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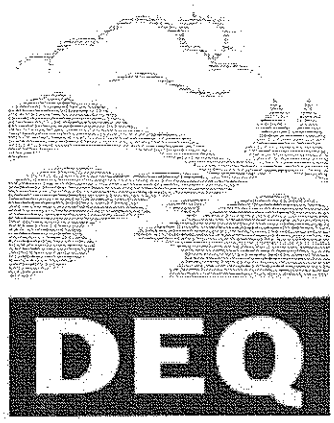
3/24/1972

OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS



State of Oregon
Department of Environmental Quality

AGENDA

Environmental Quality Commission Meeting

March 24, 1972

Second Floor Auditorium, Public Service Building

920 S.W. 6th Avenue, Portland, Oregon

9:00 a.m.

A. Minutes of February 25, 1972 Meeting (Chairman)

B. Project Plans for February 1972 (Weathersbee)

C. Proposed (General) PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF PERMITS (Final Adoption) (Sawyer)

D. Proposed REGULATIONS PERTAINING TO WASTE DISCHARGE PERMITS (Final Adoption) (Sawyer)

E. Proposed PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF LICENSES FOR THE DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES (Final Adoption) (Schmidt)

F. Proposed REGULATIONS PERTAINING TO SOLID WASTE MANAGEMENT (Final Adoption) (Schmidt)

G. Proposed NITROGEN STANDARD FOR ALL PUBLIC WATERS (Final Adoption) (Quan)

10:00 a.m.

H. Hearing re: Proposed REGULATIONS PERTAINING TO OIL SPILLS IN PUBLIC WATERS (Carter)

11:00 a.m.

I. Winchester Bay - Salmon Harbor Sewage Disposal (Sheetz)

1:30 p.m.

J. Arlington Sewage Treatment Plant Improvements (Van Domelen)

2:00 p.m.

K. Hearing re: Proposed (Revised) PLAN FOR IMPLEMENTATION AND ENFORCEMENT OF WATER QUALITY AND WASTE TREATMENT STANDARDS (Sawyer)

L. Dillard Veneer Co., Dillard (Request authority for hearing) (Phillips)

M. Metler Bros. Lumber Co. (Jeld-Wen), Klamath Falls (Hearings Officer's Report) (Director)

N. Don Sherrod Landfill, Multnomah County (Application for Permit) (R. Gilbert)

O. Federal-State Matching Grants for Sewage Works Construction (Policy Determination) (Sawyer)

P. Certification for Federal Tax Credits (Delegation of Authority to Regional Air Quality Control Authorities) (Sawyer)

Q. Zig Zag Village Performance Bond (Sawyer)

R. Tax Credit Applications (Sawyer)

S. April, May EQC Meetings

Friday,	April 21		Public Service Bldg., Portland
*Thursday	June 1	5+9	Bend
*Friday	June 2		Lakeview

* This is a change of dates from those shown on tentative agenda

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MINUTES OF THE THIRTY-THIRD MEETING

of the

Oregon Environmental Quality Commission

March 24, 1972

The thirty-third regular meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9:00 a.m., Friday, March 24, 1972, in the Second Floor Auditorium, 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 George A. McMath. Storrs S. Waterman was unable to attend because of other business.

Participating staff members were L.B. Day, Director; E.J. Weathersbee and K.H. Spies, Deputy Directors; Harold L. Sawyer, Water Quality Control Division Director; Harold M. Patterson, Air Quality Control Division Director; E.A. Schmidt, Solid Waste Management Division Director; Barbara J. Seymour, Information Director; Glen D. Carter, Water Quality Analyst; E.L. Quan, Aquatic Biologist; James R. Sheetz, J.L. Van Domelen and R.E. Gilbert, District Engineers; H.H. Burkitt, Associate Engineer; and A.B. Silver, Legal Counsel.

MINUTES OF FEBRUARY 25, 1972 MEETING

It was MOVED by Mr. McMath, seconded by Mr. Cogan and carried that the minutes of the thirty-second meeting of the Commission held in Portland on February 25, 1972 be approved as prepared.

PROJECT PLANS FOR FEBRUARY 1972

It was MOVED by Mr. McMath, seconded by Mr. Cogan and carried that the actions taken by the Department during the month of February 1972 as summarized by Mr. Weathersbee regarding the following 33 municipal sewerage, 2 industrial waste, and 36 air quality control projects be approved.

