

12/13/1968

**OREGON STATE SANITARY
AUTHORITY MEETING
MATERIALS**



State of Oregon
**Department of
Environmental
Quality**

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AGENDA

State Sanitary Authority Meeting

10:00 a.m., December 13, 1968

Room 36, Portland State Office Building

- A. Minutes of 133rd meeting (October 25, 1968)
- B. Project plans for October and November, 1968
- C. Fanno Creek Basin sewage disposal - CRAG
- D. City of Astoria request for sewer extension permit
- E. Complaint re: American Can Co. site - status report
- F. Hollingshead Trust Estate, Troutdale
- G. Lane Regional Air Pollution Authority regulations ✓
- H. National Metallurgical Corp., Springfield ✓
- I. Permit Program status report and extension of temporary permits
- J. Waste Discharge Permit - Jackson County Parks and Recreation Department
- K. Modification of Waste Discharge Permit - McMinnville
- L. Waste Discharge Permits - Columbia Slough
 - (1) Armour & Co.
 - (2) Associated Meat
 - (3) Brander Meat Co.
 - (4) Columbia Steel Casting
 - (5) Joslyn Manufacturing Co.
 - (6) Kenton Packing
 - (7) Herbert Malarkey Paper Co.
 - (8) Pacific Carbide & Alloys
 - (9) Pacific Meat
 - (10) Pacific Resins & Chemicals
 - (11) Portland Mobile Home Court
 - (12) Portland Rendering
 - (13) Silver Falls Packing Co.
 - (14) Simpson Timber Co.
 - (15) Union Carbide Corp.
 - (16) Vann Barrel Co.
 - (17) W.J. Voit Rubber Co.
 - (18) Western States Rendering
- M. Waste Discharge Permits - Miscellaneous

Domestic

- (1) Holly Hills, Inc.
- (2) Lincoln City - Oceanlake
- (3) Lincoln City - Taft
- (4) Milo Academy
- (5) Three D Corporation

Waste Discharge Permits - Miscellaneous (continued)

Industrial

- (1) Alpenrose Dairy
- (2) Bissinger & Co.
- (3) Diamond Lumber Co.
- (4) Jefferson Woolen Mills
- (5) Zidell Explorations

N. Waste Discharge Permits - Renewals

Domestic

- (1) Eugene Public Schools (Twin Oaks)
- (2) Fir Cove Sanitation Co.
- (3) Garibaldi
- (4) Happy Valley Mobile Park
- (5) Merrill
- (6) Ontario
- (7) Springfield
- (8) Sutherlin
- (9) Tillamook City
- (10) Toledo
- (11) Willamette Lutheran Homes

Industrial

- (1) Broadway Holding Co.
- (2) Les' Poultry
- (3) Menasha Corporation
- (4) Stayton Canning (Stayton)
- (5) Stimson Lumber Co.
- (6) United Flav-R-Pac (Springbrook)
- (7) West Foods

O. Tax Credit Applications

Air Pollution Control Facilities

- (1) T-42 Georgia Pacific ✓
- (2) T-48 Weyerhaeuser Company - Springfield ✓
- (3) T-57 Oregon Portland Cement ✓
- (4) T-58 Oregon Portland Cement ✓
- (5) T-59 Oregon Portland Cement ✓
- (6) T-60 Oregon Portland Cement ✓
- (7) T-51 Crown Zellerbach Corporation (Wauna) ✓

Water Pollution Control Facility

- (1) T-53 Hafco, Inc.

MINUTES OF THE 135th MEETING
of the
Oregon State Sanitary Authority
December 13, 1968

The 135th meeting of the Oregon State Sanitary Authority was called to order by the Chairman at 10:15 a.m., December 13, 1968, in Room 36 of the State Office Building, 1400 S.W. 5th Avenue, Portland, Oregon. Members present were John D. Mosser, Chairman; Edward C. Harms, Jr., B.A. McPhillips and Storrs Waterman.

Mr. Herman P. Meierjurgan was unable to attend because of illness.

Participating staff members present included Kenneth H. Spies, Secretary; Arnold B. Silver, Legal Counsel; E.J. Weathersbee, Deputy State Sanitary Engineer; Harold M. Patterson and Joseph A. Jensen, Assistant Chief Engineers; Harold L. Sawyer, Supervisor, Waste Discharge Permit Program; Edgar R. Lynd, Supervisor, Municipal Waste Treatment Program; Fred M. Bolton and James R. Sheetz, District Engineers; F.A. Skirvin, C.A. Ayer and R.C. Sherwood, Associate Engineers, and Richard P. Reiter and E.A. Schmidt, Assistant District Engineers.

MINUTES

It was MOVED by Mr. Waterman, seconded by Mr. McPhillips and carried, that the minutes of the 133rd meeting of the Authority held in Bend on October 25, 1968, be approved as prepared by the Secretary.

PROJECT PLANS

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that the actions taken by the staff on the following 48 sets of project plans and reports for water pollution control during the months of October and November, 1968, be approved: (Note: No air quality control project plans were processed by the staff during that period.)

Water Pollution Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
10/1/68	Keizer San. Dist.	Northwood Park Subdivision #1	Prov. app.
10/2/68	McMinnville	Pump station for Les' Poultry	Prov. app.
10/2/68	Neskowin Lodge	Proposal - rock sewers	Prov. app.
10/9/68	Waldport	Report on Sewerage	Approved
10/15/68	McMinnville	11th St. trunk sewer	Prov. app.

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
10/15/68	Sunriver Properties	Condominium sewers	Prov. app.
10/15/68	South Suburban S.D.	Chlorination facilities	Prov. app.
10/24/68	Emigrant Lake	Sewerage and sewage treatment plant	Prov. app.
10/28/68	Portland	Rivergate sewers and pump station(2)	Prov. app.
10/28/68	Hillsboro	Bentley Orchard Plat #3 sewers	Prov. app.
10/29/68	East Salem	O & C Tract Subdivision	Prov. app.
10/29/68	Milton-Freewater	Sewers	Prov. app.
10/30/68	Green San. Dist.	Lateral M2	Prov. app.
10/30/68	Springfield	South 35th St. sewer	Prov. app.
10/31/68	North Roseburg S.D.	Hewitt St. sewer extension	Prov. app.
10/31/68	Springfield	"V" St. sanitary sewer	Prov. app.
10/31/68	Oak Lodge #2	Lateral 2E-3-3 Abernathy Ave.	Prov. app.
10/31/68	Oregon City	Lateral A-12 Hilltop Ave.	Prov. app.
10/31/68	Shady Cove	Shady Vista Mobile Park lagoon and Cl2	Prov. app.
10/31/68	Burns	Motel Shannon pump station & sewer	Prov. app.
10/31/68	Eugene	Manning Hts. Lateral "A" & "B"	Prov. app.
10/31/68	Gresham	N.E. 181st sewer ext.	Prov. app.
10/31/68	Mult. County	Lancashire Subdivision sewers and septic tank	Prov. app.
10/31/68	Aloha S.D.	Argyle Crt. Subdivision sewer	Prov. app.
11/4/68	Beaverton	S.W. 145th Avenue sewers	Prov. app.
11/4/68	Portland	Ore. State Mills - Rivergate	Prov. app.
11/8/68	McMinnville	N.E. Industrial Park sewers	Prov. app.
11/8/68	Portland	S.W. Barbur & Alice St. sewers	Prov. app.
11/8/68	Springfield	19th & Mohawk Road sewer	Prov. app.
11/8/68	Salem	Wallace Rd. interceptor and sewage treatment plant	Prov. app.
11/8/68	Portland	S.E. 69th Ave., north of Powell sewer	Prov. app.
11/8/68	Scotts Mills	Preliminary report	Approved
11/12/68	Gresham	El Camino, Unit 1, sewers	Prov. app.
11/12/68	Oak Lodge S.D. I	McLoughlin Blvd. sewer extension	Prov. app.
11/13/68	Aloha San. Dist.	Reed Village sewer	Prov. app.
11/13/68	Tualatin	Toke-Ti Terrace, Phase 1, sewer	Prov. app.
11/14/68	Oak Lodge S.D. I	Concord Ave. Trunk C Diversion	Prov. app.
11/15/68	Aloha San. Dist.	Delorme Court sewer	Prov. app.
11/15/68	Tigard	Bellwood Subdivision sewers	Prov. app.
11/15/68	Oak Hills	Plat No. 8 sewers	Prov. app.
11/19/68	Somerset West	Rock Creek No. 4 sewers	Prov. app.
11/19/68	Lincoln City	Sewers and sewage treatment plant	Prov. app.
11/19/68	Springfield	Twilight Park, First Addition, sewer	Prov. app.
11/20/68	Portland	Tualatin Heights sewer	Prov. app.
11/20/68	Portland	Council Crest Park sewer	Prov. app.
11/21/68	Portland	S E. 90th & S.E. Ash sewers	Prov. app.
11/22/68	Dundee	Sewerage system	Prov. app.
11/26/68	Mt. Hood Golf Club	15,000 GPD addition to sewage treatment plant	Prov. app.

AMERICAN CAN COMPANY SITE COMPLAINT

Mr. Silver reported that a second complaint filed against the Sanitary Authority and the American Can Company by Mr. Herbert W. Titus, attorney for certain residents of the Eugene and Corvallis areas, had been dismissed by the Circuit Court of Lane County, and that as a consequence a third amended complaint had recently been filed in this matter by Mr. Titus.

LANE REGIONAL AIR POLLUTION AUTHORITY REGULATIONS

Mr. Patterson reported that certain air quality standards had been adopted by the Lane Regional Air Pollution Authority (LRAPA) on October 23, 1968, after several public hearings, and that said standards had been reviewed by the Sanitary Authority staff and found to be acceptable except that they did not include any standards for particle fallout rates in heavy industry land use areas or for chemical substances particle fallout.

(Copies of the standards adopted by the Regional Authority had previously been distributed to the Authority members for review and consideration.)

Mr. Vern Adkison, Director of LRAPA, was present and stated that standards for particle fallout rates in heavy industry land use areas and for chemical substances particle fallout had been included in the original drafts submitted for public hearing, but for some unexplained reason had been omitted from the final copy approved on October 23, 1968. He said this deficiency would be corrected as soon as possible by the LRAPA.

Mr. McPhillips raised a question about the apparent non-uniformity in the standards adopted by the three regions pertaining to odors. Mr. Patterson pointed out that the State Sanitary Authority presently has no standard pertaining to odors. Mr. Mosser stressed the importance of having uniform standards and Mr. Patterson replied that the Interstate Committee and also the new Regional Authorities Committee would be promoting uniform standards.

Pursuant to a recommendation by Mr. Patterson, it was MOVED by Mr. Harms, seconded by Mr. McPhillips and carried, that the standards adopted by the Lane Regional Air Pollution Authority be approved by the State Sanitary Authority and that the Regional Authority be directed to enforce the Sanitary Authority Standards, Section 21-016 (OAR Chapter 334), Particle Fallout Rate in heavy industry land use areas and Section 21-026, Chemical Substances, (1) Particle fallout rate of lime dust in residential and commercial land use areas, until amendments to the Region's rules covering these items are adopted and approved.

FANNO CREEK BASIN SEWAGE DISPOSAL

Mr. Jensen read a short memorandum dated December 13, 1968, regarding this matter. He had previously sent a 2-page undated memorandum to the Authority members regarding the same subject (Columbia Region Association of Governments).

Mr. McPhillips asked if the proposal to divert certain sewage flows from the Fanno Creek sewers to the Metzger and Aloha Sanitary District systems would result in any decrease in load on the Fanno Creek plant. Mr. Jensen replied there would be no decrease if the desires of Multnomah County and the other entities involved were met.

Mr. Homer Chandler, Executive Director of CRAG, was present and stated that there are some 900 properties in the basin that need sewer connections. He then outlined a plan for temporary relief of the present emergency and discussed how it might be financed. He said all entities had publicly endorsed the development of a master sewer plan.

Under the proposal some 200,000 gallons per day of sewage flow from the Maplewood area would be diverted from the Fanno Creek system to the Metzger system. Mr. Chandler stated that this would still leave enough capacity in the Metzger sewage treatment plant to handle the anticipated growth of that district for the next two years.

In addition, the proposal calls for diverting some sewage flow from the West Slope District to the Beaverton system and from the latter system to the Aloha system. This diversion would total about 400,000 gpd and would leave enough reserve capacity in the Aloha plant to handle that district's anticipated growth during the next two years.

The estimated cost of installing the necessary facilities for making such diversions is \$75,000. Mr. Chandler said this cost would be shared by Washington and Multnomah Counties, the cities of Beaverton and Portland, and the West Slope Sanitary District. He stated further that it would take about 60 days to complete the construction. He said that the Aloha and Metzger Districts are concerned about whether or not the Sanitary Authority would grant them permission to expand their present treatment plants if such expansion should later become necessary in order to accommodate future growth within their districts.

Mr. Mosser said that he would not favor granting permission for expansion of any district if it had held up development of a master plan. Mr. Chandler replied that the Metzger Board had already agreed to cooperate and that the Aloha Board was sympathetic to the plan.

Mr. Mosser then inquired about what type of entity would be established to implement the development of a master sewer for the area. Mr. Chandler said a special committee appointed by CRAG was presently studying the existing laws and would prepare a proposal for early submission to the 1969 Oregon Legislature. Mr. Mosser pointed out that any proposed change in the present law should be discussed with the Bear Creek Valley Sanitary Authority Board. Mr. Chandler indicated they would work with the League of Oregon Cities, the Association of Oregon Counties and the Bear Creek Valley Sanitary Authority in this matter.

After further discussion, it was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that the Authority indicate its approval of the plans to divert approximately 200,000 gallons per day of sewage from the Fanno Creek system to the Metzger plant and approximately 400,000 gallons per day of sewage from the Fanno Creek system to the Beaverton system with a redirection from the Beaverton system to the Aloha plant, with the understanding that if construction of a master plan interceptor and treatment plant cannot be completed in time to avoid overloading of the Metzger or Aloha plants, that those plants be allowed an expansion equal to the amount of the diversion to them to take care of the needs of the people within their own districts, provided neither the boards nor the people of those two districts have done anything to block adoption and implementation of the master plan, and subject to the further limitation that any state or federal financial assistance for those expansions would be dependent upon the master plan's calling for the continued use of those plants for some substantial period of time.

