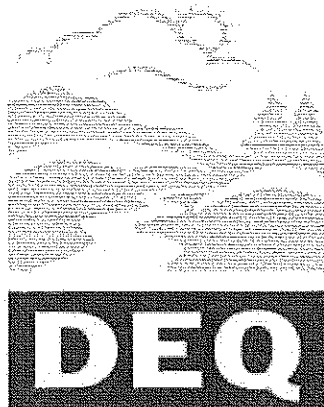


**2/27/1970**

**OREGON  
ENVIRONMENTAL QUALITY  
COMMISSION MEETING  
MATERIALS**



State of Oregon  
**Department of  
Environmental  
Quality**

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HMP

MINUTES OF NINTH MEETING  
of the  
Oregon Environmental Quality Commission  
February 27, 1970

The ninth regular meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9:00 a.m., Friday, February 27, 1970, in Room 36 of the State Office Building, 1400 S.W. 5th Avenue, Portland, Oregon. Members present were B.A. McPhillips, Chairman, Edward C. Harms, Jr., George A. McMath and Storrs S. Waterman. Mr. Herman P. Meierjürgen was unable to attend because of illness.

Participating staff members were Kenneth H. Spies, Director; E.J. Weathersbee, Deputy Director; Arnold B. Silver, Legal Counsel; Harold M. Patterson, Air Quality Control Division Director; Harold L. Sawyer, Supervising Engineer; Fred M. Bolton and C. Kent Ashbaker, District Engineers; and Harold W. McKenzie, Associate Engineer.

ROGUE RIVER POLLUTION

Attorney General Lee Johnson was present and submitted a prepared statement regarding the relative authority of the Environmental Quality Commission and the Rogue River Coordination Board to regulate waste disposal into the Rogue River from placer mining.

He reported that it is his opinion that placer miners on the Rogue cannot discharge wastes into the river without first obtaining a waste discharge permit from the Environmental Quality Commission, that the Environmental Quality Commission has complete authority to deny, grant or condition such permits to prevent pollution and to set water quality standards for the Rogue River, and that the Rogue River Coordination Board can also regulate placer mining as it affects angling conditions, but in no event can the Board's standards be inconsistent with those of the Environmental Quality Commission.

PUBLIC HEARING RE: DEPOSIT OF AUTOMOBILE BODIES IN SANDY RIVER

Proper notice having been given as required by statute to all interested parties, a public hearing in the matter of deposit of automobile bodies in the Sandy River by Douglas C. Price was called to order by the Chairman at 9:15 a.m.

Mr. Mark A. Hathaway, attorney for Mr. Price, stated that this is a case of a person wishing to protect his private property against erosion and not intending to cause pollution or to dispose of abandoned car bodies. He called Mr. Monroe Thorud as his first witness. Mr. Thorud was sworn in by Mr. Silver.

Mr. Thorud, an employee of the U.S. Soil Conservation Service for 18 years, testified that he had advised Mr. Price to use the abandoned auto bodies in an attempt to control the erosion of the right bank of the Sandy River in front of the home which Mr. Price had built. He said alternative solutions had also been discussed but it was considered that they were too costly and would take too much time to complete. He claimed he had advised Mr. Price to use cables and to anchor the car bodies so that they would not be moved by the current of the river. Mr. Thorud said further that he had inspected the installation when it was about half done. He had also checked it last summer and again about 3 weeks ago. He claimed those that remain are pretty well anchored and in a couple of years should be completely covered. He said they would be difficult to remove now.

Mr. Thorud testified further that the soil in that area is highly erodable, that the river bank is very soft and cuts back more every year, and that he has observed large segments of river bank that had sloughed off into the stream.

In response to questions by Mr. Silver, Mr. Thorud replied that he is not an engineer and has no engineering background, that he has no special knowledge of pollution caused by soil erosion, that he had advised Mr. Price that alternative erosion control techniques are available, that he advised him how to use car bodies for that purpose, that some of them had broken away during high water, that it would have been better to place large boulders with a bulldozer, that he had inspected the car bodies used and that they were free of glass, upholstery materials and oil, that tires as well as car bodies had been used, that in his opinion this practice had

not interfered with recreational use of the river but that the car bodies could be a hazard if they broke loose and depending on where they went, and that the Soil Conservation Service no longer recommends the use of car bodies for erosion control.