Water Quality Control

Date	Location	Project	Action
Municipal Projects (33)			
2/1/72	Portland	S.W. Maplecrest Drive sewer	Prov. app.
2/1/72	USA	Change Order No. 3 Johnson Creek interceptor	Prov. app.
2/1/72	Bear Creek Valley Sanitary Authority	Change Order No. 1 Kirkland pump station	Approved

Water Quality Control - continued

Date	Location	Project	Action
Municipal Projects (33)- continued			
2/1/72	Oak Lodge San. Dist.	Laurie Valley Subd. sewers	Prov. app.
2/1/72	North Bend	Hamilton Avenue pump station and interceptor	Prov. app.
2/8/72	Toledo	Contract No. 71-4 (sewer ext.)	Prov. app.
2/9/72	Lake Oswego	Twin Points sanitary sewer	Prov. app.
2/9/72	Portland	N.E. 33rd Drive and Elwood Drive sewers	Prov. app.
2/11/72	Crook County	Ochoco West Development (sewerage proposal)	Concept app.
2/16/72	North Tillamook County San. Auth.	System and lagoon (0.703 mgd and effluent storage)	Prov. app.
2/16/72	Troutdale	Addendum No. 1 Beaverton Creek interceptor	Approved
2/16/72	Driftwood Shores	Outfall sewer redesign	Approved
2/22/72	Ontario	Improvement District No. 29 (sewers)	Prov. app.
2/23/72	Salem	Boone Road area sewer ext.	Prov. app.
2/23/72	Gladstone	Ridgewood Subd. (sewers)	Prov. app.
2/23/72	USA	S.W. Dakota Street sewers	Prov. app.
2/23/72	USA	Canterberry Apts. sewers	Prov. app.
2/23/72	Lake Oswego	Condo-Lea Phase IV sewers	Prov. app.
2/23/72	Oregon City	Gaffney Lane sewers	Prov. app.
2/23/72	USA	Salix Subd. (sewers)	Prov. app.
2/24/72	Portland	Linnton pump station (Unit 2, Phase III)	Prov. app.
2/24/72	Gresham	Ken Mar sewer ext. (N.E. 185th)	Prov. app.
2/24/72	Bend	Pheasant Hill Subd. (sewers)	Prov. app.
2/24/72	Newport	Highway 101 sewer extension	Prov. app.
2/24/72	Waldport	Crest View Hills No. 5 (sewers)	Prov. app.
2/24/72	Eugene	(1) Job #833 sewer ext. (2) Job #289 sewer ext.	Prov. app. Prov. app.
2/28/72	Lake Oswego	Windsor Terrace sewers	Prov. app.
2/28/72	Oak Lodge San.Dist.	Dean's Subd. (sewers)	Prov. app.
2/28/72	Oregon City	Mike's Subd. (sewers)	Prov. app.
2/28/72	Hood River	American Village (sewers)	Prov. app.
2/29/72	Sutherlin	Comstock Street sewer	Prov. app.
2/29/72	Portland	Port Center - Phase 1A (sewer)	Prov. app.
Industrial Projects (2)			
2/24/72	Gordon Hilderbrand Wasco	Manure system	Approved
2/29/72	Lamb-Weston, Inc. Hermiston	Preliminary report for potato plant waste disposal	Concept app.

Air Quality Control

Date	Location	Project	Action
2/1/72	Coos County	Georgia Pacific Corp. Norway Division Statement of Compliance with Board Products Regulations	App.
2/1/72	Douglas County	Georgia-Pacific Corp. Sutherlin Division Statement of Compliance with Board Products Regulation	Approved
2/1/72	Jackson County	Georgia Pacific Corp. Rogue River Division Statement of Compliance with Board Products Regulation	Approved
2/1/72	Coos County	Georgia Pacific Corp. Plywood and Hardboard Division. Submission of emission testing schedule for compliance with Board Products Regulation	Approved
2/1/72	Coos County	Georgia Pacific Corp. Coquille Plywood Division Submission of emission testing schedule for compliance with Board Products Regulation	Approved
2/1/72	Lincoln County	Georgia Pacific Corp. Toledo Plywood Division Submission of emission testing schedule for compliance with Board Products Regulation	Approved
2/1/72	Jackson County	Georgia-Pacific Corp. Rogue River Division Plans for modifying WWB	Requested additional information
2/2/72	Lake County	Eastern Oregon Pine Plans and specifications to modify one (1) WWB by July 15, 1972	Approved
2/1/72	Lake County	Eastern Oregon Pine Proposal to phase out one (1) WWB by May 1, 1972	Approved
2/1/72	Deschutes County	Brooks Willamette Corp. Bend Particleboard Division Plans and specifications to install wet scrubbers for control of particulates from drier cyclones for compliance with Board Products Regulations	Approved

