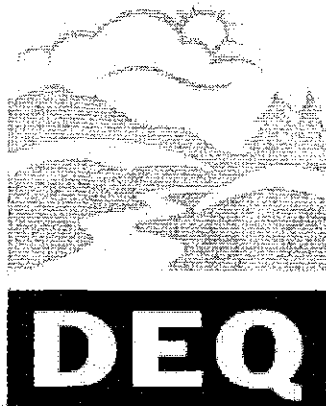


4/2/1971

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



**State of Oregon
Department of
Environmental
Quality**

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AGENDA

Environmental Quality Commission Meeting

April 2, 1971

Second Floor Auditorium, Public Service Building, 920 S.W. 6th, Portland

9:30 a.m.

- A. Comments from the public

10:00 a.m.

- B. Public hearing regarding proposed amendments to Standards of Quality for Public Waters of Oregon and Disposal Therein of Sewage and Industrial Wastes (continued from March 5, 1971 meeting)
- C. Minutes of the March 5, 1971 meeting.
- D. Project plans for March 1971
- E. Unified Sewerage Agency sewage treatment proposal
- F. Bowman Terrace Subdivision (Clackamas County) sewage disposal
- G. Variances granted by regional authorities
- H. Waldport sewage disposal \$278,000 \$2/mo \$180,000
- I. Washington County Solid Waste Disposal
- J. Proposed Regulations for Animal Feed Lots

15 occupied
NO NON-occupied
of 30 lots

50
25
25

June EJW

Hub Lumber Co.
Riverdale Dunthorpe Area

MINUTES OF THE TWENTY-SECOND MEETING
of the
Oregon Environmental Quality Commission
April 2, 1971

The twenty-second regular meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9:30 a.m., Friday, April 2, 1971, in the Second Floor Auditorium of the Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon. Members present were B.A. McPhillips, Chairman, Arnold M. Cogan, Edward C. Harms, Jr., and Storrs S. Waterman. Mr. George A. McMath was unable to attend because of other business.

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; Joseph A. Jensen, Municipal Sewerage Chief Engineer; Fred M. Bolton, District Engineer; and E.A. Schmidt, Chief of Solid Waste Program.

COMMENTS FROM THE PUBLIC

The first half hour of the meeting was reserved for receipt of comments from the public regarding subjects not listed on the agenda but relating to environmental quality.

Mrs. Virginia Fowlks of 16950 Lakeridge Drive, Lake Oswego, was the first person to submit a statement. She complained about excessive noise allegedly caused by the air conditioning unit which serves her neighbor's residence. She urged that a noise control program be undertaken.

Mrs. Dolores Hurtado of 1835 Palisades Terrace, Lake Oswego, who had previously testified at the December 4, 1970 hearing before the Commission, appeared again and asked if there is anything more that the EQC might do to impose stricter standards on nuclear power plants.

Mr. Russell Bristow of Astoria, Executive Secretary of the Columbia River Fishermen's Protective Union, registered a complaint alleging that the waste discharges from the Crown Zellerbach Corporation pulp mill at

Wauna are adversely affecting the commercial fishing operations in that portion of the Columbia River. He claimed that the fish catch in that area has been reduced by two-thirds to three-fourths as a result of these discharges. He claimed the entire lower river is affected. He asked that the company be required to install secondary treatment immediately.

PUBLIC HEARING REGARDING PROPOSED AMENDMENT TO WATER QUALITY STANDARDS

At 10:00 a.m. on this same date the public hearing in the matter of proposed amendments to the Standards of Quality for Public Waters of Oregon and Disposal Therein of Sewage and Industrial Wastes, which had been continued from March 5, 1971, was reconvened by the Chairman.

Mr. Fredric A. Yerke, Attorney for Georgia-Pacific Corporation, was the first person to appear and to submit a statement in this matter. He said he had reviewed thoroughly the proposed amendments and in his opinion they are so vague and indefinite as to be subject to arbitrary construction. He argued therefore that they are void and unenforceable. He claimed that the requirement for "secondary treatment or equivalent control" is not technically understandable and consequently needs a clarifying definition.

Mr. Harms said he does not agree with that conclusion because secondary treatment is well understood. He pointed out that this degree and type of treatment is being used at other kraft mills in the state. He said further that specific guidelines are not necessary as long as legal safeguards are available.

Mr. Bryan M. Johnson, Consulting Engineer, was then introduced by Mr. Yerke and asked to submit an additional statement in behalf of Georgia-Pacific Corporation. Mr. Johnson said he had reviewed the proposed amendments and that he is not in agreement with them. He submitted copies of reports covering investigations made by the Federal Water Pollution Control Administration (now EPA) which indicated that no obvious damage was being caused to the biological community in the vicinity of the outfall sewers by the discharge of only primary treated effluents from the Georgia-Pacific pulp mill at Newport and the International Paper Company pulp mill at Gardiner. He therefore claimed that the proposed amendments are unnecessary, that the two pulp mills mentioned above are, in effect, already complying with the

requirement of OAR 41-010, namely that the highest and best practicable treatment or control be provided, and that secondary treatment in these cases would not result in higher water quality.

In reply to a question by Mr. Harms, Mr. Johnson said that secondary treatment means additional treatment following primary treatment. He stated further that biological treatment is one form of secondary treatment but not the only form. He admitted to Mr. Harms that his main argument is that the proposed amendments are not necessary.

Mr. Matthew Gould of Georgia-Pacific Corporation was the next person to submit a statement. He, too, claimed that the proposal is not necessary and that its wording is vague and confusing. He claimed that no harmful effects have been evidenced as a result of the discharges at Newport from the Georgia-Pacific pulp mill which has been in operation for the past 13 years. He submitted for the record copies of the following research studies and reports: (1) Burgess, F.J. and Dimick, R.E., Pulp Mill Waste Degradation in Marine Waters, a Progress Report, April 1, 1964 through March 31, 1966, (2) Taylor, C.E. and Fenwick, T.L., Problems Faced by Industry in Utilizing the Sea for Final Waste Disposal, October 10, 1968, (3) James, W.P., Air Photo Analysis of Waste Dispersion from Ocean Outfalls, a thesis, Oregon State University, June 1970, and (4) Burgess, F.J. and James, W.P., Aerial Photographic Tracing of Pulp Mill Effluents in Marine Waters, August 1970.

Mr. Gould stated that the Marine Protection Act of 1971 excludes municipal and industrial outfalls. In response to a question by Mr. Cogan, he said that Georgia-Pacific would be subject to the proposal if it were adopted. He said further that they would prefer not to operate under a variance.

Mr. Yerke then summarized the position of Georgia-Pacific Corporation in this matter. He said there is no need for this additional standard.

Mr. Donald J. Benson, Executive Secretary of the Pacific Northwest Pulp and Paper Association, read a prepared statement for that organization. He asked that the Commission members reconsider the proposal and find it not only unnecessary but also potentially harmful to the state's overall environmental quality program.

Mr. Robert S. Burd, representative of EPA, appeared and stated that they have reviewed the proposed amendments, are in full agreement with them, and urge their adoption.

No other persons present wished to be heard.