In response to questions by Mr. McMath he admitted that rock, instead of car bodies, could have been used but claimed it would have been too costly (he did not know exactly how much more but probably several thousand dollars), that the car bodies could still be replaced with rock, that some 20 or more car bodies are visible from the river.

The next witness called by Mr. Hathaway was Mr. Douglas C. Price, owner of the property in question and resident of 315 N.E. 52nd Ave., Portland.

Mr. Price testified that he had purchased the property adjacent to the Sandy River some 15 years ago, that it has 1300 feet of water front, that it was unimproved when he bought it, that he has since built a small weekend home on it that he is trying to save against being washed away, that he used car bodies in an attempt to control the bank erosion in front of his home, that the cable used to anchor the car bodies did not break but that some of the car bodies broke loose from the cable, that prior to December 1964 his home was about 100 feet from the river's edge and now it is only 15 feet, that he had put in some riprap but it did not last because there was not enough footing, that he had tried fencing and it did not hold, that he had tried to straighten out the channel of the river, that he had attempted to get cooperation of the neighbors, that he had been threatened with a lawsuit, that he had conferred with Mr. Bolton and Mr. Schmidt of the Department of Environmental Quality in about July of last year, that he had tried to do what was necessary to protect his home.

He admitted that three car bodies had broken loose but claimed that they have since been removed from the river.

In response to a question he claimed that if permitted to leave the car bodies where they are he could have them covered over in about two years, that they are gradually filling in and that he plans to plant some saplings to assist in the process. He stated again that the most effective control would be to straighten the river channel upstream from his property but

claimed the other riparian owners will not cooperate.

In reply to Mr. Silver, Mr. Price admitted he had never sought the advice of a consulting engineer, only governmental agencies, and that he had no permit to install the car bodies. He claimed he had been referred to the Soil Conservation Service by the U.S. Army Engineers. He claimed further that he had installed only 18 car bodies, that 3 of them had broken away, that all of the 3 except part of one had since been removed and that he would remove that as soon as water conditions permit.

He said adjacent properties are posted with "no trespassing" signs and that no fishing from boats is allowed in that section of the Sandy.

There was then a discussion as to who has jurisdiction in such a matter - Soil Conservation Service, U.S. Army Engineers or State Land Board. Mr. Price said he understood the Soil Conservation Service had jurisdiction.

In reply to a question by Mr. Hathaway, Mr. Price claimed he had spent \$380 to have the river water tested (he could not remember by whom - he thought his name was Anderson) but that the tests showed no contamination.

Mr. Hathaway had no other witnesses to present. He previously had introduced two aerial photographs as respondent's exhibits Nos. 1 and 2.

Mr. Bruce Fisher who lives in Albany but who owns property across the Sandy River about 400 yards from the Price property then asked to be heard. He said he did not see the car bodies when they were being installed but did view them later from across the river some 200 to 250 feet away. He claimed that he has observed some glass in them and that only 8 out of 25 car bodies initially placed in the river are still there. He claimed there are now parts scattered in the river downstream - a fender here, a door there.

In reply to a question by the Chairman Mr. Fisher said he knew of no one other than Mr. Price who had placed car bodies in the Sandy River. When asked by Mr. Harms if his family had objected to Mr. Price's proposal to straighten the upstream channel he said he did not know.

In answer to Mr. Hathaway Mr. Fisher claimed that 17 car bodies had broken away from the anchor cable.

Mr. David Munson of 6415 N.E. 34th Ave., Portland, was the next person to testify. He said his family has property along the Sandy River that formerly had been owned by his grandfather. He submitted two groups of photographs which were introduced as evidence by Mr. Silver as the Commission's exhibits Nos. 1 & 2. The first exhibit contained 14 pictures taken during the summer of 1968 showing the location of the car bodies. The second exhibit consists of pictures taken February 25, 1970 showing present conditions. All pictures had been taken by Mr. Munson.

Mr. Hathaway objected to the introduction of these pictures.

In response to questions Mr. Munson stated that as far as he knew only one other abandoned car body had been placed in or near the river and that was not for erosion control, that there is no public access to the river in that area, that property owners give their permission to use the river, and that there was some glass in the car bodies placed by Mr. Price.

Mr. Raleigh Storr who owns 2 lots across the river from Mr. Price was the last witness to testify. He claimed there was glass and some gas tanks in the car bodies placed by Mr. Price, that the car bodies are still not covered, that he has observed them in the past 2 months, that they are mostly up on the bank except one that is hanging in the water, that of the original 25 car bodies placed by Mr. Price only about 8 or 10 are still there, and that he had never been contacted by Mr. Price about straightening the channel.