Air Quality Control - continued

Date	Location	Project	Action
2/1/72	Klamath County	Boise Cascade Corp. Chemult Lumber Division Plans and specifications to modify WWB by June 1, 1972	Approved
2/11/72	Marion County	Boise Cascade Corp. Salem Paper Division Proposal for monitoring and reporting program	Approved
2/11/72	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for monitoring and reporting program	Approved
2/11/72	Coos County	Menasha Corporation North Bend Paper Division Proposal for monitoring and reporting program	Approved
2/11/72	Yamhill County	Publishers Paper Company Newberg Division Proposal for monitoring and reporting program	Approved
2/11/72	Clackamas County	Publishers Paper Company Oregon City Division Proposal for monitoring and reporting program	Approved
2/14/72	Deschutes County	Brooks Willamette Corp. Redmond Division Inspection and check-out of modified WWB operation for compliance	Approved
2/14/72	Tillamook County	Tillamook Veneer and Plywood Company Inspection and check-out of modified WWB for compliance	Approved
2/15/72	Jackson County	Double Dee Lumber Company Request for an extension of the time schedule to April 30, 1972, for use of the Steve Wilson, Tolo, WWB since re-building of the mill that was destroyed by fire is some sixty (60) days behind schedule	Approved
2/15/72	Lake County	Lakview Lumber Company Plans to modify WWB	Add. inf. requested
2/16/72	Multnomah County	University of Oregon Medical School - Parking Structure plans	Approved

Air Quality Control - continued

Date	Location	Project	Action
2/16/72	Douglas County	Sun Studs, Inc. Request for an extension of the time schedule for phase out of the WWB until March 1, 1972, due to delays not attributable to the company	Approved
2/17/72	Douglas County	International Paper Company Gardiner Division. Proposal for compliance to meet 1975 emission standards	Approved
2/17/72	Douglas County	Spangler Wood Products Proposal to phase out WWB by June 20, 1972	Approved
2/18/72	Douglas County	Green Valley Lumber Co. Plans to modify WWB	Add. inf. requested
2/18/72	Klamath County	Modoc Veneer, Division of Nordic Plywood Company Proposal to modify WWB by June 30, 1972, in accordance with plans and specifications previously approved by the Environmental Quality Commission	Approved
2/18/72	Coos County	Georgia Pacific Corp. Hardboard Division Submission of schedule of compliance with Board Products Regulation	Approved
2/22/72	Deschutes County	Brooks Willamette Corp. Bend Particleboard Division Proposal to install high pressure pneumatic sander-dust system	Additional information requested
2/23/72	Marion County	Boise Cascade Corp. Salem Paper Division Proposal for Special Studies Program	Approved
2/23/72	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for Special Studies Program	Approved
2/23/72	Coos County	Menasha Corporation North Bend Paper Division Proposal for Special Studies Program	Approved
2/23/72	Yamhill County	Publishers Paper Co. Newberg Division Proposal for Special Studies Program	Approved
2/23/72	Clackamas County	Publishers Paper Co. Oregon City Division Proposal for Special Studies Program	Approved

Air Quality Control - continued

Date	Location	Project	Action
2/28/72	Marion County	Boise Cascade Corp. Salem Paper Division	
		a) Proposal for new recovery furnace	Approved
		b) Proposal for treatment of digester relief emissions	Not approved Add. inf. requested
2/29/72	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for compliance	Add. inf. requested

OREGON CUP AWARD SCREENING COMMITTEE

It was MOVED by Mr. Cogan, seconded by Mr. Harms and carried that the following nine persons listed by Mr. Day be named as members of the screening committee for the new Oregon CUP Award Program: Mrs. Vera Springer, Oregon Environmental Council, and Mrs. Mary Ann Donnell, Coalition for Clean Air, representing environmental groups; Donald Frisbee, Pacific Power and Light, and Dr. David Charlton, Charlton Laboratories, representing industry; Edward Whelan, AFL-CIO, and Joe Edgar, Joint Council of Teamsters, representing organized labor; and Mrs. Alice Northway, League of Women Voters, Mrs. Wanda Merrill, Consumer Protection Division, and Robert Chandler, Bend Bulletin, representing the public. The Committee is to hold its first meeting in April.