During the discussion of the above motion, Mr. Mosser stated that after the proposed diversions have been made the dwellings or buildings, which are now in existence but unable to connect because of the ban, could be given permission to connect to the Fanno Creek system up to a total not

exceeding the amount of the diversions, but that no permits for new construction could be granted until the Fanno Creek plant has demonstrated its ability to produce a satisfactory effluent and to prevent nuisance conditions in the receiving stream and vicinity of the plant.

In response to a question from Mr. Chandler, Mr. Mosser stated that even if the connection of all existing dwellings or buildings might not equal the load diverted from the system, no new construction could be permitted to connect to the Fanno Creek system until the latter was proven to have adequate capacity to handle the additional load without causing a nuisance.

ASTORIA REQUEST FOR SEWER EXTENSION PERMIT

Mr. Fred Bolton reviewed briefly the city's request and the status of its required interceptor sewer and sewage treatment works project. Under the terms of the city's waste discharge permit, issued by the Authority on March 29, 1968, no sewer extensions can be made by the city of Astoria without prior written approval of the Authority.

Mr. Bruce Claussen, Astoria City Engineer, was present and stated that the city wishes to extend an existing 12" sewer line on South Niagara and near Denver Streets for the purpose of serving a maximum of 10 new single-family residential units.

Mr. Harvey Taylor of Stevens, Thompson and Runyan, Consulting Engineers for the city, claimed that their engineering study of sewage treatment needs for Astoria is on schedule and that the report will be completed by the July 1, 1969 deadline set forth in the city's waste discharge permit.

In response to questions by Mr. McPhillips, Mr. Bolton stated that the sewage load from the proposed residential development would have an estimated population equivalent of only 40 persons, but Mr. Claussen admitted that the city has considerable undeveloped property and that it is very likely that in the future there will be other requests for permission to extend the city's sewers although he could not predict when such requests might be forthcoming.

Mr. Bolton then mentioned a proposed 43-acre development with a possible 143 sewer connections.

Mr. Mosser warned Mr. Claussen that for a project of that size the city better arrange to have the developer provide his own interim treatment.

It was MOVED by Mr. Harms, seconded by Mr. McPhillips and carried, that with the understanding that this does not in any way commit the Sanitary Authority to any future approval of additional sewer connections, permission be granted the city of Astoria, as recommended by the staff, to extend the Niagara Street sewer to serve a maximum of 10 single-family residential units.

NATIONAL METALLURGICAL CORPORATION, Springfield

Mr. Skirvin presented a memorandum report dated December 13, 1968 and a proposed agreement for installing air contaminant control equipment both pertaining to the National Metallurgical Corporation plant in Springfield, Oregon. Copies of these two documents have been made a part of the Authority's permanent files in this matter.

In response to a question by Mr. Harms, Mr. Vern Adkison of the Lane Regional Air Pollution Authority said that the company did not control the emissions from furnace No. 1 this year as projected but he said there was good reason for this not being done. Mr. Skirvin pointed out that the proposed agreement calls for controlling both furnaces by December 1, 1969.

After comments by Mr. McPhillips and Mr. Silver, Mr. Harms said he would not vote for approval of the proposed agreement unless the last sentence on page 2 which reads as follows were deleted: "However, in the event of delays caused by circumstances beyond their direct control, then the parties herein are agreed that the said time schedule shall be reviewed and, if necessary, amended."

Mr. Mosser likewise opposed the above statement.

It was then MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that the last sentence on page 2 be stricken from the agreement, and that with such amendment the Secretary be authorized to execute the agreement on behalf of the Authority.

PERMIT PROGRAM STATUS REPORT

Mr. Sawyer presented a brief report on the present status of the waste discharge permit program. He said that since December 28, 1967, and including the present meeting, action has been taken on 359 permits involving 318 dischargers. The applications of 345 separate applicants remain to be processed.

He said that at the present time 332 of the outstanding Temporary Permits expire on December 31, 1968. He recommended that they be extended until December 31, 1968, or until they can be processed for regular permits, whichever occurs first.

Mr. Mosser suggested that a listing be made of all Temporary Permits on a basin basis to assist in establishing priorities for processing purposes. He said such a list would also be helpful to support the Authority's budget.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that as recommended by the staff the 332 Temporary Permits that expire on December 31, 1968 be extended until December 31, 1969, or until they can be processed for regular permits, whichever occurs first.

COMPLAINT RE: AUTO BODIES IN THE SANDY RIVER

Mr. Silver reported that Mr. D.C. Price, the property owner in this case, had signed a stipulation agreeing to remove from the Sandy River all the auto bodies that he had placed there supposedly for the purpose of controlling bank erosion. According to the stipulation, the removal is to be accomplished as soon as stream flow conditions will permit, but no later than July 15, 1969.

Because of this stipulation, the public hearing previously scheduled for December 12, 1968 did not have to be held and therefore was canceled.

MODIFICATION OF McMinnville WASTE DISCHARGE PERMIT

Mr. Reiter presented a memorandum report dated December 13, 1968, regarding the McMinnville sewage treatment works project. He pointed out that the waste discharge permit issued by the Authority on May 24, 1968 specified that improved waste treatment works be installed by the city by May 1, 1970, but that in a letter dated October 21, 1968 the city reported that its consulting engineers had indicated that the necessary improvements could not be completed until the fall of 1970.

Mr. Reiter also reported that the McMinnville sewage treatment plant is presently hydraulically overloaded and its effluent quality is right on the borderline.

Mr. Mosser asked why the city could not speed up by four months the bond election and completion of the final engineering plans.

Mr. Joe W. Dancer, City Administrator, was present and replied that it would depend on the consulting engineers, Cornell, Howland, Hayes and Merryfield. He said they had recently proposed a November 15, 1970 date for completion of the project. He pointed out that the city has two \$85,000 storm sewer projects under way which will help reduce the hydraulic load on the present plant.

Mr. McPhillips asked about Waste Discharge Permit Condition No. 8 which prohibits expansion or extension of the city sewer system or connection of additional industrial waste discharges without prior written approval of the Authority. Mr. Dancer replied he was concerned about it because the city presently has nine new industries under way although they involve only domestic sewage and no industrial wastes.

Mr. Mosser urged Mr. Dancer to try to speed up the city project by four months and to give consideration beforehand to any major new sewage or waste load. Mr. Dancer agreed to check with CH₂M to see what could be done.

It was finally concluded by the Authority members that no modifications should be made at this time in the city's waste discharge permit. It was suggested that any necessary changes could be made when consideration is given for renewal of the permit prior to the March 31, 1969 expiration date.

LINCOLN CITY WASTE DISCHARGE PERMIT

Waste discharge permits with recommended conditions for the Oceanlake and Taft sewage treatment plants of Lincoln City had been drafted by the staff of the Authority and copies sent in advance of this meeting to the city and Authority members. Copies of the same had also been made a part of the Authority's permanent files in this matter.

Mr. T.R. Adams, Attorney, was present to represent the city. He explained that the former communities of Oceanlake, Delake, Nelscott, Taft and Cutler City are now incorporated as the city of Lincoln City and that at present only Oceanlake and Taft are served by sewerage works. He reviewed briefly the city's plan and schedule for improving and completing its sewerage system.

Mr. Adams said the city had no objections to the proposed permit for the Taft system, but he requested that Condition No. 2 of the Oceanlake permit

be relaxed to allow a few new connections to that sewer system during the period that construction of the interceptor project is under way.

In response to a question by Mr. McPhillips he replied that there would probably be between 40 and 50 single family dwellings or equivalent that would need sewer connections during that period.

Mr. Sawyer pointed out the fact that the Oceanlake plant is grossly overloaded and that it discharges into Devils Lake a short distance from Dee River, the public waters of which are used very heavily for recreational purposes in the summer.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that waste discharge permits for the Oceanlake and Taft sewage treatment plants of the city of Lincoln City be granted with the conditions recommended by the staff.

UNITED FLAV-R-PAC (Springbrook)

A waste discharge permit with recommended conditions had been drafted by the staff and copies sent to the company and Authority members covering the United Flav-R-Pac Company food processing plant located at Springbrook.

The proposed permit would require improved waste treatment facilities by June 1, 1969.

Mr. Reiter stated the problem in the past has been primarily odors because the lagoons used for waste treatment become anaerobic. He said the odors were real bad in 1967 but not quite so bad in 1968.

Mr. Al Randall, who was present to represent the company, reported that John Filbert of CH₂M had been retained to design improved waste disposal facilities but he claimed the company cannot afford to install full secondary treatment. He said a complete lagoon system would be too expensive.

Mr. Mosser said that at the Authority meeting on November 14, 1968, attended by representatives of the city of Newberg, two alternate methods, namely aerated lagoons or spray irrigation, had been mentioned.

Mr. Randall replied they would cost between \$80,000 and \$125,000. He said the company could do a partial sprinkler job and provide more efficient screening which would alleviate the situation. He pointed out that the operations of the cannery are only seasonal (2½ months per year - from end of July to middle of October). The plant payroll is about one-third million dollars per year. He said the beans and purple plum processing could be moved to their Salem plant, if necessary.

In response to a question from Mr. Mosser, Mr. Randall replied that the company is not definitely committed to stay in Springbrook although they would like very much to stay. He said they are negotiating with the Newberg city officials but it may be that a city of that size could not handle the wastes from a plant such as Flav-R-Pac. He said the city of Newberg is planning to hold a bond election in January 1969.

It was finally decided by the Authority members to wait until the February meeting to act on a waste discharge permit for this plant since it will not be in operation before next summer and in the meantime the city of Newberg might vote bonds to finance additional disposal facilities that could serve the plant.

COLUMBIA SLOUGH WASTE DISCHARGE PERMITS

Waste discharge permits with recommended conditions for 17 industries and one domestic sewerage system along Columbia Slough in Multnomah County had been drafted by the staff and copies sent in advance of this meeting to the applicants and members of the Authority. In addition copies had been made a part of the Authority's permanent files in this matter.

Mr. Sherwood pointed out that pursuant to the policy adopted at the September 27, 1968 Authority meeting, all proposed permits required completion of necessary waste disposal projects by June 1, 1971. He pointed out further that the proposed permits for the Portland Mobile Home Court and for the Union Carbide Company needed to be amended. He said no permit had yet been drafted for the H.V. Fuller plant.

Mr. James Vann of Vann Barrel Company was present but had no objections to the proposed waste discharge permit conditions.

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that waste discharge permits with conditions as recommended by the staff be granted for (1) Armour & Co., (2) Associated Meat, (3) Brander Meat Co., (4) Columbia Steel Casting, (5) Joslyn Manufacturing Co., (6) Kenton Packing, (7) Herbert Malarkey Paper Co., (8) Pacific Carbide & Alloys, (9) Pacific Meat Co., (10) Pacific Resins & Chemicals, (11) Portland Rendering, (12) Silver Falls Packing Co., (13) Simpson Timber Co., (14) Vann Barrel Co., (15) W.J. Voit Rubber Co., and (16) Western States Rendering and that action on the permits for the Portland Mobile Home Court and Union Carbide Company be deferred until after lunch.

The meeting was then recessed at 12:25 p.m. and reconvened at 2:00 p.m.

JACKSON COUNTY PARKS WASTE DISCHARGE PERMIT

A proposed waste discharge permit had been drafted by the staff for new camping and recreational facilities that are being developed at Emigrant Lake by the Jackson County Parks and Recreation Department. A copy of the same has been made a part of the Authority's permanent files in this matter.

It was MOVED by Mr. Harms, seconded by Mr. McPhillips and carried, that a waste discharge permit with conditions recommended by the staff be granted for the above development.

UNION CARBIDE CORPORATION (Columbia Slough)

Mr. Sherwood reported that in Condition No. 3(a) the figure "1 mgd" should be changed to "2.2 mgd" and in Condition No. 3(b) the figure "420 lbs" should be changed to "925 lbs."

It was MOVED by Mr. Mosser, seconded by Mr. Harms and Mr. Waterman and carried, that the permit as recommended by the staff and with the above amendments be granted for the Union Carbide Corporation plant located adjacent to Columbia Slough.

PORTLAND MOBILE HOME COURT

After considerable discussion about whether or not Condition No. 2 should be amended, it was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that the permit for the Portland Mobile Home Court be granted as originally recommended by the staff.

WASTE DISCHARGE PERMITS (Miscellaneous)

It was MOVED by Mr. Harms, seconded by Mr. McPhillips and carried, that waste discharge permits as recommended by the staff be granted for (1) Holly Hills, Inc., (2) Milo Academy and (3) Three D Corporation (Astoria Naval Hospital).

Mr. Schmidt read a letter from D.A. Mitchell regarding the proposed waste discharge permit for the Alpenrose Dairy.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that waste discharge permits as recommended by the staff be granted for (1) Alpenrose Dairy, (2) Bissinger and Co., (3) Diamond Lumber Co., (4) Jefferson Woolen Mills and (5) Zidell Explorations.

Copies of the above 8 recommended permits had previously been sent to the applicants and Authority members and had also been made a part of the Authority's permanent files.

PENDLETON

Although not included on the agenda, the city of Pendleton had requested permission to appear at this meeting. City Manager Rudy R. Enbysk, Mayor E.O. Knopp and Mel Winter, Gene Roden and Elden Hemenover, members of the City Council, were present to represent the city.

Mr. Enbysk on behalf of the City Council submitted a request that the waste discharge permit issued by the Authority on August 22, 1968 to the city of Pendleton be amended by extending from June 1, 1970 to June 1, 1971 the date for completion of improved waste treatment and disposal facilities. He said the reason they wanted the extra time was to allow them to make a study of the desirability and feasibility of moving the city's treatment plant from the present site to another site downstream from the community of Rieth. The Mayor said that a recent study made for the County of Umatilla had indicated the possibility of considerable development in that area within the near future. He said that before spending \$1,400,000 on remodeling the present plant he thought they should investigate the advisability of moving it to a point further downstream so that it could accommodate future developments in that area.

Mr. Sheetz reported that no serious sewerage works needs existed in Rieth at the present time and expressed the opinion that sewage from that area could, if necessary, be pumped through a pressure sewer to the existing sewage treatment plant site at Pendleton.