All testimony at the hearing was given under oath. The proceedings were recorded on tape.

There being no further testimony the hearing was adjourned at 11:07 a.m. Mr. Silver advised the members they might wish to read the testimony before making a decision in this matter and therefore it was not necessary that they take action immediately.

MINUTES OF JANUARY 30, 1970 MEETING

It was MOVED by Mr. Waterman, seconded by Mr. McMath and carried that the minutes of the January 30, 1970 meeting of the Commission be approved as prepared and distributed.

PROJECT PLANS

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that the actions taken by the Department staff during the month of January 1970 on the following 14 water pollution control and 1 air quality control projects be approved:

Water Pollution Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
<u>Municipal Projects (12)</u>			
1/13/70	Mt. Vernon	Preliminary report	App. with comments
1/15/70	Bear Creek Valley San. Authority	Interceptor sewer, Schedules A, B & C	Prov. app.
1/16/70	Portland	Change Orders #10 & 11	App.
1/16/70	Jefferson	Change Orders #2 & 3	App.
1/19/70	Bandon	Sewage treatment plant	Prov. app.
1/21/70	The Dalles	Westside trunk sewer	Prov. app.
1/21/70	Linn County	Comprehensive water and sewer plan	App.
1/28/70	Albany	Change Order No. 4	App.
1/28/70	McMinnville	Sewage treatment plant modifications	Prov. app.
1/29/70	Gresham	Change Order No. 1, Johnson Creek	App.
1/30/70	Canby	Sanitary sewer extension	Prov. app.
1/30/70	Astoria	Sanitary sewer extension	Prov. app.

Industrial Projects (2)

1/13/70	Albany	Oregon Metallurgical Corp., waste treatment facility	Prov. app.
1/28/70	Ontario	Coast Pkg., secondary treatment facility	Prov. app.

Air Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1/27/70	Dillard	Round Prairie Lmbr. Co. Wigwam Waste Burner Modification	Add. info. req.

LELCO, INC., WIGWAM BURNER INSTALLATION

Mr. McKenzie reviewed the staff report dated February 9, 1970 pertaining to this matter. He recommended that appropriate legal action be taken against the company which had proceeded to build and operate a new wigwam burner at its mill near Mitchell without first having obtained approval from the Department.

Mr. Alvin Gray, Attorney, was present to represent the company. He said he does not condone the company's ignoring the law or requests of the Department's staff, but he said this is a trial mill using small size timber and because it is interruptable in operation he felt it should be permitted to continue to use the wigwam burner unless there were deficiencies in its operations.

After discussion of the fact that the company had failed to comply with the law and regulations of the Commission, it was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the recommendation of the staff be followed that legal counsel be instructed to contact the Wheeler County District Attorney for the purpose of instituting criminal prosecution against Lelco, Inc. for violation of Oregon Administrative Rules, Section 24-015, Chapter 340, "Wigwam Waste Burner Construction Prohibited," and further that the staff be authorized to proceed with the scheduling of an abatement hearing if satisfactory progress is not forthcoming in attaining compliance with OAR Sections 21-011, 21-016 and 21-021 ("Discharge Standards").

STATUS REPORT - AIR POLLUTION, PRINEVILLE

Mr. Ashbaker presented a staff report dated February 18, 1970 on the progress being made in the abatement of air pollution in the Prineville area by the lumber industry. He reported that in general it appears that satisfactory progress is being made although completion will be about one month behind schedule because of the delay in start of operation of the new Brooks Scanlon particle board plant which will be using most of the wood waste materials. He said the Hudspeth mill project will take several months to complete because it involves a major boiler plant replacement. It was concluded that 6 months should be allowed the latter project.



No action by the Commission was considered necessary in this matter at this time.

STATUS REPORT - GARIBALDI SEWAGE DISPOSAL

Mr. Bolton reported that the voters of the City of Garibaldi had on February 11, 1970 approved the issuance of \$330,000 in general obligation bonds to help finance construction of new or improved sewage treatment works and that therefore the city was now in a position to proceed with final planning for its required project. Mr. Silver pointed out that this action by the voters makes it unnecessary at this time to proceed with the holding of a public hearing in this matter. He said he could prepare an order dismissing the proceedings.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that the staff prepare an order dismissing the proceedings in this matter.

