup>th</sup> Day of December 2008.

APPROVED:

  
Board President

Ayes: 5  
Nays: 0

ATTEST:

  
Board Secretary

Approved as to Form:

\_\_\_\_\_  
Thomas C. Peachey, OSB #78331  
Attorney for Mid-Columbia Fire and Rescue

Certification of Copy

I hereby certify that the foregoing ordinance is a true and correct copy of the original ordinance on file with Mid-Columbia Fire and Rescue.

  
Presiding Officer  
Board President  
Title

**MID-COLUMBIA FIRE AND RESCUE  
ORDINANCE NUMBER 2008-01  
ADOPTING FEES FOR COST RECOVERY**

An ordinance providing authorization for administrative cost recovery through resolutions, including but not limited to the provision of public records and reports, collection efforts, classes, permits and inspections, and plans review.

WHEREAS, Mid Columbia Fire & Rescue, a Rural Fire Protection District, hereinafter referred to as the District, incurs certain costs during the course of operation and in response to specific requests or as a direct result of citizen actions; and

WHEREAS, the District recognizes fulfillment of these requests cause the expenditure of labor and materials and the District believes that such costs should not be borne by all taxpayers of the District, but only by those requiring such services; and

WHEREAS, ORS 478.410(4) authorizes a District to create fees for any service provided by the District; and

WHEREAS, any fees established by this ordinance shall be evaluated by the District Directors and the Directors shall determine that they do not exceed the cost to the District of providing the services; and

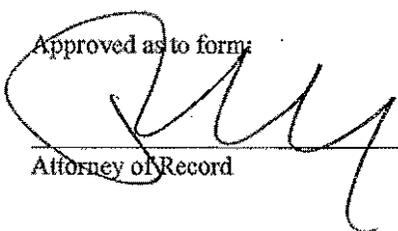
WHEREAS, the Board of Directors of Mid Columbia Fire & Rescue has determined it is reasonable and appropriate to adopt a cost recovery mechanism to collect the cost of providing those services;

THEREFORE, BE IT ORDAINED, that Mid Columbia Fire & Rescue does hereby adopt Ordinance 2008-01, which provides the authority to establish reasonable fees through the adoption of resolutions to reimburse the District for the costs incurred regarding various administrative services, including but not limited to the provision of public records and reports, collection efforts, classes, permits and inspections, and plan review.

Passed and enacted by the Board of Directors of Mid-Columbia Fire and Rescue this 21<sup>st</sup>  
of April, 2008 *R.P.S.*

  
\_\_\_\_\_  
President of the Board

Attest:   
\_\_\_\_\_  
Secretary of the Board of Directors

Approved as to form:  
  
\_\_\_\_\_  
Attorney of Record

- Date of First Reading March 17, 2008
- Target Date of Second Reading April 21, 2008
- May 21, 2008 (Thirty days after adoption)

## REVENUES AND FINANCES

(Generally)

**478.410 Power of district to levy taxes, borrow money, sell bonds and create fees.** (1) To provide funds for defraying expenses for the establishment, equipment and maintenance of the district, the district board may provide for a tax on the assessed value of all taxable property within the district.

(2) To carry into effect any of the powers granted to the district, the district, when authorized by a majority of the voters voting at an election called for that purpose, may borrow money and sell and dispose of general obligation bonds. The total outstanding general obligation bonds, together with liabilities outstanding incurred under rental or lease-purchase agreements authorized by subsection (3) of this section, may not exceed one and one-fourth percent (0.0125) of the real market value of all taxable property within the district, computed in accordance with ORS 308.207.

(3) The district board may enter into rental or lease-purchase agreements to rent, lease or acquire real or personal property, or both, required for fire-protection purposes. Except for agreements to rent, lease or acquire real property, an agreement may not run for more than 10 years or be subject to renewal. The aggregate principal obligations under the agreements, and under other like agreements, with outstanding bonded indebtedness, may not exceed the limitation imposed by subsection (2) of this section. ORS 294.305 to 294.555 do not affect or restrict the right of any district to enter into an agreement described in this subsection.

(4) Unless expressly prohibited by the documents creating the district, a district board may adopt an ordinance as provided under ORS 198.510 to 198.600 to create a fee for any service provided by the district. A fee created under authority of this section may not exceed the cost to the district of providing the service. The fee authority granted to a board by this subsection is in addition to any authority granted to a board under local law or by the documents creating the district. Notwithstanding ORS 198.600, the failure to pay a fee created under authority of this section is not a violation punishable under ORS 198.600. [Amended by 1959 c.520 §1; 1963 c.9 §30; 1967 c.235 §1; 1969 c.667 §26; 1975 c.467 §1; 1981 c.804 §108; 1983 c.192 §3; 1991 c.459 §418; 2005 c.620 §1]