Mr. Mosser raised questions as to how either the city or the consulting engineers could determine the economics of such a move.

The city officials were not sure how fast their engineers (CH₂M) could make the study. The engineers had previously said it would take about six months.

After considerable discussion it was MOVED by Mr. Mosser, seconded by Mr. Harms and carried that the deadline for completion of the project not be changed at this time but the deadline for submission of preliminary plans be extended to March 1, 1969 and if at that time CH₂M recommends that study be given to the alternative of plant relocation, then the Authority will consider it at that time.

WASTE DISCHARGE PERMIT RENEWALS

Recommended conditions for renewing waste discharge permits for eleven domestic sewerage systems and seven industrial plants had been drafted by the staff and copies sent to the applicants and Authority members prior to the meeting.

Mr. Lynd reported that the city of Ontario had requested an extra month for advertisement of bids.

Mr. George R. Goodrich, attorney for Garibaldi, reported that the city is on schedule with its project and that a \$300,000 bond election has been scheduled for January 27, 1969.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried, that waste discharge permits as recommended by the staff be renewed for (1) Eugene Public Schools (Twin Oaks), (2) Fir Cove Sanitation Co., (3) Garibaldi, (4) Happy Valley Mobile Park, (5) Merrill, (6) Ontario, (7) Springfield, (8) Sutherlin, (9) Tillamook City, (10) Toledo and (11) Willamette Lutheran Homes.

It was MOVED by Mr. Harms, seconded by Mr. McPhillips and carried, that waste discharge permits as recommended by the staff be renewed for (1) Broadway Holding Co. (International Terminals), (2) Les' Poultry, (3) Menasha Corporation, (4) Stayton Canning Co. (Stayton), (4) Stimson Lumber Co., and (6) West Foods (Marion County).

As reported earlier, it was decided to defer action on the United Flav-R-Pac application until February 1969.

HOLLINGSHEAD TRUST ESTATE - TROUTDALE

Mr. John D. Burns of Joss, Bosch & Burns, Attorneys for the Hollingshead Trust Estate, was present and submitted a request for an extension of time until December 31, 1969 for terminating the discharge of sewage into the Sandy River from the Hollingshead Estate properties in the city of Troutdale. He argued that such an extension of time should be granted because by that time the city of Troutdale should have its sewerage works project completed, because interim treatment would cost \$3,000 for a lagoon or \$2,250 for a septic tank and drainage field, and because the present sewage load is only from 9 buildings and 22 people.

He asked that, if such an extension could not be granted, a waste discharge permit be issued for the discharge of septic tank effluent.

Mr. Mosser and Mr. Harms said they were opposed to any extension of time and to the granting of a waste discharge permit.

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that the motion for extension of time submitted by Mr. Burns be denied.

Following the adoption of the above motion, Mr. Burns said that his client would not appeal and would proceed to install the required interim sewage treatment works but might not be able to complete the installation by January 1, 1969. Mr. Mosser said that would be acceptable.

TAX CREDIT APPLICATIONS

Mr. Ayer and Mr. Skirvin presented staff reports covering seven applications for tax credits for air pollution control facilities which were acted on as follows by the Authority members:

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that an Air Pollution Control Facility Tax Credit Certificate (application T-57) be issued to the Oregon Portland Cement Company in the amount of \$95,905.96.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that the above motion be amended to include tax credit certificates T-58 in the amount of \$325,324.59, T-59 in the amount of \$82,899.90 and T-60 in the amount of \$46,151.35.

Prior to adoption of the above motions there was considerable discussion about the fact that the present law requires that the full cost of a pollution control facility, if it is installed principally for air or water pollution control, be certified for tax credit even though such facility might result in substantial returns through recovery of saleable or usable commodities.

At the request of Mr. Mosser, Mr. M.O. Georges, Attorney, who was present to represent the Oregon Portland Cement Company, agreed to attempt to draft amendments to the existing statutes to clarify this matter.

Mr. W.L. Carlson was present to represent Crown Zellerbach Corporation. He said that in determining payout time they include an allowance for depreciation but no interest.

Mr. Mosser made the comment that the Authority should have an economist on its staff to help evaluate applications for tax credits.

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that an Air Pollution Control Facility Tax Credit Certificate (application T-51) be issued to the Crown Zellerbach Corporation for the black liquor oxidation

system upon receipt of a certification of its cost and that the applications for the smelt tank demister and lime kiln exhaust scrubber be neither approved nor disapproved until further proof is received to justify why payout times of 9.6 years and 8.2 years, respectively, do not represent a satisfactory investment return.

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that an Air Pollution Control Facility Tax Credit Certificate (application T-42) be issued to the Georgia Pacific Corporation in the amount of \$11,838.41, with the understanding that the right is reserved to reject similar applications in the future.

It was MOVED by Mr. Mosser, seconded by Mr. McPhillips and Mr. Waterman and carried, that an Air Pollution Control Facility Tax Credit Certificate (application T-48) be issued to the Weyerhaeuser Company in the amount of \$171,563.

Mr. Sawyer presented a staff report covering an application for tax credit for a water pollution control facility which was acted on as follows:

It was MOVED by Mr. Mosser, seconded by Mr. Harms and carried, that a Water Pollution Control Facility Tax Credit Certificate (application T-53) be issued to the Hafco, Inc. in the amount of \$11,343.97.

REPORT BY MR. WATERMAN

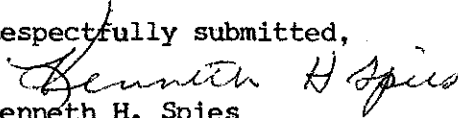
Mr. Waterman reported on the December 10, 1968 meeting with representatives of the three Regional Air Pollution Authorities. He said the main topics discussed included (1) control of mobile equipment used for stationary purposes, (2) copies of bills drafted by Citizens Committee on Pollution Legislation to be sent to the Regions, (3) need to amend law to give Regions authority over issuance of fire permits, (4) division of responsibility over open burning, smoke emissions, and particulate matter from pulp mills and aluminum plants, (5) uniformity of rules and regulations, (6) coordination of sampling programs, (7) establishment of a data bank and (8) periodic news letter. He said the next committee meeting will be January 14, 1969 at 3:00 p.m. in Salem.

REPORT BY THE SECRETARY

A memorandum dated December 13, 1968 was presented by the Secretary regarding the 1969-1971 budget and proposed reorganization of the Authority.

There being no further business, the meeting adjourned at 4:20 p.m.

Respectfully submitted,


Kenneth H. Spies
Secretary

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 2, 1968 (for December 12, 13 meeting)

SUBJECT: STANDARDS OF THE LANE REGIONAL AIR POLLUTION AUTHORITY

The Region, as required by ORS 449.855 (2), has submitted to the staff of the Sanitary Authority for approval of the Sanitary Authority, all quality and purity of air standards adopted by the regional authority.

A copy of the letter of transmittal dated October 29, 1968, and a copy of the rules as submitted are attached. The rules were adopted by the regional authority on October 23, 1968 after several hearings.

The staff has reviewed Rule 2, and specifically Section 2-2.1 through 2-2.4, Visible Air Contaminants, Particulate Matter, Odors, and Other Emissions, found on pages 17 and 18.

It is concluded that the standards set forth in the rules are as restrictive or more restrictive than the standards of the Sanitary Authority, and are acceptable to the staff, EXCEPT (1) no standard was adopted for particle fallout rates in heavy industry land use areas, and (2) no standard was adopted for chemical substances particle fallout. (Currently the region is evaluating the reasons for the omissions and will forward their findings and intent on this matter and report to the Authority at the meeting.)

In order that the regional authority may have approved regulations, the following conditional approval is recommended.

RECOMMENDATION:

It is recommended that the standards of quality and purity of the air as set forth in the rules of the Lane Regional Air Pollution Authority be approved, and that Lane Regional Air Pollution Authority be directed to enforce the Sanitary Authority Standards, Section 21-016, Particle Fallout Rate in heavy industry land use areas and Section 21-026 Chemical Substances (1) particle fallout rate of lime dust in residential and commercial land use areas, until amendments to the rules are adopted and approved.

SUMMARY TABLE OF QUALITY AND PURITY OF AIR STANDARDS (Ambient Air Standards)

Before The
SANITARY AUTHORITY

Agency	Date Filed or Approved	Particle Fallout Rate	Particle Fallout Rate Chemical Subst. Lime Dust as CaO	Suspended Particulate	Suspended Particulate Chem. Subst.	Odor
Oregon State Sanitary Authority Rules	2/13/62	Residential & Commercial (1) 15 T/Mi ² /Mo + bkgrd Industrial (1) 30 T/Mi ² /Mo + bkgrd	Residential & Commercial (2) 1 T/Mi ² /Mo + bkgrd	Residential & Commercial (3) 150 ug/M ³ + bkgrd Industrial (3) 250 ug/M ³ + bkgrd	Residential & Commercial (4) 20 ug/M ³ + bkgrd	No standard
Columbia-Willamette Air Pollution Auth.	5/10/68 & 6/28/68	Residential & Commercial 15 T/Mi ² /Mo Heavy Industrial 30 T/Mi ² /Mo	Residential & Commercial 1.5 T/Mi ² /Mo	Residential & Commercial 150 ug/M ³ Heavy Indust- rial 250 ug/M ³	Residential & Commercial 20 ug/M ³	Odor requiring di- lution of 3 vols. of odor free air or more to reach thre- shold is prohibited and persists for more than 30 min. or 3 times in 1 hr. or 6 times in any 8 consecutive hrs. (5)
Mid-Willamette Val- ley Air Pollution Authority	Draft #5 Dated 7/8/68	Representative Stations 7 G/M ² /30 Days (6) Note: Equivalent to 20 T/Mi/Mo (7)	Representative Stations 350 mg/M ² /30 Days Note: Equivalent to 1 T/Mi ² /Mo	Representa- tive Stations 70 ug/M ³ Geometric Annual Mean 150 ug/M ³ per 24 hrs	Representative Stations Residential & Commercial 20 ug/M ³ per 24 hrs	Prohibit odor nuisance or frequency of twice in one hour separated by 15 minutes equal to inten- sity of Scantometer 0 or equivalent (1 to 1 dilution) dilutions in residential, educational institutional, hotel, retail sales, etc. Other area prohibits greater than Scantometer No. 2 (8 to 1 dilution).
Note: The Sanitary Authority has previously approved the standards on this page.						

SUMMARY TABLE OF QUALITY AND PURITY OF AIR STANDARDS (Ambient Air Standards) (Cont.)

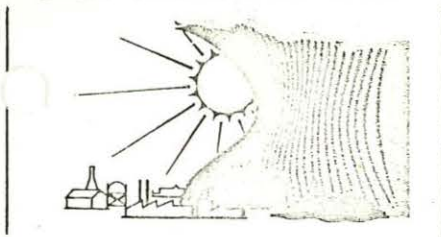
Before The
SANITARY AUTHORITY

Agency	Date Filed or Approved	Particle Fallout Rate	Particle Fallout Rate Chemical Subst. Lime Dust as CaO	Suspended Particulate	Suspended Particulate Chem. Subst.	Odor
Lane Regional Air Pollution Authority	Received 10/30/68	Residential & Commercial 15 T/Mi ² /Mo		Residential & Commercial 150 ug/M ³ , Heavy Indus- trial 250 ug/M ³	Residential & Commercial 20 ug/M ³	No person allow obnoxious odor requiring greater than 3 vols. of dilution odor free air

- 1) Background frequently is in the area of 5-7 Tons per Mi²/Mo
- 2) Background frequently is in the area of 0.5 Tons per Mi²/Mo
- 3) Background frequently is in the area of 50 ug per cubic meter
- 4) Background frequently is in the area of 10 ug per cubic meter.
- 5) Not applicable unless 15% of exposed persons find objectionable when 20 or more are exposed and 75% when less than 20 exposed.
- 6) G/M²/30 Days is grams per square meter per 30 days.
- 7) To change grams per square meter to tons per square mile, multiply by 2.855.

CONTROL NOW-

File



FOR CLEAN AIR!

LANE COUNTY

AIR QUALITY CONTROL OFFICE

777 PEARL STREET

342-5221 + Ext. 288

EUGENE, OREGON 97401

Area Code 503

October 29, 1968

Mr. Harold M. Patterson, Chief
Oregon State Board of Health
State Sanitary Authority
AIR QUALITY CONTROL
1400 S.W. 5th Avenue
Portland, Oregon 97201

Dear Sir:

Under separate cover we are forwarding to you twenty (20) copies of the Lane Regional Air Pollution Authority rules and regulations, as adopted on October 23, 1968.

It is desired that you and your staff will review these rules and present them at the next Oregon State Sanitary Authority meeting for their approval.

If any questions arise, please feel free to contact this office.

Thanking you for your consideration,

A handwritten signature in cursive script, appearing to read "Verner J. Adkison".

Verner J. Adkison, Director

Lane Regional Air Pollution Authority

VJA/jj



**RULES
and
REGULATIONS**

CONTROL NOW-



FOR CLEAN AIR!

LANE COUNTY

AIR QUALITY CONTROL OFFICE

777 PEARL STREET
EUGENE, OREGON 97401

342-5221 + Ext. 288

Area Code 503

These rules and regulations have been formally adopted by the Board of Directors of the Lane Regional Air Pollution Authority at a noon work session held on October 23, 1968, at Harris Hall, Eugene, Oregon.

LANE REGIONAL AIR POLLUTION AUTHORITY
77 Pearl Street, Eugene, Oregon (97401)

RULES FOR POLICY, ADMINISTRATION, PROCEDURES AND AIR POLLUTION CONTROL

Rule 1 Policy, Administration and Procedures

Article 1-1 Policy and Validity

Article 1-2 Administration

Article 1-3 Registration

Article 1-4 Hearings and Contested Cases

Rule 2 Air Pollution Control

Article 2-1 Definitions

Article 2-2 Emission Standards

Article 2-3 Open Outdoor Fires

Article 2-4 General Rules

Article 2-5 Incinerators

LANE REGIONAL AIR POLLUTION AUTHORITY
777 Pearl Street, Eugene, Oregon (97401)

Rule 1 Policy, Administration and Procedures

Article 1-1 Policy and Validity

Section 1-1.1 Policy

In the interest of the public health and welfare of the people, it is declared to be the public policy of the Lane Regional Air Pollution Authority to maintain such a reasonable degree of purity of the air to the end that the least possible injury should be done, to human, plant or animal life or to property and consistent with the economic and industrial well-being of the territory of the Authority. The Program of this Authority for the control of air pollution shall be undertaken in a progressive manner, and each of its successive objectives shall be sought to be accomplished by cooperation and conciliation among all the parties concerned.