Mr. Cogan then asked if Subsection (2) of Rule 41-020 which refers to "all sewage" also includes the subject under proposed Subsection (3). He was informed by the Director that Subsection (2) covers only sewage and not industrial wastes. He was informed further in response to another question that the wording "or equivalent control" refers to some type of control other than secondary treatment and not necessarily to 85% removal of BOD or suspended solids.

Mr. Cogan then commented that based on the discussion at this hearing it appears that in some cases secondary treatment would not be necessary and in others it would not be sufficient. He asked how this matter would be handled by the staff. He was advised that it would be handled on a case by case basis similar to the handling of the waste discharge permits. It was pointed out that new plants with wastes amenable to secondary treatment would have to provide such treatment or equivalent control before operation of the plant could be started and that pursuant to proposed rule 41-022 for existing plants the necessary treatment or control would be provided in accordance with a specific program and timetable. Mr. Harms pointed out the significance of the word "necessary".

After further discussion it was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that decision on the adoption of the proposed amendment be postponed until the next regular meeting to give the staff time to answer Mr. Cogan's questions.

Copies of the written statements and other supporting documents submitted by Messrs. Fredric Yerke, Bryan Johnson, Matthew Gould and Donald J. Benson have been made a part of the Department's permanent files in this matter.

The hearing was then adjourned by the Chairman at 10:55 a.m. and the regular business meeting was resumed.

MINUTES OF THE MARCH 5, 1971 MEETING

It was MOVED by Mr. Waterman, seconded by Mr. McPhillips and carried that the minutes of the March 5, 1971 meeting of the Commission be approved as prepared by the director.

PROJECT PLANS FOR MARCH 1971

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the actions taken by the staff during the month of March 1971 regarding the following 47 municipal sewerage, 4 industrial wastes, 1 solid waste and 13 air quality control projects be approved:

Water Pollution Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
<u>Municipal Projects (47)</u>			
3/2/71	Klamath County	Lake of the Woods Resort	Comm. sub.
3/3/71	Ashland	Randy & Elizabeth Sts.	Prov. app.
3/3/71	Eugene	No. 572 Seneca Road sewer	Prov. app.
3/3/71	Eugene	No. 715 High St. reconstruction	Prov. app.
3/4/71	Lake Oswego	Block 10, Mt. Park, Phase I	Prov. app.
3/4/71	Gladstone	Springhill Subdivision	Prov. app.
3/4/71	Portland	Job. No. 2973	Prov. app.
3/4/71	Gresham	Boyd Industrial Park	Prov. app.
3/4/71	USA (Aloha)	Walquinn Park	Prov. app.
3/4/71	USA (Aloha)	Addendum No. 1 (STP)	Approved
3/4/71	Lebanon	Brown-Miles Addition	Prov. app.
3/5/71	Dexter	L.E. Bruington Development	Comm. sub.
3/5/71	La Grande	System extension preliminary report	Comm. sub.
3/8/71	Linn County	Echo Hills Subdivision preliminary report	Comm. sub.
3/10/71	Oak Acres Mobile Homes	Infiltration study	Approved
3/11/71	Lane County	River Road-Santa Clara preliminary report	Approved
3/11/71	Ontario	Addendum #1 (District #28)	Approved
3/13/71	Seaside	Sewage treat. plant study	Concurrence & comments
3/15/71	Oak Lodge S.D. I	Change Orders #5, 6, & 7	Approved
3/15/71	Hillsboro	Change Orders #13 and 14	Approved
3/15/71	Klamath Falls	Change Order No. 3	Approved
3/15/71	Bay City	Collection & treatment system	Comm. sub.
3/17/71	Keizer Sewer Dist.	Whiteaker Park	Prov. app.
3/17/71	Keizer Sewer Dist.	Hilligoss Subdivision	Prov. app.
3/18/71	Bandon	Change Order #1 (STP)	Approved

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
<u>Municipal Projects (47) continued</u>			
3/18/71	Bear Creek Valley San. Auth.	Lateral "J" (Talent)	Prov. app.
3/18/71	Pendleton	Mt. View Addition sewers	Prov. app.
3/19/71	Ashland	Sewerage system study	Comm. sub.
3/22/71	Oregon City	Pearl St. extension	Prov. app.
3/29/71	Lincoln City	North Shore Delake sewer	Prov. app.
3/29/71	Kah-Nee-Ta	Lagoon flow recorder	Prov. app.
3/29/71	Woodburn	Mill Creek Park #2	Prov. app.
3/29/71	USA (Aloha)	Vista Meade Subdivision	Prov. app.
3/29/71	Nyssa	Change Order No. 3	Approved
3/29/71	Veneta	Change Orders #1 through 4	Approved
3/29/71	East Salem S&D	Arrowmont Subd. sewers	Prov. app.
3/29/71	Black Butte Ranch	Sewer revisions	Prov. app.
3/29/71	Salem	Southlawn Subdivision	Prov. app.
3/29/71	Multnomah County	Columbia-Wilcox Service District No. 6	Prov. app.
3/29/71	Clackamas County Service Dist. #1	System study report	Prov. app.
3/29/71	Clackamas County	Comprehensive water & sewer report	Approved
3/30/71	John Day	Preliminary engineering report	Concurrence
3/30/71	USA	Johnson Creek interceptor	Prov. app.
3/30/71	Oregon City	Canemah Terrace	Prov. app.
3/30/71	Portland	Linnton Interceptor, Phase II	Prov. app.
3/30/71	Stayton	Sewage treat. plant study	Approved
3/30/71	Canby	Sewage treat. plant expansion	Prov. app.
<u>Industrial Projects (4)</u>			
3/15/71	White City	Reichhold Chemicals, Inc., preliminary report for secondary treatment	Prov. app.
3/15/71	Newberg	Publishers Paper Co., preliminary report for secondary treatment	Prov. app.
3/17/61	Benton County	Georgia Pacific, Camp Adair, secondary treatment for domestic sewage	Prov. app.
3/31/71	Multnomah County	Oregon Steel Mills-Rivergate, oil-water separation facilities	Prov. app.
<u>Solid Waste Projects (1)</u>			
3/5/71	Clackamas County	LaVelle Sanitary Landfill (demolition and commercial wastes)	Prov. app.

Air Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2/22/71	Coos County	Doyle Veneer - Propose to phase-out WWB by August 1, 1971	Requested add. information
3/4/71	Douglas County	Wooley Hardwood Co. Propose to phase-out WWB by Dec. 31, 1971	Requested add. information
3/4/71	Coos County	Douglas Fir Plywood Division of Roseburg Lumber Co. WWB phase-out schedule by Jan. 1, 1972 through utilization in boiler	Approved
3/15/71	Douglas County	Smith River Lumber Co. Drain Plywood Mt. Baldy Lumber Co. Div. of Woolley Enterprises Request extension of time for WWB phase-out until January 1, 1972	Requested add. information as to utilization of residues
3/16/71	Coos County	Georgia Pacific Corporation Hardboard Division - installation of new cyclones for expansion of materials handling systems to continuous digester and pneumatic particle drying system	Conditional approval
3/16/71	Josephine Co.	S H & W Lumber Company WWB modification	Requested add. information
3/16/71	Jackson Co.	McGrew Brothers WWB modification	Preliminary app.
3/16/71	Klamath County	Klamath Lumber Co. a. Request to delay WWB modification plan submission to 6/15/71	Approved
3/16/71	Klamath County	Klamath Lumber Co. b. Request to delay phase-out of WWB until June, 1972	Denied
		Metler Brothers Req. for additional time to solve WWB emission problems	Denied
3/16/71	Curry County	TAMCO - Gold Beach WWB modification schedule	Approved
		U.S. Plywood-Gold Beach Request to modify WWB	Req. add. info.
3/16/71	Douglas County	U.S. Plywood - Reedsport U.S. Plywood - Roseburg Request to modify both WWB	Req. add.info.