Mr. Day reported further that the members of the Advisory Committee on Scenic and Recreation Areas are to be announced by the Department on Monday, March 27, 1972. (Note: The members announced on that date include State Representative Norma Paulus, Chairman; Dean Brice and Lyle Van Gordon, Pacific Power & Light Company, Edward Maney, Hanna Mining Company; Martin Davis, Landscape Architect; Irvin Luiten, Weyerhaeuser Company; David Barrows, Association of O & C Counties; Richard Roy, Attorney; Robert Madison, Publishers Paper Company; Ron Schwartz, Willamette High Grade Concrete Company; Frank Gilchrist, Gilchrist Timber Company; Edward Smith, Bureau of Sport Fisheries and Wildlife; Ward Armstrong, Associated Oregon Industries; David Talbot, Department of Transportation; Larry Williams, Oregon Environmental Council; John Schwabe, Attorney; Ann Squires, Oregon Shores Conservation Coalition; J.E. Schroeder, Oregon State Department of Forestry; James Haas, Oregon Fish Commission; and William Bartholomew, State Engineer's Office).

PROPOSED PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF PERMITS

Mr. Sawyer presented the staff memorandum report dated March 8, 1972, and reviewed the testimony that had been received at and subsequent to the public hearing held on February 25, 1972 regarding the proposed regulations establishing procedures for issuance, denial, modification and revocation of permits by the Department. He also submitted last minute changes to the original draft. He said that based on such testimony the staff had made certain changes in subsection C(3), D(4), D(5), I(1) and I(2), and section H, and that such changes were included in the draft being submitted at this meeting for final adoption.

It was recommended by the Director that with the above changes the proposed regulations be adopted by the Commission.

It was MOVED by Mr. McMath, seconded by Mr. Cogan and carried that the proposed Procedures for Issuance, Denial, Modification and Revocation of Permits with the amendments discussed by Mr. Sawyer be approved as regulations of the Department of Environmental Quality.

A copy of these regulations as adopted by the Commission is attached to and made a part of these minutes.

PROPOSED REGULATIONS PERTAINING TO WASTE DISCHARGE PERMITS

Mr. Sawyer presented the staff's March 8, 1972 memorandum report and the Director's recommendations regarding the proposed regulations pertaining to waste discharge permits which had been the subject of a public hearing held by the Commission on February 25, 1972. He reviewed the testimony which had been received and stated that based on such testimony amendments had been made to the definitions of the words "Person" and "Toxic Waste" contained in subsections B(2) and B(10), respectively.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that as recommended by the Director the proposed Regulations Pertaining to Waste Discharge Permits, including the proposed amendments, be adopted by the Commission as regulations of the Department and that OAR Chapter 340, Sections 45-005 through 45-060 be repealed.

A copy of these regulations as adopted by the Commission is attached to and made a part of these minutes.

PROPOSED REGULATIONS FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF LICENSES FOR THE DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES

Mr. Schmidt presented the March 7, 1972 staff report covering a review of the testimony presented at and subsequent to the public hearing held by the Commission on February 25, 1972 regarding these proposed regulations. He reported that based on such testimony the staff had prepared amendments to subsections B(6), D, E(2)(d), and I(3) and that such amendments were contained in the draft submitted for final approval. He then stated that a further amendment to subsection B(6) had been prepared since the March 7 report had been written and that in addition new amendments were proposed to subsections B(8) and C(3) which he proceeded to discuss.

It was MOVED by Mr. Cogan, seconded by Mr. McMath and carried that as recommended by the Director the proposed Regulations for Issuance, Denial, Modification and Revocation of Licenses for the Disposal of Environmentally Hazardous Wastes, including the amendments presented by Mr. Schmidt, be adopted as regulations of the Department.

A copy of these regulations as adopted by the Commission is attached to and made a part of these minutes.