Section 1-1.2 Validity

- (a) If any provision of these rules shall be held void or unconstitutional by judicial or other determination, all other parts of these rules which are not expressly held to be void or unconstitutional shall continue in full force and effect.
- (b) These rules are not intended to permit any practice which is a violation of any statute, ordinance, order or regulation of this Authority or any other control agency; and no provision contained in these rules is intended to impair or abrogate any civil remedy or process, whether legal or equitable, which might otherwise be available to any person.
- (c) These rules are not intended to apply to the air quality requirements for the workroom atmosphere necessary to protect an employee's health from contaminants emitted by his employer, nor are they concerned with the occupational health factors in an employer-employee relationship.

Article 1-2 Administration

Section 1-2.1 Program Director

(a) Appointment and Qualifications

The Board of Directors shall appoint a Program Director as the Chief Deputy of the Board of Directors under these rules and procedures.

The Program Director shall be a graduate of a four-year college or university with specialization in engineering or basic sciences, preferably supplemented by graduate study, and four years of responsible experience in engineering or administrative work, or equivalent education and work experience.

(b) Functions and Powers of the Program Director

The Program Director shall seek compliance with the air Quality standards of these rules by cooperation and conciliation among all the parties concerned. If compliance is not obtained through such means, the Program Director:

- a. Shall make findings of fact and determination as to noncompliance with the provisions of these rules which he may issue informally to the affected parties.
- b. Shall issue Notice of Violation to the person responsible for an emission of contaminants into the air in violation of these rules.
- c. Shall send a confirmation letter to the responsible person by certified mail notifying of the violation, including the specific source or sources involved, the specific rule violated, providing general recommendations to accomplish compliance and requiring a report in writing submitted to the Program Director describing the actions taken within specific time periods. The confirmation letter shall provide for compliance within 20 days from the date of the letter, Within the 20 days, the person to whom the letter was directed may apply for additional time, which may be granted only on a showing of good cause and then only at the discretion of the Program Director.
- d. If a violation occurs after the time period stated in the confirmation letter and an acceptable proposal for compliance has not been received, a conference with the Program Director, or staff member so designated, and the responsible person will be set. At least 10 days notice will be given to the responsible person, setting the date, time and place of the conference. If the responsible person or his authorized representative does not present a schedule for compliance that is acceptable to the Program Director or staff member so designated, any subsequent violation will be cause for judicial process to be instituted.

- e. May enter, after four hours notice, if such notice is requested by the person responsible for compliance, during operation hours, any property, premises or place for the purpose of investigating either an actual or suspected source of air pollution or air contamination or to ascertain compliance or noncompliance with these rules or any properly issued order. Upon written notice to this Authority, any information relating to secret process, device or method of manufacturing or production obtained in the course of inspection or investigation shall be kept confidential and shall not be made a part of public record or hearing.
- f. May, as authorized by the Board of Directors, employ persons, including specialists and consultants, and purchase materials and supplies necessary to carry out the purposes of these rules.
- g. Shall recommend to the Board of Directors the adoption of such rules and procedures as are necessary to facilitate the equitable administration of these rules within their intent.
- h. Shall submit to the Advisory Committee and Board of Directors a monthly and annual report of activities undertaken pursuant to these rules.
- i. Shall undertake a community education program to provide the citizens of the territory of the Authority with a better understanding of the nature of air pollution and its control.
- j. Shall advise any fire permit issuing agency having jurisdiction in the territory, that meteorological conditions existing in a specific area are such that open burning, under fire permits issued by it, would have an adverse effect on air quality.
- k. Shall institute or cause to be instituted in the name of the Authority after approval of the Board a suit for injunction to prevent any further or continued violation of the Rule or order.

Article 1-3 Registration

Section 1-3.1 Registration of Sources

- (a) Except as otherwise exempted by these rules, each person who is responsible for emission of air contaminants, whether or not limits are established by these rules for emission of such contaminants, shall file with the Program Director on forms provided by him, (1) the name, address and nature of the business, (2) the name of the local person responsible for compliance with these rules, (3) information on daily amount of refuse and methods of refuse disposal, (4) information on fuel used for space heat, process heat or power generation, (5) information on process data and equipment or methods for control of emissions and (6) such other relevant information requested by the Program Director.
- (b) The registration required in subsection (a) of this section shall be made within thirty (30) days following the date of mailing of registration forms by the Program Director.
- (c) Every applicant for a building permit, which building will contain an operation or process resulting in emission of air contaminants, shall file with said building permit application on forms provided by the Program Director, information or estimates relating to (1) type of occupancy, (2) name, address and nature of business, (3) daily amount of refuse and method of disposal, (4) information on fuel used for space heat, process heat or power generation, (5) equipment or methods for control of emissions, and (6) such other relevant information requested by the Program Director.
- (d) Each person subject to the requirements in subsections (a) and (c) of this section shall maintain such registration in current status by re-registering with the Program Director if any substantial change is made affecting the information on file furnished in compliance with subsections (a) and (c) of this section.
- (e) Any information relating to secret process, device or method of manufacturing or production data submitted in compliance with subsections (a) and (c) of this section, or in compliance with any other rule of this Authority, shall be kept confidential and shall not be a part of a public record or hearing.
- (f) The following sources of emission of air contaminants shall be exempt from the registration provisions of these rules:
 - (1) Internal combustion engines installed in mobile equipment units.
 - (2) Ships and aircraft not otherwise included under subsection (f) (1).

Article 1-4 Hearings and Contested Cases

Section 1-4.1 Method of Instituting Hearings

A hearing may be instituted by the Authority on its own motion or as follows:

- (a) Petition by an interested person to secure a declaratory ruling by the Authority on the applicability to any person, property or state of facts of any rule or statute enforceable by it.
- (b) Petition by any interested person for the promulgation, repeal or amendment of any rule of the Authority.
- (c) Verification of the Petition. The petition shall be verified if required by the Authority.
- (d) Contents of the Petition. The petition shall be in writing, signed by, or on behalf of, the petitioner, and shall contain a detailed statement of:
 - (1) Ultimate facts sufficient to show the situation is entitled to the relief requested;
 - (2) The specific relief requested;
 - (3) All propositions of law to be asserted by the petitioner; and
 - (4) The name and address of petitioner and of any other person or persons necessary to the proceeding;
 - (5) In cases of complaints or remonstrances involving alleged violation of public policy as expressed in Section 1-1.1 of these rules, the petition shall also contain a brief description of the alleged air pollution, and the persons, firm or corporation alleged to be contributing to the air pollution, and the nature of the injury resulting therefrom.
- (e) Filing of the Petition. An original and 2 copies of the petition, either in typewritten or printed form, shall be filed with the Authority. A petition shall be deemed filed when received by the Authority. The Authority shall notify the petitioner of such filing.
- (f) Service of the Petition, Notices, Orders:
 - (1) After the petition has been filed, the Authority shall cause an investigation to be made by the Program Director. If such investigation reveals probably cause for complaint, the Authority shall dispatch by registered or certified mail a true copy of the petition together with a copy of the applicable rules of practice to all necessary parties as named in the petition. Such petition

shall be deemed as served on the date of mailing to the last known address of the person being served.

- (2) All motions, notices, pleadings, orders and decisions shall be deemed served upon mailing by regular mail to the last known address of all necessary parties.

Section 1-4.2 Answers, Motions, Amendments and Withdrawals of Petitions

- (a) Answers to petitions or other pleadings will not be required. Where no answer is filed with the Authority, all allegations of the petition will be deemed denied. If an answer or other pleadings are desired, they shall be served and filed in the same manner and form as provided in Section 1-4.1.
- (b) The Authority, on its own motion or motion of an interested party, may require, within ten days of the filing or serving of petition, that the allegations in the petition be made more definite and certain. Such motion shall point out the defects complained of and the details desired. If the motion is granted, the petitioner shall be given fifteen days after notice to comply with the order. If this is not done, those allegations complained of shall be stricken.
- (c) At any time more than ten days prior to hearing, the petitioner may amend his petition by serving a copy of the amended petition on all necessary parties and by filing an original and 2 copies with the Authority. After that time, amendment may be allowed at the discretion of the Authority.
- (d) The petitioner may withdraw his petition at any time prior to hearing without prejudice. Thereafter, the petition may be withdrawn only upon approval of the Authority.

Section 1-4.3 Institution of Proceedings in Air Pollution Matters

- (a) In case of failure by conference to correct air pollution or air contamination which has resulted in a violation of any rule or order of the Authority, the Authority may institute a hearing by written notice issued and served upon the person complained against.
- (b) Contents of Notice. The notice shall be in writing, signed by the Chairman and shall contain:
 - (1) A summary of the complaint made by or to the Authority; or in the alternative a copy of the complaint shall be attached to the notice.
 - (2) Specify the provisions of the statute, rule or order of which the respondent is said to be in violation.
 - (3) A statement of the manner in and the extent to which such person is said to violate the statute, rule or order.
 - (4) A direction that the person so complained against shall appear and answer the charges of such notice or complaint at a time and place before the Authority not less than fifteen days after date of the notice.
- (c) The respondent to such notice may file a written answer thereto and may appear in person with or without counsel.
- (d) The notice shall be served as provided in these rules, not less than fifteen days prior to the hearing before the Authority.
- (e) If the person served with notice fails to appear, the Authority may take such action and issue and enter such specific order or make such specific determination as it shall deem appropriate under the circumstances.

Section 1-4.4 Notice of Hearing

When a hearing has been requested by filing a petition, or by the Authority upon its own motion, the Authority shall ascertain the time most convenient to it and shall give all interested parties fifteen days notice of the date and place where such hearing will be held and the nature of such hearing. This time may be shortened or extended by stipulation of all parties or upon request to the Authority by any party, which requests may be granted or denied at the discretion of the Authority. The request shall be supported by affidavit setting out facts in support thereof and may be opposed by any other party in the same manner upon good cause shown. The request shall be served as is provided in these rules.

Section 1-4.5 Subpoenas

Subpoenas requiring the attendance of witnesses or the production of documentary or tangible evidence at a hearing may be issued by the Authority upon request by any party to the proceeding, including the Authority itself, upon proper showing of general relevance of reasonable scope of the evidence

Section 1-4.6

(a) Intervention

Any person having an interest in the subject matter of any proceeding may petition for leave to intervene in such proceeding and may become a party thereto, if the Authority finds that such persons may be bound by the order to be entered in the proceeding or that such person has a property or financial interest which may not be adequately represented by existing parties; PROVIDED, that such intervention would not unduly broaden the issues or delay the proceedings. Except for good cause shown, no petition for leave to intervene will be entertained if filed less than ten days prior to hearing.

(b) Impleader

In any action or proceeding involving section 2-2.2 entitled particulate matter and involving emission present in the ambient air, there shall be available to a respondent in such a proceeding the right to implead other parties also responsible for the conditions existing for which the respondent is charged. In such cases the impleader shall be made by petition of the responding party and shall be granted in the discretion of the Authority on a showing of relevancy, materiality and necessity to the proceeding.

Section 1-4.7 Conduct of the Hearing

The hearing shall be before the Board of Directors and shall be conducted by the Chairman of the Authority, or in his absence, the Vice-Chairman.

Section 1-4.8 Disqualification

Any member of the Board of Directors may withdraw from the proceeding whenever he deems himself disqualified because of personal bias except in those cases where such withdrawal may preclude a hearing.

Section 1-4.9 Powers of Chairman

The Chairman or Vice-Chairman of the Board of Directors shall have the following powers:

- (a) To cause notice to be given of and hold hearings;
- (b) To administer oaths and affirmations;
- (c) To examine witnesses;
- (d) To issue subpoenas; (Subpoenas may be served by any person authorized by the Chairman).
- (e) To take or cause to be taken depositions as provided by law;
- (f) To rule upon offers of proof and receive evidence, and prior to ruling may seek the advice of the Attorney for the Authority in attendance at the hearing or meeting;
- (g) To regulate the course of a hearing, including:
 - (1) The ejection of any person who in any manner interferes with the orderly procedure of a hearing;
 - (2) The requirement for parties to proceedings to submit in advance of hearing a written list of prospective witnesses and an estimate of time required to present his or its case.
- (h) To hold conferences, before or during hearing, for the settlement or simplification of issues.
- (i) To dispose of procedural requests or similar matters;
- (j) To take any other action authorized by these rules.

Section 1-4.10 Who May Appear at Hearings

- (a) Each party may be represented by counsel.
- (b) Any individual may appear for himself, and any member of a partnership which is a party to any proceeding may appear for such partnership upon adequate identification. An authorized representative of a corporation or an association may appear for such corporation or association.

Section 1-4.11 Standard of Conduct at Hearings

Contemptuous conduct by any person appearing at a hearing shall be grounds for his exclusion by the presiding officer from the hearing.

Section 1-4.12 Hearings Reporter

The official record of the hearing shall be recorded by a person assigned by the Authority capable of doing such reporting. The method used shall be in the discretion of the Board of Directors.

Section 1-4.13 Transcript of Testimony

The Authority is not required to furnish copies of the transcript of the official record. Any party to a hearing may purchase a transcript from the reporter.

Section 1-4.14 Continuances and Postponements

Motion for continuance or postponement of any hearing may be granted by the Authority for good cause shown.

Section 1-4.15 Testimony

- (a) The testimony of witnesses at a hearing shall be upon oath or affirmation administered by an officer of the Authority authorized to administer oaths and shall be subject to cross-examination. Any member of the Authority, or its Attorney, may interrogate witnesses at any stage of the proceedings, either on direct or cross-examination.
- (b) Any witness may, in the discretion of the Authority, be examined separately and apart from all other witnesses except those who may be parties to the proceedings.
- (c) The Authority may limit oral argument at its discretion.

Section 1-4.16 Oath or Affirmation

The oath or affirmation taken by a witness before he may testify shall be in the same form and manner as is provided by law.