GEARHART SEWAGE DISPOSAL

The Chairman mentioned that a proposal has been made by a development corporation to build a sewage treatment plant to serve the Gearhart Hotel Complex which is partly within and partly outside the city of Gearhart. He said the proposal calls for discharge of the effluent to Neawanna Creek about one-fourth mile above the mouth of Necanicum Bay. Because of the recreational use made of these waters he said he is opposed to this proposal. Mr. McMath also expressed concern about the problem of sewage disposal in that area. It was concluded that every possible effort should be made to promote a regional solution to this problem.

CROWELL vs. DEPARTMENT OF ENVIRONMENTAL QUALITY et al

Mr. Silver advised the members that the attorney for Pers and Donna Crowell had filed an amended writ of mandamus in the Washington County Circuit Court against the Aloha Sanitary District, the county of Washington and the Department of Environmental Quality.

GOVERNOR'S MEMORANDUM TO STATE AGENCIES

A copy of the Governor's memorandum 01-070-04 issued February 19, 1970 was reviewed by the Director. It instructed all state agencies, boards and commissions to comply with the state laws and requirements for abatement and control of air, water and land pollution.

The meeting was recessed at 11:50 a.m. and reconvened at 2:00 p.m.

PUBLIC HEARING RE: AUTOMOBILE BODY REGULATIONS

Proper notice having been given as required by statute and copies of the proposed regulations having been sent to all interested parties, a public hearing in the matter of adoption of proposed regulations for deposit of motor vehicle bodies and accessories into the waters of Oregon was called to order by the Chairman at 2:00 p.m. on this date in Room 36, State Office Building, 1400 S.W. 5th Avenue, Portland, Oregon.

All members of the Commission except Herman P. Meierjurgan were present.

Mr. Weathersbee reviewed briefly the proposed regulations which had been drafted pursuant to the requirements of HB 1178 (Chapter 251, Oregon Laws of 1969). He recommended that the proposed regulations be adopted.

Mr. Cecil Farnes read a prepared statement from the Oregon Sanitary Service Institute. He questioned the meaning of the term "or adjacent to" as used in the proposed regulations and suggested that it be more clearly defined. After a discussion by Mr. Harms and Mr. Silver of this and other points mentioned by Mr. Farnes in his statement, it was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the sense of suggestion No. 1 made by Mr. Farnes be inserted wherever the term "or adjacent to" is used. It was concluded that the words used in the statute would be appropriate for this purpose.

Mr. Tom Donaca, representative of the Associated Oregon Industries, reviewed the legislative history regarding this matter and expressed the opinion that the proposed regulations meet the sense of the legislative directive.

Mr. W.B. Culham of the Solid Waste Section of the State Board of Health submitted an oral statement for Mr. Jack Erickson of the Northwest Auto and Truck Dismantlers Assn. endorsing the regulations as presented.

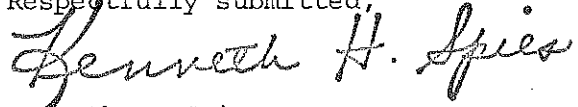
The Director then entered into the record letters or written statements received from (1) Oregon State Game Commission, dated February 27, 1970, (2) Forrest Cooper, State Highway Engineer, dated February 16, 1970, (3) Dean Jones, President, Izaak Walton League of America, Portland Chapter, dated February 24, 1970, (4) Paul D. Triem, Deputy District Engineer,

U.S. Corps of Engineers, dated February 20, 1970, (5) Leon R. Nadeau, U.S. Bureau of Land Management, dated February 26, 1970, and (6) William S. Cox, Director, Division of State Lands, dated February 27, 1970. Copies of the above have been made a part of the Department's files in this matter.

There being no further testimony regarding the proposed regulations it was MOVED by Mr. Waterman, seconded by Mr. McMath and carried that the record be kept open until the next monthly meeting of the Commission at which time the proposed regulations be presented for final action.

There being no further business the meeting was adjourned at 2:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kenneth H. Spies". The signature is written in dark ink and is positioned above the typed name and title.