PROPOSED REGULATIONS PERTAINING TO SOLID WASTE MANAGEMENT

Mr. Schmidt presented the department's memorandum report dated March 8, 1972 and reviewed the testimony received at and subsequent to the public hearing held by the Commission on February 25, 1972 regarding these proposed regulations. He said that based on the testimony and comments received several changes or amendments had been made in the draft submitted for final adoption. Included were changes to subsections B(7), B(16), E(2)(c), E(3), E(5), G(2), H(1), H(1)(a), H(2)(b), H(3)(a), H(3)(b), H(3)(d), H(3)(f), H(3)(h), H(3)(m), H(3)(o), H(4)(a), H(4)(e), I(1)(b), J(1), K(2)(a), K(2)(b), M(1), N(2)(a), N(2)(d), N(5), N(5)(a), and O(1)(b).

He then stated that in addition to the above changes further amendments were proposed to subsections B(16), D(5), N(2)(a) and N(2)(d).

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that the proposed Regulations Pertaining to Solid Waste Management, including the amendments presented by Mr. Schmidt, be adopted as regulations of the Department.

A copy of the regulations as adopted by the Commission is attached to and made a part of these minutes.

PROPOSED NITROGEN STANDARD FOR ALL PUBLIC WATERS

Mr. Quan presented the Department's memorandum report dated March 20, 1972 which reviewed the testimony received at and subsequent to the public hearing held on February 25, 1972 by the Commission regarding this proposed standard. The report also outlined additional pertinent background information and recommended that the dissolved nitrogen standard be set at 105% of saturation rather than 110%. Both Mr. Harms and Chairman McPhillips commented strongly in favor of the 105% standard.

It was MOVED by Mr. McMath, seconded by Mr. Cogan and carried that the proposed Nitrogen Standard as amended and revised be adopted as subsection (12) of Rule 41-025, Subdivision 1, Division 4, Chapter 340, Oregon Administrative Rules to read as follows:

"(12) The dissolved nitrogen concentration (DN) relative to the water surface to exceed 105% of saturation from the date of adoption of this standard."

TAX CREDIT APPLICATIONS

Mr. Sawyer presented the Department's evaluations and recommendations concerning the 15 tax credit applications covered by the following motion:

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that Pollution Control Facility Tax Credit Certificates be issued to the following applicants for facilities claimed in the respective tax applications and for the claimed costs as follows:

Application No.	Applicant	Claimed Cost
T-224	Morse Brothers, Inc., Albany	$21,452.46
T-225	Morse Brothers, Inc., Corvallis	30,694.58
T-226	Morse Brothers, Inc., Sweet Home	4,895.30
T-252	Concrete Steel Corp., Medford	11,160.50
T-254	T.P. Packing Co., Klamath Falls	24,428.91
T-259	Bauman Lumber Co., Lebanon	33,819.50
T-260	Chaney Lumber & Remanufacturing Co., Boring	29,111.05
T-262	Willamette Industries, Inc., Albany	109,574.55
T-265	Pacific Carbide & Alloys Co., Portland	64,536.32
T-267	Evans Products Co., Corvallis	66,843.95
T-289	Boise Cascade Corp., LaGrande	8,570.00
T-290	Boise Cascade Corp., LaGrande	41,114.00
T-292	Boise Cascade Corp., LaGrande	44,927.00

with each of the above certificates showing that 80% or more of such costs be allocated to pollution control, and further that action be deferred on T-291 and T-318 pending some staff guidelines on granting tax credits for wigwam waste burner modifications.

PUBLIC HEARING REGARDING PROPOSED REGULATIONS RE: OIL SPILLS

Proper notice having been given as required by law and administrative rules the public hearing in the matter of adoption of proposed regulations pertaining to oil spills in public waters was called to order by the Chairman at 10:15 a.m. on Friday, March 24, 1972, in the Second Floor Auditorium, Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon with all members except Storrs S. Waterman being present.

Mr. Carter reviewed the proposed regulations and presented the department's memorandum report dated March 15, 1972.

Mr. Phillip Steinberg, Regional Vice President of the American Institute of Merchant Shipping (A.I.M.S.) read a prepared statement for that organization. He indicated they wished to cooperate in any way possible but asked that the record of the hearing be kept open to allow them more time to study the proposed regulations.

Mr. Alex Parks, Attorney and Executive Secretary of the Columbia River Towboat Assocation, appeared and read a prepared statement for that organization. He expressed concern that the state law unlike the federal statutes does not provide an exemption from damages for spills caused by a third party. He also asked that a spill be specifically defined although he had no exact definition to suggest.

He said he also was representing the Oregon Public Ports Association at this hearing.