UNIFIED SEWERAGE AGENCY SEWAGE TREATMENT PROPOSAL

In a letter dated March 17, 1971, the USA had requested that a variance be granted by EQC to allow the district to build a tertiary sewage treatment plant and to discharge the effluent from it into the Tualatin River at a point near the city of Tualatin and with the operation of the same meeting all requirements of the water quality standards for the Tualatin River except the dilution requirements.

Mr. Jensen presented the staff memorandum report dated April 1, 1971 regarding this matter. He pointed out that the dilution requirements cannot be fully met until the Scoggins reservoir project is completed, probably in 1975 or 1976, but that in the meantime it is expected that some low flow augmentation can be effected by diversion of Trask River water through the city of Hillsboro water supply project. The staff report recommended provisional approval of the service district's request.

A copy of Mr. Jensen's report has been made a part of the Department's permanent files in this matter.

Mr. Daniel O. Potter, General Manager, was present and submitted a written statement supporting the district's request. He said they are hoping to obtain some 8 mgd from the Trask River project for 90 days during the period of low stream flow in the summer and fall to help dilute the highly treated effluent from the tertiary sewage treatment plant which they are planning to build. He reported further that they are planning on 10,000 acre-feet of storage in the Scoggins project with another 7,200 acre-feet being probable when that project is completed.

In reply to a question about possible alternatives in case the Scoggins project does not go ahead he mentioned the possibility of obtaining dilution water from the McKay and Rock Creek projects or of extending the outfall sewer to the main Willamette River.

Mr. John Nelson, President of the Tualatin River Home Owners Preservation League, was present and wanted to know if the proposed project would make conditions better or worse. He was advised that the conditions should be much better.

Mr. Carl M. Halvorson, contractor and member of the Board of Directors of the Lake Oswego Holding Corporation, was present and spoke in opposition to the proposed project. He questioned whether it is technically feasible to build, operate and maintain a tertiary treatment plant having a capacity of 16 mgd. He doubts that such a facility can be relied upon to produce consistently an effluent meeting the high standards set by the EQC for the Tualatin River. He expressed concern that break down in plant operation would increase the algal growths in Oswego Lake.

Mr. Fred Weber, President of the Lake Oswego Holding Corporation, was present and he also opposed the granting of the variance for the same reasons mentioned by Mr. Halvorson.

After considerable discussion of the matter by the Commission members, it was MOVED by Mr. Waterman that the recommendations of the staff be approved. Mr. Cogan seconded the motion and MOVED that it be amended by adding the condition that the variance be granted only if 8 mgd of dilution water will be available from the Trask River project. Mr. Harms seconded the amendment. The amendment and the amended motion were then passed unanimously.

Mr. Harms said that he too is concerned about the reliability of tertiary treatment.

Mr. Jim Blazier, Consulting Engineer for the district, pointed out that tertiary treatment is actually similar to water treatment and therefore there should be no reason why it would not be reliable since large water treatment plants have been built and operated successfully for many years.

The meeting was then recessed at 12:20 p.m. and reconvened at 1:35 p.m.

WALDPORT SEWAGE DISPOSAL

Mr. Jensen presented a brief staff report regarding the matter of sewage disposal for the city of Waldport. This city currently has only primary treatment and under the provisions of its waste discharge permit is required to install secondary treatment by May 31, 1972.

At a special election on March 22, 1971 the voters rejected a \$278,000 bond issue which had been proposed by the City Council for financing both secondary treatment and needed extensions to the city's sewage collection system. As a result of this action by the voters the city failed to meet the March 31, 1971 deadline for development of its required fiscal program.

Mr. Joseph Bird, Mayor, was present to represent the city. He said that many of the 700 residents of the city are retired people living on fixed incomes and he believed that was the reason for the defeat of the bond issue. He reported that the engineering studies are complete, that the income from monthly sewer user charges ranges from 10 to 15 thousand dollars per year, and that the estimated cost of the treatment works project alone is about \$180,000. He thought that if the bond issue could be reduced through receipt of a state or federal grant the people would approve it. He was advised that the city would be eligible for at least a 30% grant and maybe more depending upon the actions of the federal Congress and state legislature.

Mayor Bird stated that the next city council meeting is on April 8. He thought they could schedule another bond election in about 4 weeks.

Mr. Sawyer suggested that the city be given an extension of time in which to complete its financing program and that for the present no change be made in the deadline for completion of the construction.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that a letter be sent to the city extending the deadline to June 30, 1971 for completion of the fiscal program.

BOWMAN TERRACE SUBDIVISION SEWAGE DISPOSAL

Mr. Jensen explained that the Bowman Terrace Subdivision of Clackamas County consists of 35 lots and is located adjacent to the Clackamas County Service District No. 1 and the city of Milwaukie. Homes have already been built on 33 of the lots and 17 of these are occupied. When the subdivision was first proposed it was contemplated that it would shortly be served by public sewers connected to the County Service District system. Consequently, the County Health Department had granted permission to use individual septic tank system in the interim until the district's facilities became available. Unfortunately, it has developed that subsoil conditions are such that sub-surface sewage disposal is not feasible even on a temporary basis. As a consequence health hazards have been created by the overflow of inadequately treated sewage from the 17 houses that are already occupied.

The Boundary Commission has ruled that the subdivision must be annexed to the city of Milwaukie rather than to the service district. The city is

willing to accept it and to treat the sewage from the homes but the city's present sewage plant is already overloaded and under the waste discharge permit issued by DEQ is not supposed to receive any increase in load until additional capacity can be provided.

Mr. Jensen reported that the DEQ had approved connections to the city sewers for the 17 houses that are presently occupied but had rejected connection for the others.

Mr. John Borden, Senior Sanitarian for Clackamas County, was present and explained the situation from the county's standpoint. He admitted that his department was partly to blame for the problem that has developed and he requested that under the circumstances permission be granted to connect the other houses that have already been built but are not yet occupied.

After further explanation of the problem by the director, it was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that EQC allow all 33 of the presently constructed homes to be connected to the Milwaukie sewerage system but that no further connections be allowed until increased sewage treatment capacity has been provided.

VARIANCES GRANTED BY REGIONAL AUTHORITIES

Mr. Patterson reported that pursuant to instructions given by the EQC at the March meeting letters had been sent to the regional authorities regarding their granting of variances. He also mentioned H.B. 1570 which would give EQC the power to review and approve such variances.

PROPOSED REGULATIONS FOR ANIMAL FEED LOTS

Mr. Weathersbee reviewed briefly the latest draft of proposed regulations for animal feed lots and said that another meeting with the industry committee was scheduled for Monday, April 5. He stated that he did not expect any major changes to be made at that time and thought that the hearing for adoption of the regulations could be held during the May meeting of the Commission in Bend. He asked the Commission members to submit any changes or additions they thought should be made in the proposed regulations.