Kenneth H. Spies  
Director

TO : MEMBERS OF THE ENVIRONMENTAL QUALITY COMMISSION  
B. A. McPhillips, Chairman E. C. Harms, Jr., Member  
Herman P. Meierjurgan, Member George A. McMath, Member  
Storrs S. Waterman, Member

FROM : AIR QUALITY CONTROL DIVISION

DATE : February 18, 1970

SUBJECT: INFORMATION FOR THE PUBLIC HEARINGS ON FEBRUARY 26, 1970 AND  
MEETING ON FEBRUARY 27, 1970

I. Public Hearing on February 26, 1970

A. Ambient Air Standards for Suspended Particulate and Particle Fallout.

1. Enclosed is a copy of the staff report that will be presented at the Public Hearing. Copies of the proposed standards and criteria publications have been previously furnished to you and will be in the notebooks.

B. Ambient Air Standards for Fluorides and Regulations to Protect Livestock and Vegetation.

1. Enclosed is a copy of the staff report that will be presented at that Hearing. Copies of these regulations have been previously furnished to you.

C. Proposed Regulations and Standards for Primary Aluminum Plants.

1. Enclosed is a staff report that will be presented at the hearing.
2. Enclosed are "letters of review" from experts reviewing the publication "Criteria for Ambient Air and Forage Standards".

II. Meeting on February 27, 1970

A. Variance of Portland Bureau of Parks - Columbia-Willamette Air Pollution Authority.

1. The staff memorandum has been previously mailed and it is not intended to include this on the agenda unless a member so desires.

B. Lelco, Incorporated, Mitchell Plant Wigwam Waste Burner

1. A staff report and letters covering this item are enclosed.

C. Status Report--Air Pollution, Prineville.

A copy of the staff report requested by the Commission is enclosed.

TO : MEMBERS OF THE ENVIRONMENTAL QUALITY COMMISSION

B. A. McPhillips, Chairman  
Herman Meierjurgan, Member  
Storrs Waterman, Member

E. C. Harms, Jr. Member  
George A. McMath, Member

FROM : C. K. ASHBAKER

DATE : October 16, 1969 for October 24, 1969 Meeting

SUBJECT: SUMMARY OF AIR QUALITY PROBLEMS IN PRINEVILLE

In 1954 some fallout studies were made in Prineville. At that time the fallout stations did not measure fallout in excess of State standards and the stations were removed.

In 1962, fallout complaints were received from the Tri-County Health Department and the City of Prineville. During a follow-up investigation of the complaints in 1964, a letter was received from the City of Prineville stating that the mills had substantially corrected the fallout problems and there had been no trouble for the past six months.

In 1966 Mr. Harold Merryman inspected the mills in Prineville and found all of them discharging excessive smoke at least part of the time. Letters were sent to all of the mills requesting them to initiate programs to reduce the pollution as soon as possible.

During March 1969 several complaints were received from families in Prineville. I made several smoke observations during the month and inspected all of the mills except Ochoco Lumber which hadn't been emitting excessive smoke during my observations.

On March 7, 1969, I wrote to all of the mills which I had inspected and requested that they evaluate their progress and report in writing to the Authority by May 1, 1969. Most of the mills responded to my request.

Additional smoke observations were made in April and September.

On September 3, 1969, another letter was sent to the mills requesting a status report. To date three of the mills have replied to the request.

Some of the mills have made substantial improvements in their smoke emissions. Others are relying on Brooks-Willamette in Bend to take materials which they are presently burning.

I conferred with Brooks-Willamette on October 14, 1969. They said that they will be able to take additional waste on or about January 15, 1970 as they complete their particleboard expansion.

It is my opinion that although many of the present smoke problems will be eliminated after Brooks-Willamette takes the additional waste, there will still be excessive smoke emitted from some of the mills until other improvements are made.

## PRESENT STATUS OF INDIVIDUAL MILLS IN PRINEVILLE

### HUDSPETH PINE, INC.:

The Hudspeth mill almost continuously emits excessive smoke from their two wigwam burners and their boilers.

West burner - They hope to eliminate burning in the west burner by transporting material to the boiler fuel house.

East burner - They are proposing to sell most of the material being burned to commercial markets.

Boilers - They have retained a firm in Portland to help them eliminate their boiler smoke problems.

We have not received any definite proposals or time schedule from the Hudspeth Mill yet. Their attitude seems entirely cooperative.

### COIN MILLWORK:

The Coin Millwork plant has one wigwam burner which intermittently emits smoke in excess of smoke standards. Most of their waste currently goes to commercial markets. Brooks-Willamette will take additional waste after the first of the year leaving only a small amount of sawdust from resawing operations to be burned.