Section 1-4.17 Right to Full and True Disclosure of the Facts

Every party shall have the right to present his case or defense by oral, documentary or other satisfactory evidence, to submit evidence in rebuttal, and to conduct such cross-examination as may be required for a full and complete disclosure of the facts.

Section 1-4.18 Burden of Proof

The petitioner shall have the burden of proof; provided, that where proceedings are initiated by the Authority on its own motion, the report of the Program Director as to the existence of air pollution, and the cause thereof, shall constitute prima facie evidence thereof, unless satisfactorily rebutted, and such report shall constitute a part of the official record of the proceedings.

Section 1-4.19 Admission and Exclusion of Evidence

- (a) The rules of evidence and requirement of proof shall conform, to the extent practicable, with those in civil non-jury cases in the circuit courts.
- (b) Heresay evidence shall not be admissible over an objection based on lack of opportunity to cross-examine.
- (c) The Authority may limit expert and opinion evidence in its discretion.

Section 1-4.20 Objections

If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon the chairman shall rule on the objection.

Section 1-4.21 Judicial Notice

After first advising all parties of its intention to do so, the Authority may take notice of judicially cognizable facts as is provided by law (ORS 41.410 to 41.480) and of general, technical or scientific facts within the specialized knowledge of the officers and staff of the Authority.

Section 1-4.22 Informal Disposition

Informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default; provided that an order adverse to a party may be issued upon default only upon prima facie case made on the record by the Authority. Such a decision shall not be reviewable before the Authority.

Section 1-4.23 Argument and Submittals

The Authority shall give the parties to the proceedings adequate opportunity for the presentation of arguments in support of motions, objections and exception to its proposed decision. Prior to a proposed decision, the parties shall be afforded a reasonable opportunity to submit for consideration proposed findings and conclusions and supporting reasons therefor.

Section 1-4.24 Record for Decision

The record of the testimony and exhibits, together with all papers, requests and rulings filed in the proceedings, and the reports and records of the Program Director, shall constitute the exclusive record for decision. The record shall include any Authority proceeding upon an affidavit of personal bias or disqualification of any officer of the agency and the proposed and final decision, if any.

Section 1-4.25 Decision

The Authority shall render its decision within sixty days after completion of the hearing. A copy of the decision shall be mailed to each party or to his attorney of record.

Section 1-4.26 Appeal

Any party to an Authority proceeding who is adversely affected by the final decision may appeal to the Circuit Court.

LANE REGIONAL AIR POLLUTION AUTHORITY
777 Pearl Street, Eugene, Oregon 97401

Rule 2 Air Pollution Control

Article 2-1 Definitions

Section 2-1.1

- (a) "Agricultural Operation" means the growing of crops the raising of fowls, animals, or bees, as a gainful operation.
- (b) "Air Contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid or particulate matter or any combination thereof.
- (c) "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants in quantities, or characteristics and of duration which are, or may be injurious to human, plant or animal life, or to property, or which unreasonably interferes with enjoyment of life and property.
- (d) "Air Pollution Control Area" means a special area within the territory of the Authority established to control specific practices or to maintain specific standards.
 - (1) "Air Pollution Control Area A" means:
Any area in or within three (3) miles of an area with population density of 100 persons per square mile or greater.
 - (2) "Air Pollution Control Area B" means:
All other areas within jurisdiction of the Authority.
 - (3) Population densities to be determined by Lane County Census conducted by Central Lane Planning Commission, 1966.
- (e) "Air Pollution Control Equipment" means any equipment which has as its essential purpose a reduction (1) in the emission of air contaminants, or (2) in the effect of such emission.
- (f) "Authority" means the Lane Regional Air Pollution Authority.
- (g) "Domestic Rubbish" means waste material and trash other than garbage, but including trash and prunings, normally accumulated by a family in a residence in the course of ordinary day to day living.

- (h) "Emission" means the act of passing into the atmosphere an air contaminant or a gas stream which contains an air contaminant, or the material so passed to the atmosphere.
- (i) "Emission Point" means the location, place in horizontal plane and vertical elevation at which an emission enters the atmosphere.
- (j) "Fire Permit Issuing Agency" means any city fire department, rural fire protection district, water district, Forest Protection District, any governmental fire permit issuing agency, county court or board of county commissioners or their designated representative, as applicable.
- (k) "Garbage" means putrescible animal and vegetable wastes resulting from handling, preparation, cooking and serving of food, and may contain up to 30% rubbish.
- (l) "Gasoline" - Any petroleum distillate having a Reid Vapor Pressure of four pounds per square inch or greater.
- (m) "General Combustion Operation" means any operation in which combustion is carried on, exclusive of heat transfer operations, incineration operations and salvage operations.
- (n) "Heat Transfer Operation" means the combustion side of any operation which (1) involves the combustion of fuel for the principal purpose of utilizing the heat of combustion-product gases by the transfer of such heat to the process material and (2) does not transfer a significant portion of heat by direct contact between the combustion-product gases and the process material.
- (o) "Heavy Industrial Land Use Areas" means land which is designated or used for heavy industrial operations, including manufacturing.
- (p) "Incineration Operation" means any operation in which combustion is carried on in an incinerator, for the principal purpose, or with the principal result, of oxidizing wastes to reduce their bulk and/or facilitate disposal.
- (q) "Incinerator" means a device, that meets the design and emission standards of these rules, for burning waste by controlled combustion. The term "incinerator" does not include other devices such as open or screened barrels or drums.
- (r) "Land Clearing" means the removal of trees, brush, grass and preparation for a land improvement or construction project.
- (s) "Opacity" means the degree to which an emission reduces transmission of light and obscures the view of an object in the background.

- (t) "Open Outdoor Fire" or "Open Burning" means the burning of any material outdoors other than in an incinerator as defined in this section.
- (u) "Operation" means any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or chemical or physical properties of a material.
- (v) "Particle Fallout Rate" means the amount of particulate matter which settles out of the air in a given length of time over a given area as measured by sampling procedures used by this Authority.
- (w) "Particulate Matter" means discrete particles of liquid, other than water, or a solid, as distinguished from gas or vapor.
- (x) "Person" or "persons" means any individual, public or private corporation, political subdivision, agency, board, department or bureau of the state, municipality, partnership, association, firm, trust, estate, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.
- (y) "Program Director" means the Program Director of the Lane Regional Air Pollution Authority, or his deputy acting in his capacity as such deputy or under orders of the Program Director.
- (z) "A Public Nuisance" exists when any operation or activity involving air pollution which causes injury, detriment, or annoyance to persons or the public or which endangers the comfort, repose, health or safety of such persons or the public or which causes injury or damage to business or property. An operation or activity involving air pollution may be declared a public nuisance by the Authority when the above conditions are shown to exist.
- (aa) "Refuse" means a mixture of rubbish and garbage.
- (ab) "Residential and Commercial Land Use Areas" means land which is designated or used for individual dwelling houses, apartment houses, retail businesses, and light industries.
- (ac) "Ringelmann Chart" means the Ringelmann Smoke Chart with instructions for use as published in May, 1967 by the United States Bureau of Mines.
- (ad) "Rubbish" means a mixture of mostly combustible waste such as paper, cartons, rags, lumber, wood, scraps, oils, plastics, foilage, stubble, or other combustible agricultural material.

- (ae) "Salvage Operation" means any operation in which combustion is carried on for the principal purpose, or with the principal result, of salvaging metals which are introduced into the operation as essentially pure metals, or alloys thereof, by oxidation of physically intermingled combustible materials; but excludes operations in which there is complete fusion of all such metals.
- (af) "Sanitary Authority" means the Oregon State Sanitary Authority.
- (ag) "Smoke" means small gas-borne particles resulting from incomplete combustion, consisting predominantly of carbon, ash and other combustible material present in sufficient quantity to be observable, or, as suspension in a gas of solid particles in sufficient quantity to be observable.
- (ah) "Suspended Particulate Matter" means the material in the air which is collectible on a filter under sampling procedures used by this authority.
- (ai) "Territory" means all areas within the boundaries of Lane Regional Air Pollution Authority.
- (aj) "Wigwam Waste Burner" means a burner which consists of a single combustion chamber, has the general features of a truncated cone, and is used for incineration of industrial continuous production wastes.
- (ak) "Objectionable Odor" Means any odor considered objectionable by 15 percent or more of the people exposed to it in their usual places of residence or employment. If less than 20 persons are exposed to the odor, then 75 percent of those exposed must consider the odor objectionable.
- (al) "Threshold Level of Olfactory Detection" means the odor perception threshold for 50 percent of the odor panel as determined by the ASTM procedure D1391-57, Standard Method of Measurement of Odor in Atmospheres (Dilution method), or an equivalent method.
- (am) "Standard Conditions" means a gas temperature of 21.1 Centigrade and gas pressure of 760 mm mercury absolute.

LANE REGIONAL AIR POLLUTION AUTHORITY

777 Pearl Street, Eugene, Oregon 97401

Article 2-2 Emission Standards

Section 2-2.1 Visible Air Contaminants

- (a) A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour, except for incinerators which shall not be more than one minute in any one hour, which is:
- (1) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines in Information Circular 8333 dated May, 1967, or:
 - (2) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke as dark or darker in shade as that designated as No. 2 on the Ringelmann Chart.
 - (3) Darker in shade as that designated as No. 1 on the Ringelmann Chart, or of such opacity as to obscure an observer's view to a degree greater than does smoke as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart for all new construction after January 1, 1969.
 - (4) Darker in shade as that designated as No. 1 on the Ringelmann Chart, or of such opacity as to obscure an observer's view to a degree greater than does smoke as dark or darker in shade as designated as No. 1 on the Ringelmann Chart for all existing installations after January 1, 1975.
- (b) Boilers using over 40,000,000 pounds dry hog fuel per annum are exempt from sections three and four of this rule.

Section 2-2.2 Particulate Matter

No person shall cause, let, permit, suffer or allow any emission of particulate matter, which emission when combined with other emissions which are present in the ambient air, are in excess of the standards enumerated in this section; provided however, the emission standards herein provided for shall not be enforceable on the property surrounding the emission point, if such property is contiguous to that on which the emission point is located and is in the exclusion possession and control of the person responsible for the emission.

- (a) Particle fallout rates shall not exceed:
 - (1) Five grams of particulate matter per square meter (15 tons/mile²) per month at representative sampling stations in residential and commercial land use areas;
- (b) The concentration of suspended particulate matter in ambient air shall not exceed:
 - (1) 150 micrograms of particulate matter per cubic meter at representative sampling stations in residential and commercial land use areas;
 - (2) 20 micrograms of lime dust as calcium oxide per cubic meter at representative sampling stations in residential and commercial land use areas;
 - (3) 250 micrograms of particulate matter per cubic meter in heavy industrial land use areas.
- (c) Notwithstanding the limitations in subsections (a) and (b) of this section, the particulate emission from any source shall not exceed 0.457 grams/m³ (0.2 grains/ft.³) at standard conditions of temperature and pressure corrected to 12% CO² or 50% excess air whichever is appropriate.

Section 2-2.3 Odors

No person shall cause, let, permit, suffer, or allow any emission of an objectionable odor which requires more than three volumes of dilution air to reach the threshold level of olfactory detection, when measured at or beyond the property line.

Section 2-2.4 Other Emissions

No person shall discharge from any source whatsoever such quantities of air contaminants which cause injury, detriment, public nuisance or annoyance to any persons or to the public or which cause injury or damage to business or property; such determination to be made by the Authority.

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Article 2-3 Open Outdoor Fires

Section 2-3.1 General Requirements

- (a) No person shall ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire anywhere in the territory of the Lane Regional Air Pollution Authority, unless specifically regulated or allowed by other sections of these rules, or they have obtained a variance pursuant to Section 2-4.3 of these rules.
- (b) No open outdoor fire allowed by this rule anywhere in the territory shall contain garbage, asphalt, petroleum products, paints, rubber products, plastic or any substance or material which normally emits dense smoke or obnoxious odors.
- (c) Open outdoor fires allowed by these rules are not exempted from fire or burning permit requirements, or other applicable requirements, restrictions or limitations of fire prevention and protection agencies.
- (d) No open outdoor fire shall be allowed, when after consultation with the meteorological advisors, the Program Director determines such fires will have an adverse effect on air quality. This restriction may be applied to the entire territory or to one or more parts thereof.
- (e) Open outdoor fires in violation of these rules shall be immediately extinguished by the responsible persons upon notice by the Program Director or his representative.

Section 2-3.2 Agricultural Operations

No person shall ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire containing grass, grain, stubble or other agriculture related combustible material except as authorized and permitted by Oregon Revised Statutes, Chapters 476, 477, and 478. The initial clearing of land for agricultural use shall be considered an agricultural operation.

Section 2-3.3 Commercial or Industrial Rubbish

No person shall ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire containing rubbish from commercial or industrial sources in Air Pollution Control Area "A".

Section 2-3.4 Domestic Rubbish

No person shall ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire containing domestic rubbish in air pollution control area "A" after January 1971.

Section 2-3.5 Fire Hazards Elimination

An open outdoor fire ignited, caused to be ignited, or suffered, allowed or maintained by an officer of a fire permit issuing agency for the prevention or elimination of a fire hazard is allowed throughout the territory.

Section 2-3.6 Slash Burning

An open outdoor fire ignited, caused to be ignited, permit to be ignited, suffer, allowed, or maintained for the purpose of forest slash removal is allowed throughout the territory.

Section 2-3.7 Debris Clearing Operations

An open outdoor fire ignited, caused to be ignited, or suffered, allowed or maintained by an officer of a fire permit issuing agency for the disposal of dry stumps, brush, tree and shrub trimmings, or other like materials, is allowed in area "A", under favorable conditions, after consultation with the Program Director.

Section 2-3.8 Metal Salvage

No person shall ignite, cause to be ignited, permit to be ignited, or suffer, allow or maintain any open outdoor fire of motor vehicle bodies, and associated parts, railway cars, insulated wire, electric motors and coils or any other salvage materials in any Air Pollution Control Area.

Section 2-3.9 Recreation Fires - Outdoor Cooking

- (a) A bonfire or similar small fire (less than 5 cubic yards of fuel) for recreational purposes is allowed throughout the territory provided applicable requirements, restrictions or limitations of fire prevention and fire control agencies are met. Larger fires require written approval of fire permit issuing agency and the Lane Regional Air Pollution Authority.
- (b) A non-commercial fire in an outdoor fireplace or barbecue for cooking of food for human consumption is exempt from all requirements of this rule.

