Controlling Roadside Garbage Dumping in Rural Oklahoma

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Roadside dumping has long been a common method of solid waste disposal in Oklahoma. In earlier days when the rural population was more sparse, the accumulation of solid waste was not a serious public health or aesthetic problem. However, due to large increases in the rural population, garbage dumping has become a major public health issue as well as a significant visual blight. Recent federal and state laws and regulations aimed at reducing or removing physical and visual pollution have stimulated improvements in overall waste management.

The Oklahoma Solid Waste Management Act of 1970 regulates collection and disposal of solid wastes. Since its implementation, however, illegal roadside dumping has increased in many rural Oklahoma counties. Prior to the Act, garbage from a small town or rural area was deposited at a nearby community dumpsite. Generally, wastes in these dumps were burned, compacted, and covered periodically. The legislation effectively abolishes the old "town dump" practice of solid waste disposal because its rules and regulations prohibit open burning and site locations where surface water or ground water quality might be threatened.

The act also requires daily compaction and covering of the solid wastes at the dumpsite. As communities make improvements in waste management, community dumpsites are becoming fewer, and more centralized sanitary landfills are opening. Thus, environmentally acceptable solid waste disposal is becoming more costly and inconvenient for many people, making nearby roads and ravines increasingly popular as dumping areas.

These illegal dumps create several problems. Besides their visual irritation and potential health threat, their very presence encourages their continued use. Efforts to eliminate the dumping problem have placed additional strains on limited local government budgets. As a result, the dumps are either not cleaned up, or the labor and money spent to cleanup the dumps are diverted from other local government services. Unfortunately, many local governments, particularly counties, have been at the limits of their revenue generation authority and have had no legal means to implement fee collection systems or increase property tax levies to finance rural solid waste systems.

Environmental and Health Related Effects of Roadside Dumping

The appearance of a pile of trash on the roadside encourages people to add to it with their trash rather than use proper disposal methods. Some dumps spread into the road's right-of-way and must be routinely cleaned up to keep the roads open for traffic. Thus, illegal dumping increases the costs of county road maintenance.

Isolated streambeds are popular places to dump. If the stream flows into a public water supply, drinking water quality may deteriorate and become a threat to public health. When it rains, the trash along the roadsides can likewise affect stream water quality via rain water runoff. Even when dumps are not located near flowing water, ground water can become contaminated by leachates from a large, uncontrolled waste heap.

Increases in populations of pests such as rats and some insects are promoted by uncontrolled dumps. There have been reports of illegal dumps that help feed and maintain local skunk populations, which are primarily responsible for the transmission of rabies.

Legislation to Combat Roadside Dumping

The Oklahoma Solid Waste Management Act (63. O.S. 1971, S2252 et, seq.) provides the basic regulatory framework for Oklahoma waste management. The Act requires all incorporated cities and towns to provide for proper waste disposal. The Oklahoma State Department of Health is directed to establish a permitting system for waste disposal sites, and it is declared to be unlawful to dispose of waste in any place other than an officially permitted site. Over 300 sites have now been permitted, and most Oklahoma communities are in compliance with the law.

Enforcement of the prohibition of roadside dumping has been difficult, however, because of problems associated with gathering evidence against violators. In 1981, several steps

were taken by the Oklahoma Legislature to help remedy this situation. The Legislature amended the Solid Waste Management Act to allow three pieces of identification found in an illegal dump to be used as evidence against the person identified. They also passed a law to authorize Boards of County Commissioners to offer rewards for evidence leading to the capture of any person illegally dumping trash (190.5. 1981 S455). The reward funds are self-supporting because convicted violators may, in lieu of fines, be required to deposit money in the reward funds.

Also in 1981, the legislature passed a law to prohibit the sale of pull top or flip top beverage containers (63 O.S. 1981 S3001). This law took effect on January 1, 1983.

In April 1982, the Governor of Oklahoma signed legislation to allow counties, cities, and towns to form solid waste management districts and to levy and collect taxes to finance such districts (63 O.S 1982 S2255). Under this law the governing bodies of counties and/or cities and towns can form regional solid waste planning committees. Multiple planning committees can join together to form a regional solid waste planning board. Such boards study the feasibilities of district solid waste management systems. These boards estimate construction and operating costs, study methods of financing, and consider terms for the formation and operation of districts. If a regional solid waste planning board recommends to the relevant governing bodies in the district that a regional solid waste management district be established, then the board(s) of county commissioners shall call an election upon the question of the establishment of the district and the terms for formation and operation of the district. Upon approval by a majority of those voting, the district shall be established and the terms of the agreement ratified. Then the district immediately begins to function, governed by the regional solid waste management district committee.

Once formed, a regional solid waste management district has a wide range of powers to develop and operate a solid waste management system, including the power to issue bonds and notes and to assess fees and charges, as provided in the approved agreement, for persons receiving service.

Each year the regional solid waste management district committee must submit a report to the cities, towns, and counties lying in the district. This report must contain a detailed financial statement and a statement showing the method by which fees and charges are computed. The legislation states that the board of county commissioners and the governing bodies of the cities and towns shall annually assess the taxes to be raised to pay the apportionments.

Summary and Concluding Remarks

Illegal dumping of solid waste is a significant problem in many rural areas of Oklahoma. Illegal dumps are aesthetically undesirable and can create major local health problems.

Until recently, few effective methods to control illegal garbage dumping were available. However, recent legislation has provided several tools to rural residents and rural law enforcement officials for controlling illegal dumping. Three pieces of identification found in an illegal dump can be used as evidence against the person identified. Boards of county commissioners can offer rewards for evidence leading to the capture of persons illegally dumping trash. The sale of pull top beverage containers was outlawed in Oklahoma on January 1, 1983. Residents in an area can now vote to tax themselves to support a regional solid waste management district.

Each of these pieces of legislation will serve to reduce illegal dumping in rural Oklahoma. Rural residents, rural elected officials, and rural law enforcement officers now have the opportunity to legally initiate effective action to cleanup and control unsightly and unhealthy illegal dumps.

Personnel from the Oklahoma State University Cooperative Extension Service and the Oklahoma State Department of Health are available to work with local decision makers to conduct economic analyses of local alternatives for solid waste management and community services. Requests should be directcd to OSU county Extension educators.

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