RIVERDALE DUNTHORPE SEWAGE DISPOSAL

Mr. Bolton reported that of the 388 residences in the Riverdale-Dunthorpe County Service District some 299 are now connected to the district's

sewer system. The others are served by individual septic tank systems except for at least 6 which are located adjacent to the Willamette and from which raw sewage is discharged into the river upstream from the Powers Marine Park. The latter is used extensively for recreational purposes in the summer time.

Mr. Robert Peth, Multnomah County Sanitarian, was present and related the efforts made by that department in attempts to locate the properties having individual systems that are causing health hazards or insanitary conditions due to overflow or seepage of inadequately treated sewage.

After considerable discussion of the need for correction of this situation before the coming recreation season it was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the Multnomah County Commissioners be instructed to require all occupied properties within the Riverdale-Dunthorpe County Service District to connect to the public sewer system by June 15, 1971, and, if necessary to accomplish this, to amend the county ordinance pertaining to said district.

It was further MOVED by Mr. Harms, seconded by Mr. Cogan and carried that it will be the policy of the Commission to prosecute criminally anyone found discharging raw sewage into the river after June 15, 1971.

It was suggested that a report be made at the next meeting regarding the status at that time of this matter.

WASHINGTON COUNTY SOLID WASTE DISPOSAL

Mr. Schmidt gave a preliminary report on the complex problem of solid waste disposal which confronts the Washington County authorities. He said that the Shadybrook dump which presently receives the biggest share of the wastes produced in the county must be closed by not later than June 1 of this year. In 1962 this dump had been converted from an open burning site to a sanitary land fill. Shortly thereafter a serious leachate problem developed and it resulted in pollution of the nearby creek and adjacent domestic water supplies. He recounted the past efforts of the county officials to cope with the problem including adoption of an ordinance in June 1969, the appointment of an advisory committee, the employment of consulting engineers

Clark and Groff for studying and reporting on possible solutions, and attempts by the county staffs to locate alternative sites.


He reported that at their last meeting on March 30 the Washington County Commissioners by a vote of 3 to 2 had granted a conditional use permit for the use of the abandoned Porter Yett quarry on S.W. Scholls Ferry Road south of Beaverton as a temporary replacement for the Shadybrook site. Because of its limited area it could not be used for any extended period of time. Four other sites had also been considered by the county commissioners and were rejected. All five sites had previously been rejected by the County Planning Commission.

Mr. Schmidt said several residents who live near the Porter Yett quarry site are protesting the proposed development of a landfill operation and may take legal action to prevent such use.

The county has requested the approval of EQC and therefore this matter has been scheduled for further consideration at the May 7 meeting.

There being no other business the meeting was adjourned at 3:30 p.m.

Respectfully submitted,


Kenneth H. Spies,
Director

Department of Environmental Quality
of the
State of Oregon

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Environmental Quality Commission will conduct a public hearing on the 5th day of March, 1971, at the hour of 2 p.m. in the auditorium, second floor, Public Service Building, 920 S. W. Sixth Avenue, Portland, Oregon, to consider the adoption of amendments to the Standards of Quality for Public Waters of Oregon and Disposal Therein of Sewage and Industrial Wastes contained in Oregon Administrative Rules Chapter 340, Division 4, Subdivision 1. The proposed amendments will establish minimum standards for the treatment of industrial waste and an implementation program for waste treatment requirements.

Any interested person may appear at said hearing and submit his views either orally or in writing, or may forward written testimony or comments to:

The Director
Department of Environmental Quality
720 State Office Building
1400 S. W. Fifth Avenue
Portland, Oregon 97201

Copies of the proposed rules may be obtained by writing to the Director at the above address or calling the Department at telephone 229-5696.

Tentative

Proposed Additions to

*STANDARDS OF QUALITY FOR PUBLIC
WATERS OF OREGON AND DISPOSAL
THEREIN OF SEWAGE AND INDUSTRIAL
WASTES*

Oregon Administrative Rules - Chapter 340

The purpose of these proposed supplemental regulations is to more clearly convey the Department of Environmental Quality's current policies with regard to waste treatment, generally; to better define minimum acceptable treatment of industrial wastes and to bring treatment and control of industrial waste sources throughout the state more in line with each other and with municipal waste sources.

The Department of Environmental Quality's current policy with regard to waste treatment is to require highest and best practicable treatment and control, immediately and fully, for all new waste sources and as soon as is practicable for all existing waste sources without the necessity of waiting for pollution to occur and be proven before abatement proceedings are initiated.

Tentative

Proposed Additions to

STANDARDS OF QUALITY FOR PUBLIC
WATERS OF OREGON AND DISPOSAL
THEREIN OF SEWAGE AND INDUSTRIAL
WASTES

Oregon Administrative Rules, Chapter 340
Division 4, Subdivision 1

(Proposed changes and additions noted in *italics*)

(Existing) 41-010 HIGHEST AND BEST PRACTICABLE TREATMENT AND CONTROL REQUIRED

Notwithstanding the general and special water quality standards contained in this subdivision, the highest and best practicable treatment and/or control of wastes, activities and flows shall in every case be provided so as to maintain dissolved oxygen and overall water quality at the highest possible levels and water temperatures, coliform bacteria concentration, dissolved chemical substances, toxic materials, radioactivity, turbidities, color, odor and other deleterious factors at the lowest possible levels.

(Existing) 41-015 RESTRICTIONS ON THE DISCHARGE OF SEWAGE AND INDUSTRIAL WASTES AND HUMAN ACTIVITIES WHICH AFFECT WATER QUALITY IN THE WATERS OF THE STATE

No wastes shall be discharged and no activities shall be conducted such that said wastes or activities either alone or in combination with other wastes or activities will violate, or can reasonably be expected to violate, any of the general or special water quality standards contained in this subdivision.

(Amended) 41-020 MAINTENANCE OF STANDARDS OF QUALITY

- (1) The degree of waste treatment required to restore and maintain the above standards of quality shall be determined in each instance by the ~~State-Sanitary-Authority~~ *Department of Environmental Quality* and shall be based upon the following:
 - (a) The uses which are or may likely be made of the receiving stream.
 - (b) The size and nature of flow of the receiving stream.
 - (c) The quantity and quality of the sewage or wastes to be treated, and
 - (d) The presence or absence of other sources of pollution on the same watershed.

(Existing) (2) All sewage shall receive a minimum of secondary treatment or equivalent (equal to at least 85% removal of 5-day biochemical oxygen demand and suspended solids) and shall be effectively disinfected before being discharged into any public waters of the state.

(New) (3) *All industrial waste shall receive, after maximum practicable inplant control, a minimum of secondary treatment or equivalent control to provide reduction of suspended solids, reduction of organic material where present in significant quantities, effective disinfection where bacterial organisms of public health significance are present, and control of toxic or other deleterious substances before being discharged into any public waters of the state.*

(New) 41-022 IMPLEMENTATION OF TREATMENT REQUIREMENTS

Waste treatment and control requirements prescribed under 41-010, 41-015 and 41-020 shall be provided in accordance with the following implementation program:

- (1) *For new or expanded waste loads, fully approved treatment and control facilities will be required prior to discharge of any wastes from the new or expanded facility.*
- (2) *For existing waste loads, necessary treatment and control facilities shall be provided in accordance with a specific program and timetable incorporated into the waste discharge permit for the individual discharger.*

PROJECT PLANS

During the month of March, 1971, the following project plans and specifications and/or reports were reviewed by the staff. The disposition of each project is shown, pending ratification by the Environmental Quality Commission.