Commander Richard F. Malm of the U.S. Coast Guard and Captain of the Port was the next person to make a statement. He pointed out that the proposed regulations would make it imperative that DEQ be prepared to respond to pollution reports in a timely manner, 24 hours per day, 7 days a week.

He suggested that notification be made to the U.S. Coast Guard who in turn would notify the state, thereby eliminating the need for the polluter to contact both the federal and the state agencies.

He commented specifically about written notification as required in Section C(2), about the need for more clarification of Section D and about disposal sites needed to satisfy the requirements of Section E(2).

Commander Henry Haugen, Legal Officer on the staff of the Commander, Thirteenth Coast Guard District, read a prepared statement pointing out certain conflicts between the Oregon law and the federal statutes pertaining to control of oil pollution. He said the Oregon law prohibits discharge of any oil whereas the federal law limits it to harmful quantities. The federal law also exempts properly operating vessel engines. The state law has unlimited liability for clean-up costs whereas the federal law sets the limit at $100/gross ton or $14 million for ships. Federal statutes exempt public vessels but the state law does not. There is also a difference in the maximum penalties that are allowed.

The Commission members complimented and thanked Commanders Malm and Haugen for the testimony which they presented.

There was general discussion concerning the advisability of establishing a single notification system in order to avoid unnecessary duplication.

Mr. Larry Williams of the Oregon Environmental Council was the last person to present a statement at the hearing regarding the regulations pertaining to oil spills. He read a prepared statement and commented on subsections C(1)(b), C(1)(d), C(2), C(3) and F.

A letter from the Union Oil Company dated March 22, 1972 and signed by A.W. Percy, Distribution Engineer, also expressed concern about the fact that the state law makes no exception to liability for damages caused by a third party.

There being no further testimony it was MOVED by Mr. McMath, seconded by Mr. Cogan and carried that the hearing be recessed and the record be kept open until the next Commission meeting on April 21, 1972.

Copies of the prepared statements read by (1) Phillip Steinberg, (2) Alex Parks, (3) Commander Richard Malm, (4) Commander Henry Haugen, and (5) Larry Williams have been made a part of the record in this matter.

WINCHESTER BAY - SALMON HARBOR SEWAGE DISPOSAL

Mr. Sheetz reviewed in detail the sewage disposal problem which exists in the Winchester Bay-Salmon Harbor area of Douglas County and is described in the staff's memorandum report dated March 15, 1972. This matter had been referred to the Commission at the request of Mr. Earl Sykes of Reedsport and his attorney, Mr. Steven R. Schell of the Northwest Environmental Defense Center.

The staff report read by Mr. Sheetz recommended that the Winchester Bay Sanitary District be directed to proceed immediately with financing and construction of sewerage facilities to serve at least Winchester Bay and the proposed Salmon Harbor development, that the financial arrangements be completed by June 16, 1972, that the engineering plans be completed by September 15, 1972, and that construction be completed by October 31, 1973.

Mr. Richard Humphrey, Consulting Engineer, was present and stated that 3 months was not long enough for completion of engineering plans.

Mr. Earl Sykes questioned the advisability of using septic tanks and drain fields even on a temporary basis. He also questioned the $150,000 amount assigned as the county's share of the cost.

Mr. Al Shirtcliff, President of the Winchester Bay Sanitary District, said he thinks fish wastes should be permitted to be returned to salt water without treatment because they provide food for scrap fish and crabs. He stated the $150,000 figure was the county's estimated share of the cost but the county had made no commitment. He claimed that the main part of Salmon Harbor would be served by the proposed sewerage system. He pointed out that the assessed valuation of the property in the district is $2,300,000. He estimated a total of 140 connections.

Mr. Jack Osborn, Douglas County Sanitarian, read a letter dated March 24, 1972 and signed by Ray E. Doerner, Chairman of the Douglas County Board of County Commissioners, objecting to the recommendations contained in the Department's report regarding the immediate need for sewerage facilities. He said the county recognizes its responsibility to become a financial partner in the construction of a treatment facility for the area but requests assistance from DEQ to acquire state and federal grants and to bring together all affected parties (county, port, Coast Guard, State Parks and sanitary district).

Mr. Tom Keel, Director of the Douglas County Parks Department, said that Salmon Harbor is only one of 51 county parks, that it is absolutely essential that it be served by a public sewer system,that no developments will be allowed on the outer spit until public sewers are available, that they have a land-use plan with architectural controls for the area, but that they want and need to build another rest room facility this year to help accommodate the people who come to the area.

