

State of California
AIR RESOURCES BOARD

Resolution 74-3

February
~~January~~ 14, 1974

WHEREAS, Section 39296 of the Health and Safety Code prohibits use of open fires for the purpose of disposal of petroleum wastes, demolition debris, tires, tar, trees, wood waste, or other combustible or flammable solid or liquid waste; or for metal salvage or burning of automobile bodies after December 31, 1971;

WHEREAS, Section 39297.4 of the Health and Safety Code directs the Air Resources Board to permit a city, city and county, or county to use open outdoor fires for a limited time only, in its operation of a solid waste dump, upon the finding that because of sparse population in the geographical area and economic and technical difficulties, the solid waste dump should be so operated;

WHEREAS, Tuolumne and Siskiyou counties and the City of Sonora meet the foregoing criteria and have previously been granted time extensions;

WHEREAS, Tuolumne and Siskiyou counties and the City of Sonora are making progress in phasing out their open burning dumps;

WHEREAS, Tuolumne County and the City of Sonora have no adequate methods available other than open burning for the disposal of solid waste at the Jamestown and City of Sonora dump sites;

WHEREAS, Siskiyou County has no adequate methods available other than open burning for the disposal of solid waste at the Happy Camp and McCloud dump sites;

WHEREAS, Tuolumne and Siskiyou Counties and the City of Sonora have requested by resolution an additional time extension to use open fires for the purpose of disposal of solid waste at their dump sites; and

WHEREAS, Tuolumne and Siskiyou Counties and the City of Sonora have submitted Environmental Impact Statements or Negative Declarations in conjunction with a plan and timetable for phasing out open burning at their dump sites;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board grants four month extensions until July 1, 1974 to Tuolumne County for the Jamestown dump site, the City of Sonora for the city dump site and to Siskiyou County for the Happy Camp and McCloud dump sites;

BE IT FURTHER RESOLVED, the City of Sonora, Tuolumne County and Siskiyou County shall submit by May 1, 1974 progress reports on substitute disposal arrangements to replace the open burning dump sites listed above.

State of California
AIR RESOURCES BOARD

Resolution 74-4

February 14, 1974

WHEREAS, Section 39296 of the Health and Safety Code prohibits use of open fires for the purpose of disposal of petroleum wastes, demolition debris, tires, tar, trees, wood waste, or other combustible or flammable solid or liquid waste; or for metal salvage or burning of automobile bodies after December 31, 1971;

WHEREAS, Section 39297.4 of the Health and Safety Code directs the Air Resources Board to permit a city, city and county, or county to use open outdoor fires for a limited time only, in its operation of a solid waste dump, upon the finding that because of sparse population in the geographical area and economic and technical difficulties, the solid waste dump should be so operated;

WHEREAS, the Board at its May 19, 1971 meeting adopted guidelines for receiving applications from cities and counties for permission to continue open burning at dumps;

WHEREAS, the Board at its September 15, 1971 meeting adopted guidelines for approving requests for limited time extensions to cities and counties to continue open burning at dumps;

WHEREAS, a transfer station has been installed and is operating at the Greenview open burning dump site; and

WHEREAS, the above solid waste disposal system is an alternative method to open burning;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board denies to the County of Siskiyou a limited time extension to use open burning at the Greenview dump site after March 1, 1974.

State of California
AIR RESOURCES BOARD

RESOLUTION 74-5

February 14, 1974

WHEREAS, Section 39296 of the Health and Safety Code prohibits use of open fires for the purpose of disposal of petroleum wastes, demolition debris, tires, tar, trees, wood waste, or other combustible or flammable solid or liquid waste, or for metal salvage or burning of automobile bodies after December 31, 1971;

WHEREAS, Section 39297. 4 of the Health and Safety Code directs the Air Resources Board to permit a city, city and county, or county to use open outdoor fires for a limited time only, in its operation of a solid waste dump, upon the finding that because of sparse population in the geographical area and economic and technical difficulties, the solid waste dump should be so operated;

WHEREAS, the Board at its May 19, 1971 meeting adopted guidelines (Resolution 71-31) for receiving applications from cities and counties for permission to continue their open burning dumps;

WHEREAS, the Board at its September 15, 1971 meeting adopted guidelines (Resolution 71-74) for approving requests from cities and counties to continue to use open fires for the purpose of disposal of solid waste;

WHEREAS, cities and counties have requested time extensions to use open outdoor fires at disposal sites because they cannot obtain fuel to operate their solid waste disposal systems;

NOW, THEREFORE, BE IT RESOLVED, that the Air Resources Board's policy for receiving applications for limited time extensions from cities and counties to use open fires for the purpose of disposal of solid waste including reason of fuel shortage is:

Cities and counties wishing to use open fires for the disposal of solid waste shall apply to the Board for permission. The application shall be in the form of a resolution from the City Council or County Board of Supervisors, and shall be accompanied with information on:

1. Geographical location of each open burning dump and population density within a five and twenty mile radius.
2. Number of people and area that each open burning dump serves.
3. Amount of waste disposed of at each open burning dump.

4. Unavailability of other reasonable alternative methods of disposal.
5. Documentation from local or regional fuel distributors attesting that they cannot supply sufficient fuel for operation of the solid waste disposal systems, and projected time for which shortage is expected to last.

BE IT FURTHER RESOLVED, that the Air Resources Board's policy for approving requests for limited time extensions to cities and counties to continue to use open fires for the purpose of disposal of solid waste is:

1. Limited time extension shall be not more than -
 - (a) One year for dumps located in a "sparsely populated area" which is defined as an area where the population density is less than 100 people per square mile within a 5 mile radius. Additional time extensions on a year-by-year basis may be authorized based on evaluation of information provided by the applicants. Approval for each succeeding year shall be based on demonstrable and satisfactory progress made in phasing out the use of open fires in dumps by the end of the previous year. The total extension will be no more than three years.
 - (b) Two years for dumps located in a "extremely sparsely populated area," which is defined as an area where the population density is less than 4 people per square mile within a 20 mile radius. Additional time extensions on a year-by-year basis may be authorized based on evaluation of information provided by the applicants. Approval for each succeeding year shall be based on demonstrable and

satisfactory progress made in phasing out the use of open fires in dumps by the end of the previous year. The total extension will be no more than five years.

- (c) The Board will use the definitions of sparsely populated area and of extremely sparsely populated area as guidelines. For extension of time limits to a dump not within the above guidelines, a city or county shall present with its application detailed information justifying the requested extension.

2. Limited time extension based on unavailability of fuel -

- (a) Any time extension shall be for not more than one year without further Board action. All cities and counties shall submit to the Executive Officer of the Air Resources Board, at three month intervals, documents verifying the unavailability of fuel. If such documents are not submitted the extensions will terminate on the date the documents are due. If in the opinion of the Executive Officer, the substantiation is deficient, the Executive Officer will refer the matter to the Board's Implementation and Compliance Committee* for evaluation and recommendation.

BE IT FURTHER RESOLVED, Resolution 71-31 and Resolution 71-74 are hereby rescinded.

* The Implementation and Compliance Committee is now referred to as the Enforcement Committee.