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
<u>Municipal Projects (47)</u>			
3-2-71	Klamath County	Lake of the Woods Resort	Comments submitted
3-3-71	Ashland	Randy & Elizabeth Streets	Prov. approval
3-3-71	Eugene	No. 572 Seneca Road sewer	Prov. approval
3-3-71	Eugene	No. 715 High St. reconstruction	Prov. approval
3-4-71	Lake Oswego	Block 10, Mt. Park, Phase I	Prov. approval
3-4-71	Gladstone	Springhill Subdivision	Prov. approval
3-4-71	Portland	Job No. 2973	Prov. approval
3-4-71	Gresham	Boyd Industrial Park	Prov. approval
3-4-71	USA (Aloha)	Walquinn Park	Prov. approval
3-4-71	USA (Aloha)	Addendum No. 1 (STP)	Approved
3-4-71	Lebanon	Brown-Miles Addition	Prov. approval
3-5-71	Dexter	L. E. Bruington Development	Comments submitted
3-5-71	La Grande	System extension preliminary report	Comments submitted
3-8-71	Linn County	Echo Hills Subdivision preliminary report	Comments submitted
3-10-71	Oak Acres Mobile Homes	Infiltration study	Approved
3-11-71	Lane County	River Road-Santa Clara preliminary report	Approved
3-11-71	Ontario	Addendum #1 (District #28)	Approved

PROJECT PLANS (Cont.)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
3-13-71	Seaside	Sewage treatment plant study	Concurrence and comments
3-15-71	Oak Lodge S.D. I	Change Orders #5, 6, & 7	Approved
3-15-71	Hillsboro	Change Orders #13 and 14	Approved
3-15-71	Klamath Falls	Change Order No. 3	Approved
3-15-71	Bay City	Collection & treatment system	Comments submitted
3-17-71	Keizer Sewer Dist.	Whiteaker Park	Prov. approval
3-17-71	Keizer Sewer Dist.	Hilligoss Subdivision	Prov. approval
3-18-71	Bandon	Change Order #1 (STP)	Approved
3-18-71	Bear Creek Valley San. Auth.	Lateral "J" (Talent)	Prov. approval
3-18-71	Pendleton	Mt. View Addition sewers	Prov. approval
3-19-71	Ashland	Sewerage system study	Comments submitted
3-22-71	Oregon City	Pearl Street extension	Prov. approval
3-29-71	Lincoln City	North Shore Delake sewer	Prov. approval
3-29-71	Kah-Nee-Ta	Lagoon flow recorder	Prov. approval
3-29-71	Woodburn	Mill Creek Park #2	Prov. approval
3-29-71	USA (Aloha)	Vista Meade Subdivision	Prov. approval
3-29-71	Nyssa	Change Order No. 3	Approved
3-29-71	Veneta	Change Orders #1 through 4	Approved
3-29-71	East Salem S&D	Arrowmont Subd. sewers	Prov. approval
3-29-71	Black Butte Ranch	Sewer revisions	Prov. approval
3-29-71	Salem	Southlawn Subdivision	Prov. approval
3-29-71	Multnomah County	Columbia-Wilcox Service District No. 6	Prov. approval

PROJECT PLANS (Cont.)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
3-29-71	Clackamas County Service Dist. #1	System study report	Prov. approval
3-29-71	Clackamas County	Comprehensive water and sewer report	Approved
3-30-71	John Day	Preliminary engineering report	Concurrence
3-30-71	USA	Johnson Creek interceptor	Prov. approval
3-30-71	Oregon City	Canemah Terrace	Prov. approval
3-30-71	Portland	Linnton Interceptor, Phase II	Prov. approval
3-30-71	Stayton	Sewage treatment plant study	Approved
3-30-71	Canby	Sewage treat. plant expansion	Prov. approval

Industrial Projects (4)

3-15-71	White City	Reichhold Chemicals, Inc., preliminary report for secondary treatment	Prov. approval
3-15-71	Newberg	Publishers Paper Co., preliminary report for secondary treatment	Prov. approval
3-17-71	Benton County	Georgia Pacific, Camp Adair, secondary treatment for domestic sewage	Prov. approval
3-31-71	Multnomah County	Oregon Steel Mills-Rivergate, oil-water separation facilities	Prov. approval

Solid Waste Projects (1)

3-5-71	Clackamas County	LaVelle Sanitary Landfill (demolition and commercial wastes)	Prov. approval
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PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR MARCH, 1971.

The following project plans or reports were received and processed by the Air Quality Control Division for the month of March, 1971:

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
Feb. 22	Coos County	Doyle Veneer - Propose to phase-out WWB by August 1, 1971.	Requested additional information
March 4	Douglas County	Wooley Hardwood Co. Propose to phase-out WWB by Dec. 31, 1971.	Requested additional information
	Coos County	Douglas Fir Plywood Division of Roseburg Lumber Co. WWB phase-out schedule by Jan. 1, 1972 through utilization in boiler.	Approved
15	Douglas County	Smith River Lumber Co. Drain Plywood Mt. Baldy Lumber Co. Div. of Woolley Enterprises. Request extension of time for WWB phase-out until January 1, 1972.	Requested additional information as to utilization of residues
16	Coos County	Georgia Pacific Corporation Hardboard Division - installation of new cyclones for expansion of materials handling systems to continuous digester and pneumatic particle drying system.	Conditional approval
	Josephine Co.	S H & W Lumber Company WWB modification	Requested additional information.
	Jackson Co.	McGrew Brothers WWB modification	Preliminary approval
	Klamath County	Klamath Lumber Co. a. Request to delay WWB modification plan submission to 6/15/71	Approved

PROJECT PLANS, ETC. CONTINUED

16	Klamath County	Klamath Lumber Co. b. Request to delay phase- out of WWB until June, 1972.	Denied
		Metler Brothers Request for additional time to solve WWB emission problems.	Denied
	Curry County	TAMCO - Gold Beach WWB modification schedule	Approved
		U. S. Plywood-Gold Beach Request to modify WWB	Requested additional information
	Douglas County	U. S. Plywood - Reedsport U. S. Plywood - Roseburg Request to modify both WWB	Requested additional information

TO : MEMBERS OF THE ENVIRONMENTAL QUALITY COMMISSION

B. A. McPhillips, Chairman
Storrs S. Waterman, Member
Arnold M. Cogan, Member

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

FROM : AIR QUALITY CONTROL DIVISION

DATE : March 19, 1971

SUBJECT: VARIANCE PROCEDURE

The staff was requested to evaluate the variance procedure and develop more stringent control and report back at the next meeting.

The staff is now writing a letter for Mr. Spies' signature that will cover the suggestions of the Commission during the intervening period. Under existing law, it appears little more can be constructively accomplished.

A review of the matter suggests that if HB 1570 passes, then this matter could be significantly resolved. HB 1570 has had one hearing with no opposition and a suggestion that it be amended to give the Environmental Quality Commission more latitude or flexibility in considering regional variances.