Mr. Norm Sievertson, EPA Representative, said that a regional system will be required for the receipt of federal grant funds.

Mr. Richard Humphrey of CH_2M, Consulting Engineers, said that the initial design of the district's proposed sewerage system included pipe sizes large enough to serve the ultimate development, that to pump to the Reedsport system would cost an estimated $209,000 more than a separate system ($750,000 compared to $541,000), that it is not reasonable to expect final plans in 3 months, that 6 months would be more reasonable, and that no formal application has yet been made by the district to FHA for financial assistance but the application is about ready to be submitted.

Mr. Steven Schell, Attorney, commended the DEQ staff for its report and said he hoped that the urgency of the problem would be recognized. He asked that the county be restricted from making any further harbor developments until sewerage facilities are available.

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that the Director's recommendations in this matter as set forth in the staff report read by Mr. Sheetz be approved with minor changes as follows: That (1) the Winchester Bay Sanitary District be directed to proceed immediately with financing and construction of sewage collection and treatment facilities to serve, at least, Winchester Bay and the proposed Salmon Harbor development, with financial arrangements to be completed by June 16, 1972, final engineering plans completed by December 15, 1972 and construction completed by December 31, 1973; (2) Douglas County and the Douglas County Health Department be requested to prohibit the construction of further people-attracting facilities in the Winchester Bay area until firm plans and a definite time

schedule for providing the needed sewerage facilities have been established and are being implemented; (3) DEQ encourage, promote and assist the development of an area-wide program of sewage collection and treatment and request the cooperation of all entities involved including the State Parks Department, U.S. Coast Guard, Douglas County, and Winchester Bay Sanitary District to provide the needed facilities; and (4) if adequate progress is not made by May 1, 1972 on a voluntary basis in providing the necessary sewerage facilities, a formal public hearing be scheduled at the June 8, 1972 meeting of the EQC in Bend to order the implementation of an effective and timely program.

The meeting was then recessed at 12:30 p.m. and reconvened at 1:35 p.m.

ARLINGTON SEWAGE DISPOSAL

Mr. Van Domelen presented the staff report and reviewed the status of the city's program to install secondary sewage treatment works. He also outlined the Director's recommendations in this matter.

Mr. Alfred B. Clough, Councilman, Mr. Ray English, Attorney and Mr. Al Bettis, Consulting Engineer, were present to represent the city. Mr. Clough admitted that the city had been dragging their feet in the past but said the council will now do everything possible to proceed without further delay. He asked for 30 days to study the feasibility of using a lagoon and land disposal system so that no effluent will need to be discharged to the Columbia River. Mr. Bettis said he had been authorized at the last council meeting to go ahead with the study. He indicated that the engineering plans could be completed by September 1, 1972 and construction started by November 1, 1972.

After further discussion it was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that the Director's recommendations in this matter be adopted with the dates revised as per the city engineer's suggestion as follows: (1) The city of Arlington be directed to proceed immediately to prepare final plans and to construct approved secondary treatment facilities, with final engineering plans being completed by September 1, 1972, construction started by November 1, 1972, and construction completed by August 1, 1973; (2) the city be required to submit the necessary information along with an adopted revised program and time schedule to modify properly their existing waste discharge permit; and (3) the city be required, as a condition of its

waste discharge permit to submit monthly progress reports and if the city does not make adequate progress in providing the needed facilities, a public hearing be immediately scheduled before EQC to order the city to install the treatment works.

TAX CREDIT APPLICATIONS (continued)

Four of the tax credit applications considered at this meeting were for the Reynolds Metals Company aluminum reduction plant at Troutdale which discontinued operations several months ago. The facilities covered by Application T-301 had been installed but had never been in operation because of the plant shut down. However, unless a tax credit were allowed the company would have to pay property tax on the facilities which had been installed solely for air pollution control purposes.

Mr. Bill Campbell, plant manager, was present to represent the company. He urged that all 4 applications be approved.

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that Pollution Control Facility Tax Credit Certificates be issued to the Reynolds Metal Company for facilities installed at its Troutdale plant as claimed in Tax Applications T-297, T-298, T-300 and T-301 and costing $9,531.24, $29,795.33, $603,185.71 and $1,367,002.26, respectively, with each certificate showing that 80% or more of such costs be allocated to pollution control.