### CONSOLIDATED PINE, INC.:

Consolidated Pine has one wigwam burner and a boiler plant which intermittently emit smoke in excess of Oregon regulations. Recent changes in operational technique has cut down considerably the excessive smoke discharges from the boilers.

They indicate that the use of the wigwam burner will be eliminated in January when Brooks-Willamette takes their green planer shavings.

CLEAR PINE MOULDINGS, INC.:

Clear Pine Mouldings has a burner for disposal of shavings and sawdust. This burner should be eliminated when Brooks-Willamette can take the waste.

MUSLIN STUDS, INC.:

This is a new mill under construction near Prineville. They desire to install a wigwam burner, in fact, it is partially completed. The staff has indicated to Mr. Muslin that under present policy the proposed burner cannot be approved at that site.

OCHOCO LUMBER COMPANY:

From the numerous smoke observations made the past year, Ochoco Lumber Company appears to be doing a satisfactory job.

PINE PRODUCTS CORPORATION:

This mill has a wigwam burner and boiler plant which intermittently discharge excessive smoke. They indicate that after Brooks-Willamette's expansion their burner will be on Standby only. They are also working on their boiler combustion problems.

PRINEVILLE STUD COMPANY:

This stud mill is on the Pine Products Corporation site. Their wigwam burner should also be shut down early in the year.

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TO : MEMBERS OF THE ENVIRONMENTAL QUALITY COMMISSION

B. A. McPhillips, Chairman  
Herman Meierjurgan, Member  
Storrs S. Waterman, Member

E. C. Harms, Jr., Member  
George A. McMath, Member

FROM : AIR QUALITY CONTROL DIVISION

DATE : February 9, 1970 (For presentation at February 27 Meeting)

SUBJECT: LELCO, INC., MITCHELL PLANT WIGWAM BURNER

On September 9, 1969, the staff observed a new wigwam waste burner to have been erected at a sawmill then under construction approximately 6 miles east of Mitchell. The plant superintendent, Mr. V. L. Everetts was contacted and informed that new wigwam burner construction is prohibited unless plans and specifications have been approved by the Department of Environmental Quality prior to construction. We were referred to the company President, Mr. Leonard Lundgren, Lelco, Inc., P. O. Box 70, Bend.

By letter dated September 30, Mr. Lundgren was advised of the regulations governing new wigwam burner construction and of the applicable discharge standards. It was requested that plans and specifications be forwarded as early as possible, with special attention given to 6 listed aspects of the design. Recommendations concerning burner size and underfire and over-fire system capacities were provided, together with a copy of our wigwam burner manual.

On December 13, District Engineer James Sheetz reported that the burner was observed to be in operation.

On December 17, efforts were initiated to contact Mr. Lundgren by telephone at the Bend office of Lelco, Inc. His secretary was asked to relay the message to him that he should reply to our September 30 letter in writing or by telephone. A number of subsequent telephone efforts were unsuccessful, as Mr. Lundgren was out of the office. Finally on January 13, 1970, Mr. Lundgren was successfully contacted.

Mr. Lundgren then stated that he had not considered that the Administrative Rules constituted enforceable law, and that in any event the plant might not be in operation much longer as it was not proving very profitable. He stated that he would forward a letter requesting a variance the following day, (January 14), and that he would not be able to attend the February meeting of the Commission as he would be leaving February 15 on a round-the-world tour. He said that as he could not appear personally, he would be represented by legal counsel.

No written request for variance was received, but on January 16, Mr. Lundgren addressed a letter to the staff requesting approval to operate a wigwam burner at a location "approximately twelve miles east of Mitchell, Oregon". (copy attached.)



DISCUSSION:

1. Burner Location. The burner is located approximately 1/8 mile south of Highway 26 and approximately 6 miles East of the incorporated City of Mitchell (population 200) in Wheeler County. When surveyed, there were no commercial or residential structures in the surrounding area, which might be categorized as "high desert" with sagebrush the principal vegetation.

Topographically, the location is near the summit between two valleys which slope to the east and to the northwest away from the location.

2. Staff Observations. Staff surveys have indicated that under stable, inversion conditions, with prevailing light winds from the west, smoke from the burner accumulates to create visibility reduction for a number of miles in the valley to the east.
3. Status of Violation.
  - a) The burner was constructed in violation of O.A.R., Section 24-015 which prohibits such construction "unless plans and specifications have been submitted to and approved by the (Sanitary Authority) Department of Environmental Quality prior to construction".
  - b) Prior to the burner being placed in service, the company was advised of the applicable rules, and plans and specifications were requested.
  - c) Repeated requests for such plans and specifications have been ignored.