The Bill is scheduled for hearing on March 23, 1971 (Tuesday) at 3:00 p.m. along with HB 1567, 1569, 1574, and 1575. Department and Regional staffs are planning to provide testimony.

Attached is a copy of the Bill for your review and comment. We are planning to have A. B. Silver testify, if available, on this specific Bill.

House Bill 1570

Sponsored by COMMITTEE ON ENVIRONMENT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as **introduced**.

Establishes review and approval procedure by Environmental Quality Commission of variances granted by regional air pollution control authorities.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted; complete new sections begin with **SECTION**.

1

A BILL FOR AN ACT

2 Relating to air pollution; amending ORS 449.880.

3 **Be It Enacted by the People of the State of Oregon:**

4 Section 1. ORS 449.880 is amended to read:

5 449.880. (1) A regional air quality control authority shall be considered
6 the legislative body of a local unit of government for purposes of sub-
7 section (2) of ORS 449.810. The Environmental Quality Commission shall
8 delegate authority to grant variances to a regional authority and the En-
9 vironmental Quality Commission shall not grant similar authority to any
10 city or county within the territory of the regional authority.

11 (2) In granting variances the regional authority is subject to ORS
12 449.810.

13 (3) A copy of each variance granted, renewed or extended by a re-
14 gional authority shall be filed with the Environmental Quality Commis-
15 sion within 15 days after it is granted. The Environmental Quality Com-
16 mission shall review the variance and the reasons therefor within [120] 60
17 days of receipt of the copy [*If the Environmental Quality Commission*
18 *determines that a variance should not be renewed, it shall direct the re-*
19 *gional authority to deny any application for renewal. If the variance was*
20 *granted for a period of more than one year, the Environmental Quality*
21 *Commission may order the regional authority to reduce the period for*
22 *which the variance was granted, but in no case shall such reduction cause*
23 *the variance to be valid for less than one year.*], and may approve the
24 variance terms, or order the regional authority to deny the variance or
25 reduce the period for which the variance was granted. Failure of such
26 order to issue within the said 60-day period shall be considered a deter-
27 mination that the variance granted by the regional authority is approved
28 by the Environmental Quality Commission.

March 22, 1971

Mid-Willamette Valley Air
Pollution Authority
2585 State Street
Salem, Oregon 97301

Gentlemen:

The Environmental Quality Commission recently was confronted with several variances filed as provided for in O.R.S. 449.880. In some instances insufficient information has been available for the Commission or the Department staff to understand or evaluate all the conditions considered in granting the variance. It is therefore recommended that a copy of the regional staff report to their Authority be included, to allow the Department to consider the report for presentation to the Commission, where warranted. This should help somewhat and relieve the necessity for direct consultation and evaluation in most cases.

The Commission did, however, wish to emphatically convey that any variances granted by a regional authority or recommended by the Department should only be based upon the strict grounds provided for in O.R.S. 449.810 (1), (3), and (4) and should also set forth the findings supporting those grounds. A variance granted should not be renewed beyond the period for which it was issued unless for extreme good cause.

Please convey the thoughts of the Commission to your Authority to provide for uniformity in air quality control enforcement and administration.

Very truly yours,

Kenneth H. Spies, Director
Dept. of Environmental Quality

KHS:HMP:h

KHS

(Proposed Draft)

DEPARTMENT OF ENVIRONMENTAL QUALITY

Regulations Pertaining to
Location, Construction, Operation, and Maintenance
of Confined Animal Feeding or Holding Operations

March, 1971

I. PURPOSE

It is the purpose of these regulations to protect the quality of water and air resources and public health of Oregon by requiring application of the highest and best practicable waste control technology relative to location, construction, operation and maintenance of confined animal feeding or holding facilities and operations.

II. DEFINITIONS - Unless the context requires otherwise, as used in these regulations:

1. "Department" means the Oregon Department of Environmental Quality.
2. "Confined feeding or holding operation: means the concentrated confined feeding or holding of animals or poultry, including but not limited to horse, cattle, sheep or swine feeding, dairy confinement areas, slaughterhouse or shipping terminal holding pens, poultry and egg production facilities and fur farms, in buildings or in pens or lots where the surface has been prepared with concrete, rock or fibrous material to support animals in wet weather or where the concentration of animals has destroyed the vegetative cover and the natural infiltrative capacity of the soil.

Operations which accommodate at any one time 100 or more cattle, horses, swine, or sheep or 2,000 or more chickens, turkeys, ducks or other similar fowl will be considered to fall within the definition of a "confined feeding or holding operation" unless it is otherwise demonstrated.

3. "Person" means the state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatsoever.
4. "Waste control facility" means all or any part of a system or systems used in connection with a confined feeding or holding operation for the
 - (a) control of drainage,
 - (b) collection, retention, treatment and disposal of liquid wastes or contaminated drainage waters, or
 - (c) collection, handling, storage, treatment or processing and disposing of manure.
5. "Waters of the State" include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the state of Oregon,

and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

III. NEW, MODIFIED OR EXPANDED FACILITIES AND OPERATIONS

No person shall construct or commence to operate a confined feeding or holding operation or waste control facility, or substantially modify or expand an existing confined feeding or holding operation or waste-control facility without first submitting detailed plans and specifications for said facility and operation and other necessary information to the Department and obtaining approval of the proposed facility and operation from the Department in writing.

1. Plans and specifications and other information to be submitted shall constitute a complete, descriptive proposal and should include, to the extent that such information is pertinent and available, the following:
 - (a) Location map showing ownership, zoning and use of adjacent lands and location of the proposed confined feeding or holding facility or operation in relation to residences and domestic water supply sources.

- (b) Topographic map of the proposed site showing the natural drainage pattern and the proposed surface water diversion and area and roof drainage control system or systems.
- (c) Climatological data for the proposed site describing normal annual and seasonal precipitation quantities and patterns, evaporation rates and prevailing winds.
- (d) Information regarding the occurrence of usable groundwaters and typical soil types in the area of the proposed site and disposal areas.
- (e) Estimated maximum numbers and types of animals to be confined at the site at any one time and estimated volume of wastes to be collected and disposed of.
- (f) Detailed plans and specifications and procedures for wastewater and manure collection, handling, retention, storage, treatment and disposal systems.
- (g) Details of feed preparation, storage, handling and use and proposed methods and facilities for controlling wastes that are likely to result therefrom.

(h) Any additional information which the Department may reasonably require to enable it to pass intelligently upon the effects of the proposed confined feeding or holding operation upon environmental Quality.

2. Written notice of approval or disapproval will be issued by the Department to the applicant within 60 days of receipt of complete plans and specifications. Any notice of disapproval will contain itemized deficiencies.
3. New or substantially modified or expanded facilities or operations shall be constructed only in accordance with plans and specifications as approved in writing by the Department.

IV. CONSTRUCTION, OPERATION AND MAINTENANCE REQUIREMENTS

All waste control facilities and confined feeding and holding operations shall be designed, constructed, maintained, and operated in accordance with the following:

1. All confinement areas, manure handling and accumulation areas, and disposal areas and facilities shall be located, constructed, and operated such that manure, contaminated drainage waters or other wastes do not enter the waters of the state at any time, except as may be permitted by the conditions of a specific waste discharge permit issued in accordance with ORS 449.083.