Section 2-3.10 Refuse Disposal Sites

No person shall ignite, cause to be ignited, or suffer, allow or maintain any open outdoor fire in or at any refuse disposal site or refuse dump in any Air Pollution Control Area after 1 January 1971.

Section 2-3.11 Training for Firefighters

A fire ignited, caused to be ignited, or suffered, allowed or maintained by an officer of a fire-permit issuing agency for the purpose of training local government employees or volunteers, civil defense volunteers or employees of private concerns in methods of fire fighting, is allowed in Area "B" and in Area "A" after consultation with the Program Director.

Section 2-3.12 Wigwam Waste Burners

- (a) Construction of wigwam waste burners or similar devices in Air Pollution Control Area "A" is prohibited.
- (b) Construction of wigwam burners in Area "B" requires approval of plans by the Authority prior to construction.
- (c) Wigwam burners or similar devices in existence and in normal use on the effective date of these rules may continue in use until 1 January 1971 in Area "A" provided their operation is in compliance with the emission standards of these rules.

Section 2-3.13 Gasoline

- (a) Gasoline tanks with a capacity of 500 gallons or more may not be installed without a permanent submerged fill pipe or other adequate vapor loss control device.
- (b) All existing installations in Area "A" must comply with Section 2-3.12 (a) by January 1, 1975.

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Article 2-4 General Rules

Section 2-4.1 Submission of Plans

- (a) Plans and specifications, drawn in accordance with acceptable engineering practices, for any air pollution control equipment or any incinerator proposed for installation or for modification of any air pollution control equipment or any incinerator already installed, shall be submitted to the Program Director for review prior to construction and installation. Plans and specifications will include the estimated quantities of input and output of air contaminants together with estimated efficiency of the air pollution control equipment. A description of the process and a related flow chart shall accompany the plans and specifications for the air pollution control equipment or incinerators. A copy of the plans and specifications will be retained by the Program Director.
- (b) Plans for any air pollution control equipment may be submitted by the person responsible for compliance with the provisions of these Rules to the Program Director for his review and opinion as to the adequacy of the equipment.
- (c) "CONFIDENTIAL INFORMATION" - Whenever any records or other information furnished to or obtained by the Authority pursuant to the above paragraphs in this section or any other section in these rules and regulations, relate to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so requests, such records or information shall be only for the confidential use of the Authority."

Section 2-4.2 Schedule for Compliance

- (a) A reasonable time for compliance with these rules shall be allowed by the Program Director to any person who will not be in compliance with these rules on the effective date, or to any person found by the Program Director at a later date not in compliance. Time for compliance shall include each of the following: Time for engineering, time for procurement, time for fabrication, and time for installation and adjustment.
- (b) Persons responsible for emissions which will not be in compliance with these rules on their effective date, or persons responsible for emissions found by the Program Director at a later date not in compliance, shall submit

To the Program Director for approval a schedule for compliance containing estimates of times as specified in subsection (a) of this section. A request to amend the original schedule for compliance may be submitted within 90 days of the original request providing that material facts are submitted in writing indicating a different reasonable schedule is required for compliance.

- (c) If a person who has been given such reasonable time for compliance fails either (1) to comply with these rules by the time specified, or (2) to make reasonable progress toward completion, at any phase, of such installations as are required for final compliance, the Program Director may require of such person such further reports as he deems necessary to show reasonable progress toward compliance. The Program Director may, if he finds unreasonable delay, proceed in accordance with the enforcement procedures contained in these rules.

Section 2-4.3 Variances

- (a) The Board of Directors, by an order, may grant specific variances from the particular requirements or limitations of these rules to specific persons or class of persons or such specific air contamination sources, upon such conditions as it may deem necessary to protect the public health and welfare, if it finds that compliance with the air quality standards of these rules or any order issued pursuant thereto is inappropriate because of conditions beyond the control of the persons granted such variance or because of special circumstances which would render compliance unreasonable, burdensome or impractical due to special physical conditions or cause, or because the effect of the air pollution is minimal in comparison with the effect of abatement or substantial reduction of the emission, or because no other alternative facility or method of handling is yet available. In determining whether or not a variance shall be granted, in all cases the equities involved and the advantages and disadvantages to the persons affected and the occupation or activity, shall be weighed by the Board of Directors.
- (b) Any person requesting a variance shall make his request in writing and shall state in a concise manner the facts to show cause why such variance should be granted.
- (c) Variances shall be for a period of time not to exceed twelve months, but may be renewed for a similar period of time by the Board of Directors upon reapplication.
- (d) A variance granted may be revoked or modified by the Board of Directors after a public hearing held upon not less than 10 days notice. Such notice shall be served upon the holder of the variance and all persons who have filed with the Board of Directors a written request for such notification.

- (e) A copy of each variance granted shall be filed with the Sanitary Authority within 15 days after being granted.

Section 2-4.4 Upset Conditions

Emissions exceeding any of the limits established in these rules as a direct result of upset conditions in or breakdown of any operating equipment or related air pollution control equipment, or as a direct result of the shutdown of such equipment for scheduled maintenance, shall not be deemed to be in violation of these rules, provided all the following requirements are met:

- (a) Such occurrence shall have been reported to the office of the Program Director as soon as reasonably possible; for scheduled maintenance, such report shall be submitted at least 24 hours prior to shutdown, and for upset conditions or breakdown such report shall in any case be made within four hours of the occurrence.
- (b) The person responsible for such emission shall, with all practicable speed, initiate and complete appropriate reasonable action to correct the conditions causing such emissions to exceed the limits of these rules and to reduce the frequency of occurrence of such conditions; and shall upon request of the Program Director submit in writing a full report of such occurrence, including a statement of all known causes and the nature of the actions to be taken pursuant to the requirements of this subsection.

Section 2-4.5 Sampling Procedures

- (a) All sampling of particulate matter and other contaminants, shall be conducted in accordance with methods used by the Sanitary Authority or equivalent and acceptable methods of measurement. All methods used will be maintained in a file in the office of the Program Director, which is available for review by any interested person during normal office hours.
- (b) When a violation of the ambient air standards set forth in these rules is caused by multiple discharges, determination shall be made of the amount of discharge from each source contributing to the violation. Upon request of the Program Director, the person responsible for a suspected source of air pollution shall make or have made a source test and shall submit a report to the Program Director, describing the nature and quantity of air contaminants emitted, the specific operating conditions when the test was made and other pertinent data describing the emissions. The source test measurements shall be conducted in a manner and with equipment acceptable to the Program Director.

- (c) The Program Director is authorized to make source test measurements when the accuracy of a report of a source test measurement is at issue, when the emission is creating alleged effects upon human health, or when the verification of operating conditions is required.
- (d) Upon request of the Program Director, the Person responsible for emission of air contaminants shall provide in connection with such emission point and related source operations, such existing sampling and testing facilities or other mutually acceptable facilities exclusive of instruments and sensing devices as may be necessary for the accurate determination of the nature, extent, quantity and degree of air contaminants which are or may be emitted as a result of such operation.

Section 2-4.6 Heat Transfer and General Combustion Operations

- (a) No person shall cause, let, permit, suffer or allow any emission from any heat transfer operation or any general combustion operation which does not comply with the emission limitations of these rules.
- (b) Every person responsible for an emission covered by this section shall have and maintain means whereby the operator of the equipment shall be able at all times during the operation to know the appearance of the emission.

Section 2-4.7 Incinerator and Salvage Operations

- (a) No person shall cause, let, permit, suffer or allow any emission from any incineration operation or salvage operation which does not comply with the emission limitations of these rules.
- (b) Every person responsible for an emission covered by this section shall be able at all times during the operation to know the appearance of the emission.

Section 2-4.8 Responsibility for Rules Compliance

- (a) The person who has registered pursuant to Section 1-3.1 of these rules shall be the person responsible for compliance with these rules.
- (b) If no registration has been filed, then the person apparently in possession of the premises shall be responsible for compliance with these rules.
- (c) Any person responsible for compliance with the air quality standards of these rules shall determine the means, methods, process, equipment and operations to comply with the standards.

LANE REGIONAL AIR POLLUTION AUTHORITY

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Article 2-5 Incinerators

Section 2-5.1 Design and Construction Standards

- (a) Notwithstanding any other section of these rules, construction of any article, machine, equipment or contrivance for commercial, industrial or residential incineration or salvage operations shall maintain 1500° F for .3 seconds in secondary chamber gas path. One and two family residential disposal in Area "B" are exempt from this paragraph.
- (b) Notwithstanding any other section of these rules, construction of any other section of these rules, construction of any article, machine, equipment or contrivance for disposal of Type 4 waste shall maintain 1700° F for .4 seconds in secondary chamber gas path.

Section 2-5.2 Submission of Plans and Operating Instructions

- (a) Incinerator operating instructions shall be furnished by the supplier to the Program Director for approval coincident with submission of construction plans. The supplier shall furnish adequate training in the operation of the incinerator to the purchaser prior to the required test operation.
- (b) When a commercial or industrial incinerator is constructed or assembled on site, the Program Director shall be notified so that the internal dimensions may be determined while the incinerator is still open.

Section 2-5.3 Test Operation

A test operation conducted by the supplier is required before a new incinerator, or an incinerator to which major modifications have been made, is approved for operation. Upon completion of acceptable test operation, the incinerator shall be approved for use and copies of the approved operating instructions will be signed by the Program Director.

Section 2-5.4 Classification of Waste Materials

(a) Type 1 Waste

Rubbish, consisting of combustible waste such as paper, cartons, rags, wood scraps, foliage, and floor sweepings from domestic, commercial and industrial activities. This type contains up to 25% moisture, up to 10% incombustible solids and has a heating value of approximately 6500 BTU per pound as fired. If the waste consists

entirely of clean, untreated dry paper with a moisture content not over 15% the heating value is approximately 7590 BTU per pound.

(b) Type 2 Waste

Refuse, consisting of an approximately even mixture of rubbish and garbage by weight. This type is common to apartment and residential occupancy, contains up to 50% moisture, 7% incombustible solids and has a heating value of approximately 4300 BTU per pound as fired.

(c) Type 3 Waste

Garbage, such as animal and vegetable food wastes, and may contain up to 30% rubbish. This type contains up to 70% moisture, up to 5% incombustible solids and has a heating value of approximately 2500 BTU per pound as fired.

(d) Type 4 Waste

Animal solids and organic materials such as carcasses, organs and solid organic wastes from hospitals, crematoriums, laboratories, abattoirs, animal pounds and similar sources. Consists entirely of animal or human tissue. This type contains up to 85% moisture, up to 5% incombustible solids and has a heating value of approximately 1000 BTU per pound as fired.

(e) Type 5 Waste

Gaseous, liquid or semi-liquid materials from industrial processes. The composition, moisture content, amount of incombustible solids and BTU value vary in accordance with the predominant components.

(f) Type 6 Waste

Semi-solid or solid materials from industrial process. The composition, moisture content, amount of incombustible of solids and BTU value vary in accordance with the predominant components.

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John D. Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 13, 1968

SUBJECT: NATIONAL METALLURGICAL CORPORATION
1801 South "A" Street (P. O. Box 56)
Springfield, Oregon 97477

The Sanitary Authority retained jurisdiction of National Metallurgical Corporation when Lane Regional Air Pollution Authority was authorized.

National Metallurgical Corporation produces elemental silicon by reacting a mixture of low bark content hog fuel, coke, and quartz in two three-phase arc furnaces. Emissions from the furnaces mainly consist of very small silicon dioxide particles (99% are less than 1 micron) and some larger silicon dioxide and carbonaceous particles. Presently, the fume treatment system consists of hoods, multicones, ductwork, fans and exhaust stacks. The multicones serve to remove only the larger class of particulates. The very small particles are emitted to the atmosphere. The emissions vary considerably depending on operating procedures and conditions. The opacity of both stacks exceeds that provided by Oregon Administrative Rules, Section 21-011 (2).:

21-011 SMOKE DISCHARGE. A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any hour which is:

(1) As dark or darker in shade as that designated as number 2 on the Ringelmann Chart as published by the U. S. Bureau of Mines, August., 1955, or

(2) Of such opacity as to obscure an observers' view to a degree equal to or greater than does smoke described in sub-section (1) of this section.

In addition, the emitted material contributes to the suspended particulate levels in the area and visibility reduction.

In order to abate this problem, National Metallurgical Corporation has made plans to install a baghouse and related equipment. The company will also make some in-plant changes which will compliment the proposed exhaust treatment facility. With these decisions, it became apparent that a written agreement between National Metallurgical Corporation and the staff was necessary. Therefore such an agreement has been completed. The agreement, which is attached for your consideration includes the time schedule for engineering, submitting plans for review and approval, procurement,

fabrication, installation, adjustment, testing, submitting monthly progress reports, and final performance test data. The project is scheduled for continuous operation by December 1, 1969, and testing results submitted to the Authority by December 31, 1969.

The staff recommends approval of this agreement. In addition, the staff would like to negotiate similar types of agreements with other major installations or problems and requests policy direction as to whether this procedure is acceptable to the Sanitary Authority.

MEMORANDUM OF AGREEMENT
FOR INSTALLING AIR CONTAMINANT CONTROL EQUIPMENT

NATIONAL METALLURGICAL CORPORATION, a Delaware corporation, hereinafter referred to as "National Met", having its plant at 1801 South "A" Street, Springfield, Oregon, and the Oregon State Sanitary Authority, hereinafter referred to as "The Authority", make the following Memorandum of Agreement:

PREMISE

Pursuant to ORS 449.770, the Oregon State Sanitary Authority is charged with the duty of safeguarding the air resources of the state by controlling, abating, and preventing air pollution. As a means of meeting the purposes of ORS 449.770 and the specific statutory duty of encouraging voluntary cooperation by all persons concerned in controlling air contaminants, plans and agreements to control, reduce or abate air pollution are entered into between the Oregon State Sanitary Authority and persons who are or may be the source of air contaminants. Persons responsible for emissions of air contaminants are therefore requested to provide the Oregon State Sanitary Authority with a written schedule showing when emissions will be controlled. The schedule shall include the time required for engineering, procurement, fabrication, installation and adjustment. Failure to complete the agreement will subject the person involved to the enforcement procedures and the judicial action provided in ORS Chapter 449.