STAFF RECOMMENDATION:

It is recommended that legal counsel be instructed to contact the Wheeler County District Attorney for the purpose of instituting criminal prosecution for violation of Oregon Administrative Rules, Section 24-015, "Wigwam Waste Burner Construction Prohibited".

September 30, 1969

Lelco, Inc.  
P. O. Box 70  
Bend, Oregon

Attn: Mr. Leonard Lundgren, President

Gentlemen:

It has recently come to our attention that your company is erecting a wigwam waste burner in conjunction with a new sawmill approximately 6 miles east of Mitchell, just south of Highway 26.

We wish to call your attention to Oregon Administrative Rules pertaining to air pollution (a copy of which is enclosed) and particularly to Subdivision 4 which relates to the construction and operation of wigwam waste burners. You will note that under Subdivision 4, Section 24-015 stipulates that the construction of wigwam waste burners is prohibited unless plans and specifications have been submitted to and approved by the Sanitary Authority (now renamed the Department of Environmental Quality) prior to construction.

Wigwam waste burners are also subject to the provisions of Subdivision 1 "Discharge Standards". We call your attention particularly to Sections 21-011, 21-016, and 21-021 concerning smoke discharge, particle fallout rate, and suspended particulate matter.

We thus request that plans and specifications covering the burner installation be forwarded to us as early as possible. The principal items of concern in our review are, a) the underfire air system, b) the overfire air system, c) access door construction, d) the conveyor discharge chute, e) shell closure at conveyor entry, and f) type and location of thermocouple and pyrometer.

Lelco, Inc.  
Page 2  
September 30, 1969

It is our understanding that the burner will receive all of the bark and sawdust from 35 to 40 MRFM per shift, principally of red fir and ponderosa pine.. On the basis of factors provided by the CSU Forest Products Laboratory, we have calculated that the fuel delivery rate will be something like 9500 to 10,000 pounds per hour. Our recommendation for this quantity is a 35 foot burner, so that the 40 foot burner actually installed should prove satisfactory. The underfire air system should have a capacity of 3000 cfm, and 8 12" x 24" overfire air inlet ports of approved design will be required.

Also enclosed is a copy of our "Wigwam Waste Burner Guide and Data Book" which explains the principles involved in attaining improved combustion in a wigwam waste burner; and an assembly drawing of the modified bellmouth inlet port discussed in the manual; and a suggested grate box construction for the underfire air system. This is the type of outlet which was used in the wigwam burner at Prairie City Timber Co. in Prairie City as part of a rather successful underfire air system which you may wish to visit.

Please advise us if we may be of further assistance.

Very truly yours,

H. W. McKenzie  
Associate Engineer  
In charge of Combustion Processes

HWMck:sh

Enclosures

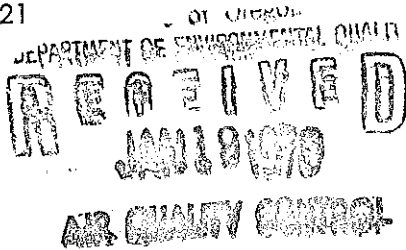
cc: James Sheetz

*Lelco inc.*

Producers of LUNDGREN Quality Ponderosa Pine

Post Office Box 70 • 750 "D" Ave.. Industrial Site • Bend, Oregon 97701

Telephone 382-3121



January 16, 1970

H. W. McKenzie  
Associate Engineer, in charge of  
Combustion Processes  
State Office Bldg.  
1400 S. W. 5th Ave.  
Portland, Oregon 97201

Dear Sir,

We are hereby applying to use a wigwam type burner approximately twelve miles east of Mitchell, Oregon. We realize that these are not the most efficient type, but we think we have solved some of the problems with a blower and screens, and as we are in a very remote area we doubt very much that it would be a jeopardy as to pollution.

We are having some difficulty due to the lumber market and the mill is not too efficient, so there is a possibility we will be unable to continue operations.

If the mill is successful in the future, if there is some new method to utilize bark or burn it more it more efficiently we would certainly be happy to cooperate on this sort of thing.

We hope this will meet with favorable reaction.

Very truly yours,

LELCO, inc.

  
EC