2. All animal confinement operations shall establish and utilize highest and best practicable control procedures, and maintain adequate equipment and materials for control of dust, flies, and objectionable odors and disposal of dead animals.
3. Unless it can be demonstrated that contaminated drainage, dust, flies, and objectionable odors can be effectively controlled by other means, or unless a specific written variance is obtained from the Department as provided in Section V, the design construction, operation and maintenance of confined feeding and holding operations and waste control facilities shall be in conformance with the attached "Guidelines for the Design and Operation of Animal Waste Control Facilities."

V. VARIANCES FROM SPECIFIED REQUIREMENTS

1. The Department may by specific written variance waive certain requirements of these regulations when site location and topography, operation procedures, or other special conditions indicate that the purpose of these regulations can be achieved without strict adherence to all of the requirements.
2. The Department may, in accordance with a specific compliance schedule, grant reasonable time for existing confined feeding or holding operations to comply with these regulations.

VI. ADVISORY COMMITTEE

At the request of the animal industry, provision is made for a 12-man committee to serve in an advisory capacity to the Department of Environmental Quality on problems related to the location, construction, operation and maintenance of confined animal feeding and holding operations. The advisory committee will include one member each from:

1. Oregon Horsemen's Association
2. Oregon Dairymen's Association
3. Oregon Sheep Growers Association
4. Oregon Purebred Swine Growers Association
5. Oregon State Fur Breeders Association
6. Oregon State Department of Agriculture
7. Department of Animal Industry, Oregon State University
8. Western Oregon Livestock Association

and two each from:

1. Oregon Cattlemen's Association (Producer representative and feeder representative)
2. Oregon Poultry Council (Oregon Turkey Improvement Association representative and Oregon Poultry and Hatchery Association representative)

Each member will be appointed by the presiding officer of the organization he represents and will serve at the pleasure of that organization. The State of Oregon shall not be liable for any of the expenses of the advisory committee or its individual members.

VII. VIOLATIONS

Violations of these regulations shall be punishable upon conviction as provided in ORS 449.990.

(Proposed Draft)

DEPARTMENT OF ENVIRONMENTAL QUALITY

Guidelines for the Design and Operation of Animal
Waste Control Facilities

March 1971

The guidelines for design and operation of animal waste control facilities contained in this section are intended to supplement "Regulations Pertaining to Location, Construction, Operation and Maintenance of Confined Animal Feeding or Holding Operations." They convey many of the criteria considered by the Department of Environmental Quality to conform to acceptable and practicable design and operation practices. Alternative methods of control will be acceptable if they can be shown to provide fully equivalent control. Compliance with these guidelines will in most instances constitute satisfactory performance of the design and operation functions to which the "Regulations..." apply. Any disapproval of submitted plans, or requirement to improve facilities or their operation, by the Department, will be, insofar as possible, referenced to applicable guidelines or appropriate sections of the "Regulations."

I. Waste Volume Control

- A. In the Willamette Valley and Coastal areas and in other areas where the average annual precipitation exceeds 30 inches, unless it can be demonstrated by detailed design and proven operational practices that wastes and contaminated drainage waters can be effectively controlled by other means, all winter use confinement areas and

silage bunkers should be under cover, and roof drainage therefrom must be collected and conveyed without contamination to receiving drainageways.

- B. Uncontaminated surface drainage should be diverted such that it is not allowed to flow through confinement areas or enter wastewater holding lagoons, sumps, or tanks.
- C. Waste collection systems utilizing water for flushing manure from floors should be of high pressure design to minimize water use, and washwater reuse practices should be employed wherever possible.
- D. Animal drinking water and atmospheric control sprays should be managed such that drainage through contaminated areas is minimized.

II. Collection and Storage Facilities

A. Liquid Manure Systems

1. When waste holding lagoons are used to accumulate manure and contaminated drainage waters for annual or semi-annual disposal, they should have sufficient usable capacity to contain at least one-half (1/2) of the average annual rainfall and manure production over the entire collection area.
2. Waste holding lagoons and collection sumps should be constructed to provide for at least annual removal of accumulated solids to maintain effective storage capacity.

3. Earth dikes should be constructed of good quality soil material, well compacted during construction, with sideslopes consistent with accepted earthfill practices for the materials used, and stabilized with vegetation recommended by the Agricultural Extension Service immediately following construction.
4. Waste holding lagoons or collection sumps with earth dikes should be constructed with overflow relief structures to prevent a washout in the event of failure in other parts of the system.
5. Where unusually windy conditions prevail, or surface aeration equipment is used, dikes should be protected to prevent erosion.
6. Reinforced concrete manure holding tanks should be constructed in accordance with, or at least equivalent to, specifications for steel placement and concrete quality contained in a design which has been prepared by a qualified structural engineer.
7. Where seasonal groundwater levels rise substantially above the bottom of the tank, drain tile should be laid in gravel at the base of the tank before it is backfilled.

B. Solids Handling Systems

1. Manure solids should be collected, stored, and utilized or disposed with a minimum of water (or rainfall) addition, in a manner which will prevent water pollution or odor nuisances.

2. Manure solids should be removed from pens, yards or storage areas at the site of the confined feeding or holding operation, and disposed of by spreading on land or by other means approved by the Department of Environmental Quality at least twice per year.
3. Where large accumulations of manure are stored during winter months, contaminated drainage collection and holding or disposal facilities should be provided.

III. Conveyance Facilities and Practices

- A. Liquid manure irrigation systems should have delivery mains buried wherever possible, minimizing the amount of pipe exposed to the hazards of surface damage and failure.
- B. Trucks or tank wagons carrying manure or manure slurry on public roads should be of water tight construction and sufficiently closed or baffled to prevent spillage of any kind.
- C. Manure slurry delivery pipelines crossing streams or gullies should be permanently placed with adequate protection from streamflow hazards and/or braced to prevent excessive bending stress in the pipe.

IV. Disposal Facilities and Practices

A. Liquid Manure Disposal

1. When slurry is spread by tank wagon or truck, a predetermined plan of uniform coverage should be established and adhered to. Under no circumstances should a tank be drained when not in motion across suitable receiving land.
2. Liquid manure irrigation systems should be operated according to a predetermined plan of rotation to insure uniform coverage and prevent ponding or surface runoff from excessive applications. Leaks and sprinkler head malfunctions should be repaired immediately.
3. Adequate land should be provided on a year-round basis for effective assimilation of all manure slurry applied, regardless of the method of application used. Land with poor vertical drainage characteristics, high water table, or slope in excess of 5% should not be selected for use in a year-round plan of manure disposal.
4. The vegetative cover on disposal land should be harvested or grazed regularly to prevent thatch accumulations of mature grasses and weeds.
5. Livestock should not be permitted to graze the disposal area during periods of saturated soil conditions.

6. Seepage basins should not be used except where it can be demonstrated that groundwater pollution will not result.

B. Solids Disposal

1. Field spreading of manure should be uniform in distribution and limited in quantity to the capacity of the land to retain it.
2. Manure should not be deposited where it can be washed into the surface drainage.
3. Manure solids should not be used as a fill or land raising material.
4. If manure solids or sludges generated in a treatment facility are to be incinerated, the incineration should be accomplished within permissible emission standards in a properly designed and approved combustion facility.
5. All dead animals should be promptly collected and disposed of in a manner which has been approved by the Oregon State Board of Health.