WHEREAS National Met and The Authority are desirous of resolving the matter involving certain atmospheric emissions which result from operations from National Met; and

WHEREAS National Met does have plans to install a control system or systems; and

WHEREAS the Authority is desirous of having a time schedule reflecting the intended action by National Met;

NOW, THEREFORE, the parties are agreed that the following time schedule with respect to the above shall apply:

1. Engineering plans, including all design criteria related to

the performance of the air contaminant control system or systems, shall be submitted to the Authority by February 1, 1969, for review and approval.

2. A detailed listing of all required equipment and services showing delivery and/or completion dates for each item shall be filed with the Authority by March 1, 1969.

3. Official copies of purchase orders or contracts for all equipment and services which are related to or are a part of the control system or systems including those engineering specifications directly related to performance, shall be filed with the Authority within seven (7) days after the issue dates.

4. Written progress reports shall be submitted to the Authority by the 7th day of each month for the previous month, commencing April 7, 1969, and will continue to be submitted until the project is completed.

5. A proposal for handling and disposal of the collected material shall be submitted to the Authority by September 1, 1969, for review and approval.

6. The control system or systems shall be installed and ready for testing operations by November 1, 1969.

7. Initial operating tests shall commence by November 2, 1969.

8. The control system or systems shall be operating continuously according to design specifications by December 1, 1969.

9. Performance testing shall be completed and the resulting data submitted to the Authority by December 31, 1969. The resulting data shall include, but not be limited to: Gas volumes, velocities, temperatures, dust loadings, furnace operating conditions, and any other data necessary for evaluating the performance of the system or systems.

It is agreed by National Met that it will make every bona fide effort to see that the above time schedule is strictly complied with. However, in the event of delays caused by circumstances beyond their direct control, then the parties herein are agreed that the said time schedule shall be reviewed and, if necessary, amended.

strike out

National Met agrees that this proviso is not designed in any way to delay the installation of the system referred to herein.

NATIONAL METALLURGICAL CORP.

By: Frank A. Kosciolik Date 12/10/68
Frank A. Kosciolik
Vice President & General Manager

OREGON STATE SANITARY AUTHORITY

By: _____ Date _____
Kenneth H. Spies
Secretary & Chief Engineer

K

TO : MEMBERS OF THE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 13, 1968

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY FOR
TAX RELIEF PURPOSES, NO. T-42, Parts I and II.

Part II of this application was received on August 5, 1968. A summary of the contents and results of the staff review are given below.

1. Applicant - Georgia Pacific Corporation - Bunker Hill site
P. O. Box 311 Coos Bay, Oregon
Portland, Oregon 97207
Phone: 222-5561
Mr. K. R. Boehme, Asst. Property Tax Manager

The applicant plant concerned produces hardboard by the dry method, utilizing wood residues such as chips, shavings, and chip screen rejects. The wastes produced result from trim, saw kerf, sander dust, clean-up, and miscellaneous trash.

2. The application is for the redesign and repair of an incinerator roof at the Coos Bay Hardboard plant. An explosion in the combustion chamber of the incinerator caused the roof to collapse in February of 1968. Repairs were completed on April 13, 1968, and the unit was placed in operation on April 17, 1968.

3. The total cost of the redesign and repair of the incinerator roof is \$11,838.41. An accountant's certification of this figure is attached.

4. Staff Review:

To dispose of the wastes produced from hardboard manufacture, an incinerator was constructed to eliminate the necessity of burning these wastes in a teepee burner. The unit was put into operation in the fall of 1966. The company estimates that up to 16 tons per day of wood residue is being disposed of in this incinerator.

A staff member observed this facility operating on November 8, 1968. Smoke emissions from the incinerator did not exceed Ringelmann #1 during the observation time, and there was no visual signs of burned or unburned particulate matter being emitted from the stack.

In discussion with the plant manager, it was learned that explosions causing minor damage to the incinerator have occurred in the past. These explosions have occurred, including the one which caused the roof to collapse, during start-up operations after a complete shut down. The

explosions have occurred when a sufficient start-up fire was not begun in the incinerator before feeding in the wood residue. Operating personnel have now been instructed in the proper start-up procedure.

It is the opinion of the staff that this incinerator was initially installed for the purpose of reducing atmospheric emissions and that the repair to the roof was necessary to maintain this reduced level of atmospheric emissions.

5. Staff Recommendations:

The staff recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$11,838.41 be issued for the repair claimed in Application No. T-42.

ARTHUR ANDERSEN & Co.

MORGAN BUILDING
PORTLAND, OREGON 97205

July 15, 1968

Georgia-Pacific Corporation
Commonwealth Building
Portland, Oregon 97204

Gentlemen:

We, as independent public accountants, have examined the attached Certificate of Actual Cost of Incinerator Roof Project - 1968, Coos Bay, Oregon. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the certificate referred to above presents fairly the cost of \$11,838.41 incurred by Georgia-Pacific Corporation in the construction of the incinerator roof.

Very truly yours,

Arthur Andersen & Co.

TO : MEMBERS OF THE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY FOR
TAX RELIEF PURPOSES, NO. T. 51, PARTS I & II.

This application was received on September 16, 1968. A summary of the contents and results of the staff review are given below.

1. Applicant -

Crown Zellerbach Corporation
Wauna Division
Clatskanie, Oregon 97016

The applicant produces kraft pulp and paper at the above address.

2. The facilities covered in this application include a demister on the smelt dissolving tank, a black liquor oxidation system and a lime kiln exhaust scrubber.
3. The total certified cost of the facilities is \$524,987. An accountant's certification of the cost figure is attached.
4. Staff Review -

The items in this application are:

1. Smelt tank demister - The installed cost is \$19,143. The recovered salt cake was estimated, when the plant was being designed, to be 851 lb/day. The value of the salt cake, less operating costs, was \$1592 per year, for a pay-out time of 9.6 years. The corporation's pay-out criterion is 5 years, hence the primary purpose for installing a demister was for pollution control. Testing on emissions is being done now.
2. Black liquor oxidation system - The installation of this system has compelled the company to use caustic soda instead of salt cake (sodium sulfate) for a make-up chemical, in order to counteract an increase of sulfur content in the cooking liquor resulting from a decrease in sulfur emissions compared to mills where black liquor oxidation is not done. The caustic soda is sufficiently more expensive to over-balance any savings from retention of sulfur, so that the system will not pay-out and therefore is clearly an air pollution control system. The cost of this system is \$348,844.
3. Lime kiln exhaust scrubber - As with the smelt tank demister, the material collected, and its value, were estimated on a basis of similar equipment in operation at the time. The simple pay out time

on that basis is 8.2 years, which exceeds the corporate criterion. The exhaust scrubber cost \$157,000, and the annual savings are estimated to be \$19,150. Testing on emissions is now being done.

This application initially included an electrostatic precipitator. As presented then, the pay-out time on the precipitator appeared to be too short to allow its prime purpose to be air pollution control, so it was withdrawn. In subsequent review, it was found that two items apparently had been left in which should have been removed. These were removed, except that \$3837 of item 1612D in Exhibit F (attached) was for the demister.

Original Claim:	\$1,135,573
Less precipitator	<u>591,851</u>
	543,722
Less additional	<u>18,735</u>
items	\$524,987

5. Staff Recommendations:

On the basis of low return on two devices and no return on the third, the staff concludes that these facilities were installed for the control of air pollution and recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$524,987 be issued for the facilities claimed in tax application No. T-51.

CROWN ZELLERBACH CORPORATION

EXHIBIT F

Wauna
(Division)

Certification of Pollution Control Facilities for Tax Relief Purposes

Part II - Application for Certification of Pollution Control Facility
Item C-3 and C-4, Materials, etc., Incorporated into Pollution Facility and Final Cost

Engineering Estimate Item No.	Description	Final Actual Cost
9159	Evaporator Seal Pit & Digester Gas Incinerator - Piping	1,971
10160	Evaporator Seal Pit & Digester Gas Incinerator	2,383
10162	Evaporator Seal Pit & Digester Gas Incinerator Instrumentation	1,696
15004	Evaporators: Oxidation Tank Foundations	8,680
15005	Evaporators: Oxidation Blower Building	47,866
15105	Evaporators: Pumps-Storage to Precipitator	15,398
15106	Evaporators: Weak Black Liquor Oxidation Tank	17,521
15107	Evaporators: Oxidation Tank Agitator	51,238
15108	Evaporators: Oxidation Air Blower	20,220
15109	Evaporators: Pump Oxidized S.B.L. to Storage	6,395
15110	Evaporators: Blower-Evaporator Seal Pit to Recovery Boiler	6,544
15111	Evaporators: Instrumentation	11,906
15112	Evaporators: Piping	33,206
15113	Evaporators: Insulation	6,322
15116	Evaporators: Strong Black Liquor Cooler	10,553
15118	Evaporators: Strong Black Liquor Foam Breakers	28,360
15119	Evaporators: Contaminated Air Ductwork	55,177
16002	Electrostatic Precipitator Foundation and Stack Supports	49,418
16102	Electrostatic Precipitator Instrumentation	3,868
16105	Electrostatic Precipitator	457,318
16106	Flue Gas Duct from I.D. Fan to Precipitator	77,852
16107	Precipitator Liquor Overflow Tank	3,395
16109	Demister for Dissolving Tank Vent Stack	8,140
16118	Cooling Water and Demister Spray Water Booster Pumps	7,130
16120	Piping, Valves, Fittings & Supports - Precipitator	19,181
16121	Piping Insulation - Precipitator	3,427
17008	Foundations - Stack Scrubber & I.D. Fan	9,487
17101	Lime Kiln Exhaust Scrubber	145,700
17128	Pump - Scrubber Filtrate to Wash Mixer	3,931
17130	Pump - Scrubber Filtrate to Venturi	6,567
17139	Piping - Evap. Seal Pit & Digester Gas Incinerator	8,068
17140	Instrumentation - Evap. Seal Pit & Digester Gas Incinerator	2,414
17158	Pump - Sump to Scrubber	3,026
17159	Wiring - Sump Tank	1,215
16120	Piping for Demister	3,873
	TOTAL	524,987

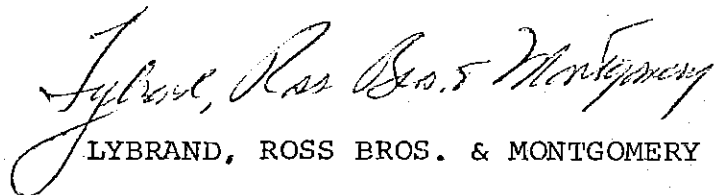
CROWN ZELLERBACH CORPORATION

Wauna
(Division)

We have examined the attached final actual cost summary as of September 11, 1968 of facilities installed by Crown Zellerbach's Wauna Division for the principal purpose of reducing air pollution. Our examination included such tests of construction accounting records and such other auditing procedures as we considered necessary in the circumstances.

Costs shown include outside contractors' billings, Crown Zellerbach Central Engineering Office facilities charges and direct materials purchases. Unallocated Central Engineering Office and contractors' charges were allocated between air pollution control and other construction based upon relative direct cost inputs. The summary includes no Wauna Division overhead cost allocations (accounting, administration, etc.).

In our opinion, the aforementioned final summary presents a true and correct representation of the actual costs, aggregating \$1,135,573, of the air pollution control facilities set forth therein at September 11, 1968.


LYBRAND, ROSS BROS. & MONTGOMERY

Certified Public Accountants

September 11, 1968

Portland, Oregon

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John D. Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 13, 1968

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY FOR
TAX RELIEF PURPOSES NO. T-48, Parts I and II.

The original application was received on August 14, 1968. Additional information was received from the company on October 7 and 18, 1968. A summary of the contents and the results of the staff review are given below.

1. Applicant - Weyerhaeuser Company
Wood Products Group
785 North 42nd Street
(P. O. Box 275)
Springfield, Oregon 97477
Mr. R. W. McDuffie, Area Manager

The applicant produces lumber, plywood, particleboard, ply-veneer, and Pres-To-Logs at this location.

2. The facility covered in this application consists of:
 - a) An elevated hoist dump where non-hoggable material is dumped from trucks and trash boxes into rail mounted shuttle cars which are owned and serviced by Springfield Sanitary Service. The cost of this component is claimed to be \$26,460.
 - b) A hammer hog, a conveying system, and an elevated hoist dump (in addition to, but identical to item (a) above) where hoggable material is dumped from trucks and trash boxes and converted to hog fuel for boiler feed. The cost of this component is claimed to be \$134,520.
 - c) A cyclone collector and paddle type water mixer which handles all sander dust from the plywood and particleboard sanding operations. The cost of this component is claimed to be \$10,583.

Installation was completed and operation began on June 30, 1968.

3. The total installed cost of the facility is \$171,563.00. The certification of this figure by a public accountant is attached.

4. Staff Review:

The facility has served to eliminate all waste burning and air-borne dust produced by discharging sander dust from the blower system directly onto the hog fuel pile as well as reduce the amount of material hauled to the Weyerhaeuser refuse dump.

The Company estimates that about 3800 cubic yards per year of non-hoggable material (metal strapping, boards with nails, etc.) will be removed by the Springfield Sanitary Service. This material is deposited at Lane County landfill operations for the most part. The staff has learned that a small portion of the non-hoggable wastes which is not suitable for landfill is hauled to the Rattlesnake Dump and burned. According to the Lane Regional Air Pollution Authority, this is not causing any problems.

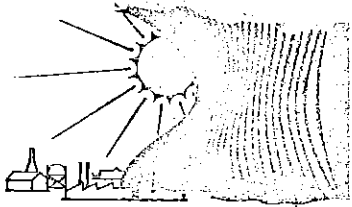
An estimated 29,800 cubic yards per year will be converted to hog fuel at the hogging facility. The annual value of the hog fuel would be about \$10,000 based on \$2.50 per unit (200 ft³). It should be pointed out that the capacity of the hogger is approximately 30 times the projected usage. The principal reason for oversizing the unit is to accommodate large pieces of waste wood. The payout time for the hogger would be on the order of 20 years based on the estimated usage. Therefore, this unit would not be considered as being economical. A great increase in throughput could possibly alter the situation.