V. Odor and Nuisance Control Practices

- A. When determined by the Department to be necessary to control odors, wastewater retention facilities should be either covered in a manner to contain odors, or maintained in an aerobic condition by installation of approved aeration facilities.
- B. Confined feeding or holding operations located near residential or recreational areas should apply best currently available control practices for minimizing the generation of dust and undesirable odors from the storage or handling of manure and silage.

Surface moisture control practices or consistent insecticide application programs should be adhered to in the control of flies and other undesirable insects.

- C. The application of manure or manure slurry to land areas should be accomplished when air movement is least likely to carry objectionable odors to residential or recreational areas.
- D. New confined feeding or holding facilities should not be located where prevailing winds are likely to carry odors into residential or recreational areas. Attention should also be given to expansion of suburban areas and the stability of local zoning restrictions in locating new operations or substantially expanding existing operations.

VI. Sources of Qualified Assistance for Design of Facilities

- A. Where drainage control, structural or mechanical facilities are sufficiently complex to require specialized professional design, the DEQ may require that detailed plans and specifications be prepared by a qualified engineer for approval prior to construction.
- B. Appropriate design services are available through:
 - 1. USDA - Soil Conservation Service
 - 2. USDA - OSU Extension Service and associated plan services.

3. Various equipment manufacturers.
4. Independent consulting engineers.

Useful design information is often available through:

1. County extension offices and Agricultural Experiment Stations.
 2. Department of Environmental Quality engineering staff.
 3. OSU Departments of Agricultural Engineering and Animal Industry.
 4. Certain power companies and irrigation districts.
 5. Climatological data reporting services (OSU and state climatologist).
 6. Other livestock operations which have waste control facilities in operation.
 7. Various livestock production associations.
- C. Any dam or dike in excess of ten feet in height, or any impoundment volume in excess of 9.2 acre feet, must be designed by a qualified engineer and approved by the office of the State Engineer. A copy of "Rules and Regulations of the State Engineer," published annually, should be obtained prior to designing a facility of this type.
- D. Approval by the DEQ of a confined feeding or holding operation does not relieve the applicant from his obligation to comply with other pertinent federal, state or local statutes, regulations or ordinances.

Department of Environmental Quality
of the
State of Oregon

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Environmental Quality Commission will conduct a public hearing on the 5th day of March, 1971, at the hour of 2 p.m. in the auditorium, second floor, Public Service Building, 920 S. W. Sixth Avenue, Portland, Oregon, to consider the adoption of amendments to the Standards of Quality for Public Waters of Oregon and Disposal Therein of Sewage and Industrial Wastes contained in Oregon Administrative Rules Chapter 340, Division 4, Subdivision 1. The proposed amendments will establish minimum standards for the treatment of industrial waste and an implementation program for waste treatment requirements.

Any interested person may appear at said hearing and submit his views either orally or in writing, or may forward written testimony or comments to:

The Director
Department of Environmental Quality
720 State Office Building
1400 S. W. Fifth Avenue
Portland, Oregon 97201

Copies of the proposed rules may be obtained by writing to the Director at the above address or calling the Department at telephone 229-5696.

Tentative

Proposed Additions to

STANDARDS OF QUALITY FOR PUBLIC
WATERS OF OREGON AND DISPOSAL
THEREIN OF SEWAGE AND INDUSTRIAL
WASTES

Oregon Administrative Rules - Chapter 340

The purpose of these proposed supplemental regulations is to more clearly convey the Department of Environmental Quality's current policies with regard to waste treatment, generally; to better define minimum acceptable treatment of industrial wastes and to bring treatment and control of industrial waste sources throughout the state more in line with each other and with municipal waste sources.

The Department of Environmental Quality's current policy with regard to waste treatment is to require highest and best practicable treatment and control, immediately and fully, for all new waste sources and as soon as is practicable for all existing waste sources without the necessity of waiting for pollution to occur and be proven before abatement proceedings are initiated.

Tentative

Proposed Additions to

STANDARDS OF QUALITY FOR PUBLIC
WATERS OF OREGON AND DISPOSAL
THEREIN OF SEWAGE AND INDUSTRIAL
WASTES

Oregon Administrative Rules, Chapter 340
Division 4, Subdivision 1

(Proposed changes and additions noted in *italics*)

(Existing) 41-010 HIGHEST AND BEST PRACTICABLE TREATMENT AND CONTROL REQUIRED

Notwithstanding the general and special water quality standards contained in this subdivision, the highest and best practicable treatment and/or control of wastes, activities and flows shall in every case be provided so as to maintain dissolved oxygen and overall water quality at the highest possible levels and water temperatures, coliform bacteria concentration, dissolved chemical substances, toxic materials, radioactivity, turbidities, color, odor and other deleterious factors at the lowest possible levels.

(Existing) 41-015 RESTRICTIONS ON THE DISCHARGE OF SEWAGE AND INDUSTRIAL WASTES AND HUMAN ACTIVITIES WHICH AFFECT WATER QUALITY IN THE WATERS OF THE STATE

No wastes shall be discharged and no activities shall be conducted such that said wastes or activities either alone or in combination with other wastes or activities will violate, or can reasonably be expected to violate, any of the general or special water quality standards contained in this subdivision.

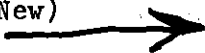
(Amended) 41-020 MAINTENANCE OF STANDARDS OF QUALITY

- (1) The degree of waste treatment required to restore and maintain the above standards of quality shall be determined in each instance by the ~~State-Sanitary-Authority~~ Department of Environmental Quality and shall be based upon the following:
 - (a) The uses which are or may likely be made of the receiving stream.
 - (b) The size and nature of flow of the receiving stream.
 - (c) The quantity and quality of the sewage or wastes to be treated, and
 - (d) The presence or absence of other sources of pollution on the same watershed.

(E. sing)

(2) All sewage shall receive a minimum of secondary treatment or equivalent (equal to at least 85% removal of 5-day biochemical oxygen demand and suspended solids) and shall be effectively disinfected before being discharged into any public waters of the state.

(New)



(3) All industrial waste shall receive, after maximum practicable inplant control, a minimum of secondary treatment or equivalent control to provide reduction of suspended solids, reduction of organic material where present in significant quantities, effective disinfection where bacterial organisms of public health significance are present, and control of toxic or other deleterious substances before being discharged into any public waters of the state.

(New)

41-022 IMPLEMENTATION OF TREATMENT REQUIREMENTS

Waste treatment and control requirements prescribed under 41-010, 41-015 and 41-020 shall be provided in accordance with the following implementation program:

- (1) For new or expanded waste loads, fully approved treatment and control facilities will be required prior to discharge of any wastes from the new or expanded facility.
- (2) For existing waste loads, necessary treatment and control facilities shall be provided in accordance with a specific program and timetable incorporated into the waste discharge permit for the individual discharger.

APP 022 = Few

EZ H...
Pacific...

No comment received (Mailed to...)

6 P. Letter 30 day continuation

Don Benson:

Erv Jones: U.S. Fish Commission