The staff could find no reason for installing the cyclone collector and paddle type water mixer for treating the sander dust other than reducing air pollution.

5. Staff Recommendation:

The staff concludes that the facility was installed for the control of air contaminants and recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$171,563.00 be issued for the facility claimed in Application No. T-48. A letter from the Lane Regional Air Pollution Authority supporting the staff recommendation is attached.

CONTROL NOW-



FOR CLEAN AIR!

RECEIVED
DEC 2 1968
Air Pollution

LANE COUNTY

AIR QUALITY CONTROL OFFICE

777 PEARL STREET
EUGENE, OREGON 97401

342-5221 + Ext. 288

Area Code 503

November 29, 1968

F. A. Skirvin, Associate Engineer
Oregon State Sanitary Authority
1400 S. W. 5th Avenue
Portland, Oregon

Dear Sir:

This is to notify your authority that this office has inspected the physical installation, and has witnessed the operation of the facilities listed in your description of the tax facilities application of Weyerhaeuser Co. at Springfield, Oregon (No. T-48) and we believe that the certification of these installed facilities should be approved.

Yours truly,

Verner J. Adkison
Verner J. Adkison, Director
Lane Regional Air Pollution Auth.

VJA:v
cc: Wyeco File

Haggerty, Ruff & Hill

PUBLIC ACCOUNTANTS

—
MCKENZIE BUILDING
444 NORTH A STREET
SPRINGFIELD, OREGON
97477

August 6, 1968

Weyerhæuser Company
Springfield Branch
Wood Product Group
Springfield, Oregon

Gentlemen:

As independent public accountants selected to review the costs of a waste disposal system in connection with your application for certification of pollution control facility to Oregon State Sanitary Authority dated July 26, 1968, we have examined the attached statements of costs shown as Exhibit E and identified on the company's records as appropriation request number 67-213 and work order numbers 67-2130 to 67-2140 inclusive. Our examination included tests of the accounting records, inquiries, and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the attached Exhibit E consisting of twenty-one pages present fairly the costs of the above named facility aggregating \$161,169.

Very truly yours,

Haggerty, Ruff & Hill

Haggerty, Ruff & Hill
PUBLIC ACCOUNTANTS

—
MCKENZIE BUILDING
444 NORTH A STREET
SPRINGFIELD, OREGON
97477

October 4, 1968

Weyerhaeuser Company
Springfield Branch
Wood Product Group
Springfield, Oregon

Gentlemen:

As independent public accountants we have been selected to review the costs of a sander dust cyclone and mixer, an additional facility to a waste disposal system whose costs were previously submitted with your application for certification of pollution control facility to Oregon State Sanitary Authority dated July 26, 1968. We have examined the attached statements of costs shown as Exhibit E - Supplement and identified on the company's records as appropriation request number 67-311 and work order number 67-3110. Our examination included tests of the accounting records, inquiries and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the attached Exhibit E - Supplement consisting of five pages present fairly the costs of the above named facility aggregating \$10,394. The costs of the waste disposal system aggregating \$161,169 were covered by our opinion dated August 6, 1968.

Very truly yours,

Haggerty, Ruff & Hill

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY
FOR TAX RELIEF PURPOSES, NO. T-57.

This application was received on November 22, 1968. A summary of the contents and results of the staff review are presented below:

1. Applicant -

Oregon Portland Cement Co.
111 S. E. Madison Street
Portland, Oregon

The applicant owns and operates a cement plant at 145 N. State Street, Lake Oswego, Oregon.

2. The facility covered in this application is a baghouse with chuting and controls for the clinker cooling vent.
3. The total certified cost is \$95,905.96. An accountants certification is attached.
4. Staff Review: This facility is a part of a program announced in early 1966 to modernize the plant and reduce emissions which were causing numerous complaints.

The applicant claims further that the facility represents an un-economic choice based on air pollution considerations. This claim is based on a comparison with a multiclone of 90% efficiency which would have been an economic choice. For an increment of \$73,000 (cost of a baghouse over a multiclone), the company collects additional dust worth \$3,020 per year, but has extra maintenance costs of \$7,000 per year. Hence the incremental cost cannot be recovered. The comparative pay out times on the two systems are 0.9 years for a multiclone and 4.5 years for a baghouse.

5. Staff Recommendation:

More on a basis of its being a part of a total pollution abatement program requested by the Sanitary Authority, than on economic considerations, the staff recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$95,905.96 be issued for the facility claimed in tax application T-57.

T-87

EXHIBIT E
PEAT, MARWICK, MITCHELL & CO.

CERTIFIED PUBLIC ACCOUNTANTS

1010 STANDARD PLAZA

PORTLAND, OREGON 97204

Board of Directors
Oregon Portland Cement Company:

In connection with your application to the Oregon State Sanitary Authority for certification of pollution control facilities for tax relief purposes, we have examined the costs (as detailed in Exhibit C of the application), of the facility summarized below. It is our understanding that the detail listing was prepared by your personnel, and in making our examination, we have relied upon such listing as being a complete itemization of costs devoted to construction of the facility described. Our examination consisted of a detailed inspection of vendors' invoices and other documentation of the disbursements. We also traced the costs shown into the plant and equipment accounts of the Company.

The following is a summary of the amount of capital expenditures detailed in Exhibit C to the application:

	Foundation and <u>structure</u>	<u>Equipment</u>	<u>Electrical</u>	<u>Total</u>
Kiln Cooler Dust Collector	\$ <u>27,236.01</u>	<u>68,556.21</u>	<u>113.74</u>	<u>95,905.96</u>

In our opinion, the foregoing summary fairly presents the actual costs incurred by Oregon Portland Cement Company in the construction of the facility listed above.

Very truly yours,

Peat, Marwick, Mitchell & Co.

November 20, 1968

Exhibit E

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 12, 1968

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY
FOR TAX RELIEF PURPOSES, NO. T-58.

This application was received on November 22, 1968. A summary of the application and the review are given below.

1. Applicant -- Oregon Portland Cement Co.
111 S. E. Madison Street
Portland, Oregon
Erik Voldbaek, Vice-President, Operations

The applicant owns and operates a cement plant at 145 N. State Street, Lake Oswego, Oregon.

2. The facilities covered by this application are:
 - a) Rees bag-type dust arrestor Model 2-650 AE with necessary dust collection and transport equipment. Cost - \$3844.00.
 - b) Pangborn bag-type dust arrestor Model CH 3-65, with necessary collection and material transport equipment (no cost for the unit itself is claimed since it was purchased by the company in 1960, but the cost of moving it to a new location and installing and connecting electrical controls is claimed.) Cost - \$1530.00 (included in cost of electrical equipment).
 - c) Structure to complete enclosure of an existing clinker storage shed, formerly open on one end. Cost is \$65,433.51.
 - d) Four-barrel clinker storage silo. Cost is \$254,517.08.
3. The total cost claimed is \$325,324.59. An accountant's certification of this cost is attached.
4. Staff Review:

The open-ended clinker storage building was one of the sources mentioned as a contributor to the lime dust fallout problem in Lake Oswego in 1965. The company controlled that source by enclosing the open end of the shed and adding the "four barrel" silo for additional storage, and installing bag-type dust arrestors on the silo vent and on the dust conveyors. The net value of the dust collected is \$2,831 per year, giving a simple pay out time of 30.73 years.

5. Staff Recommendations:

Because it was part of a pollution abatement program as well as because of its 30 year pay out time, the staff recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$325,324.59 be issued for the facilities claimed in Tax Application T-58.

1-38

EXHIBIT E
PEAT, MARWICK, MITCHELL & CO.

CERTIFIED PUBLIC ACCOUNTANTS

1010 STANDARD PLAZA

PORTLAND, OREGON 97204

Board of Directors
Oregon Portland Cement Company:

In connection with your application to the Oregon State Sanitary Authority for certification of pollution control facilities for tax relief purposes, we have examined the costs (as detailed in Exhibit C of the application), of the facility summarized below. It is our understanding that the detail listing was prepared by your personnel, and in making our examination, we have relied upon such listing as being a complete itemization of costs devoted to construction of the facility described. Our examination consisted of a detailed inspection of vendors' invoices and other documentation of the disbursements. We also traced the costs shown into the plant and equipment accounts of the Company.

The following is a summary of the amount of capital expenditures detailed in Exhibit C to the application:

	Engineering Foundation and <u>acquisition</u>	and structure	<u>Equipment</u>	<u>Electrical</u>	<u>Total</u>
Clinker Storage Facility	\$ 8,651.50	311,299.09	3,844.00	1,530.00	325,324.59

In our opinion, the foregoing summary fairly presents the actual costs incurred by Oregon Portland Cement Company in the construction of the facility listed above.

Very truly yours,

Peat, Marwick, Mitchell & Co.

November 20, 1968

EXHIBIT E

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 12, 1968

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY
FOR TAX RELIEF PURPOSES, NO. T-59.

This application was received on November 22, 1968. A summary of the contents and the results of the staff review are given below.

1. Applicant: Oregon Portland Cement Co.
111 S. E. Madison Street
Portland, Oregon
Erik Voldbaek, Vice-President, Operations

The applicant produces and packages cement at 145 N. State Street, Lake Oswego, Oregon.

2. The facility covered in this application consists of:
 - a. Rees No. 3 - 1800 AE - Bag-type dust collector with ducts and controls.
 - b. Rees No. 2 - 1800 AE - Bag-type dust collector with ducts and controls.
 - c. Rees No. 2 - 2400 AE - Bag-type dust collector with ducts and controls.
 - d. Rees No. 3 - 2400 AE - Bag-type dust collector with ducts and controls.
Cost of "a" through "d" is \$60,092.78.
 - e. Moving and reconditioning a Pangborn CN-800 dust collector.
Cost - \$1591.59.
 - f. Costs of installation, ductwork, and electrical equipment are \$21,215.56.
3. The total installed cost of the facilities is \$82,899.90.

4. Staff Review:

Not only is that a part of the abatement program, but the annual value of dust recovered is estimated to be \$95.70, hence the installation is uneconomic and its primary purpose from an economic point of view is clearly for pollution abatement.

5. Staff Recommendation:

The staff recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$82,899.90 be issued for the facility claimed in tax application No. T-59.

7-59

EXHIBIT E
PEAT, MARWICK, MITCHELL & CO.

CERTIFIED PUBLIC ACCOUNTANTS

1010 STANDARD PLAZA
PORTLAND, OREGON 97204

Board of Directors
Oregon Portland Cement Company:

In connection with your application to the Oregon State Sanitary Authority for certification of pollution control facilities for tax relief purposes, we have examined the costs (as detailed in Exhibit C of the application), of the facility summarized below. It is our understanding that the detail listing was prepared by your personnel, and in making our examination, we have relied upon such listing as being a complete itemization of costs devoted to construction of the facility described. Our examination consisted of a detailed inspection of vendors' invoices and other documentation of the disbursements. We also traced the costs shown into the plant and equipment accounts of the Company.

The following is a summary of the amount of capital expenditures detailed in Exhibit C to the application:

	Engineering Structure and <u>acquisition</u>	insulation	Equipment	Electrical	<u>Total</u>
Finish Grind Collectors	\$ <u>2,219.28</u>	<u>4,095.70</u>	<u>61,222.68</u>	<u>15,362.24</u>	<u>82,899.90</u>

In our opinion, the foregoing summary fairly presents the actual costs incurred by Oregon Portland Cement Company in the construction of the facility listed above.

Very truly yours,

Peat, Marwick, Mitchell & Co.

November 20, 1968

Exhibit E

TO : MEMBERS OF THE STATE SANITARY AUTHORITY

John D. Mosser, Chairman
B. A. McPhillips, Member
Storrs Waterman, Member

E. C. Harms, Jr., Member
Herman Meierjurgan, Member

FROM : AIR QUALITY CONTROL STAFF

DATE : December 12, 1968

SUBJECT: APPLICATION FOR CERTIFICATION OF POLLUTION CONTROL FACILITY FOR
TAX RELIEF PURPOSES, NO. T-60.

This application was received on November 22, 1968. A summary of the application and the staff review are given below:

1. Applicant - Oregon Portland Cement Co.
111 S. E. Madison Street
Portland, Oregon 97214
Erik Voldbaek, Vice President, Operations
2. The facility covered by this application is the paving of 1553 lineal feet of plant access roadway at the company's plant at 145 N. State Street, Lake Oswego, Oregon. This is a portion of the area which the Oregon State Sanitary Authority staff recommended to be paved.
3. The total installed cost of the facility is \$46,151.35. A copy of the accountant's certification of this cost is enclosed.
4. Staff Review:

This paving was part of the air pollution abatement program discussed with the company in 1965-66 and became a part of their proposal for control at that time.

5. Staff Recommendations:

Because it was a part of the pollution abatement program, the staff recommends that a "Pollution Control Facility Certificate" bearing the actual cost figure of \$46,151.35 be issued for the facility claimed in tax application No. T-60.

EXHIBIT E
 PEAT, MARWICK, MITCHELL & CO.
 CERTIFIED PUBLIC ACCOUNTANTS
 1010 STANDARD PLAZA
 PORTLAND, OREGON 97204

Board of Directors
 Oregon Portland Cement Company:

In connection with your application to the Oregon State Sanitary Authority for certification of pollution control facilities for tax relief purposes, we have examined the costs (as detailed in Exhibit C of the application), of the facility summarized below. It is our understanding that the detail listing was prepared by your personnel, and in making our examination, we have relied upon such listing as being a complete itemization of costs devoted to construction of the facility described. Our examination consisted of a detailed inspection of vendors' invoices and other documentation of the disbursements. We also traced the costs shown into the plant and equipment accounts of the Company.

The following is a summary of the amount of capital expenditures detailed in Exhibit C to the application:

	Engineering and <u>preparation</u>	Construction and <u>paving</u>	<u>Total</u>
Access Road Paving	\$ <u>3,589.55</u>	<u>42,561.80</u>	<u>46,151.35</u>

In our opinion, the foregoing summary fairly presents the actual costs incurred by Oregon Portland Cement Company in the construction of the facility listed above.

Very truly yours,

Peat, Marwick, Mitchell & Co.

November 20, 1968

Exhibit E