The above motion was made with the understanding that if the plant resumes operations and the pollution control facilities covered by Application T-301 do not function with the required efficiency the company will have to make appropriate changes or the certificate may be revoked.

PUBLIC HEARING RE: PROPOSED (Revised) PLAN FOR IMPLEMENTATION AND ENFORCEMENT OF WATER QUALITY AND WASTE TREATMENT STANDARDS

Proper notice having been given as required by Oregon law and administrative rules the public hearing in the matter of adoption of a revised plan for implementation and enforcement of water quality and waste treatment standards, together with revisions in Section 41-022, Subdivision 1, Division 4, Chapter 340, Oregon Administrative Rules, was called to order by the Chairman at 2:15 p.m. on Friday, March 24, 1972 in the Second Floor Auditorium, Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon with all members except Storrs S. Waterman in attendance.

Mr. Sawyer presented the staff report dated March 10, 1972 and reviewed the proposed revisions to the present implementation plan and administrative rules. His statement, a copy of which has been made a part of the Department's permanent files in this matter, included background information, an evaluation of existing water quality in Oregon, an evaluation of waste source control required under the 1967 implementation and enforcement plan, a discussion of Oregon's overall program for waste source control to achieve and maintain compliance with water quality and waste treatment standards, and the Director's recommendations, plus Exhibits A through D. He also submitted a further revision of Exhibit D.

He discussed fully Exhibit C which presents the summary status of 28 sources which required deadline extensions.

Following Mr. Sawyer's presentation, statements giving full and enthusiastic support to the proposed adoption of the revised plan and rule plus high praise of the water quality control program being conducted by DEQ and the Commission were given by (1) Doug Longhurst of the Oregon Student Public Interest Research Group, (2) L.D. Brownson of the Public Works Department of the city of Portland, (3) Tom Donaca of the Associated Oregon Industries, (4) Pete Schnell of Publishers Paper Co., (5) Donald J. Benson of the Northwest Pulp and Paper Association, (6) Matt Gould of Georgia Pacific Corporation and (7) James Larson of Weyerhaeuser Company.

In addition to the above statements letters of support were received from (1) Dr. David B. Charlton for the Oregon Division of the Izaak Walton League, (2) Francis J. Ivancie, President of League of Oregon Cities, (3) Stephen W.H. Yih of Wah Chang Albany, (4) T.F. Williscroft of Menasha Corp. and (5) K.L. Lewis of Al Pierce Lumber Co.

It was MOVED by Mr. Cogan, seconded by Mr. Harms and carried (1) that the Implementation and Enforcement Plan for the Public Waters of Oregon, May 1967, which is referred to in OAR Chapter 340, Division 4, Subdivision 1, Section 41-075, be amended by adoption of Tables 2A(1), 2A(2), 2B, 2C, 2D(1), 2D(2), 2E(1), 2E(2), 2F(1), 2F(2), 2G(1), 2G(2), 2H(1) and 2H(2) contained in

Exhibit B in place of Tables 2A, 2B, 2C, 2D, 2E, 2F, 2G and 2H of the 1967 plan; (2) that OAR Chapter 340, Division 4, Subdivision 1, Section 41-022 be amended as set forth in Exhibit D revised; (3) that the above officially adopted program together with copies of all current waste discharge permits be transmitted by Governor McCall to EPA with the request that: (a) Oregon's revised implementation plan including revised Tables 2A through 2H and OAR-340-41-022 as amended be accepted and formally approved as meeting Federal requirements for implementation of Water Quality Standards in Oregon, (b) Oregon's current and future Waste Discharge Permits be accepted and formally approved as fulfilling the requirements for Federal Discharge Permits in order to avoid the cost and confusion of duplicative State and Federal Permit programs, and (c) the state of Oregon be officially notified within 60 days as to EPA's intentions relative to this request; and (4) that the Director be encouraged to continue his aggressive pursuit of the idea of getting EPA to accept Oregon's discharge permit program as fulfillment of federal requirements, on the basis that what the state is after is performance and that it wants EPA to support our performance, not to interfere with it.

DILLARD VENEER COMPANY, Dillard

Mr. Burkitt reviewed the staff report in this matter dated March 24, 1972. He said that since the company had failed to develop any program for the abatement of the excessive wigwam waste burner emissions, the Director recommends that a public hearing be authorized for the purpose of requiring the company to show cause, if any it has, why EQC should not enter an order requiring the company to submit an orderly program of compliance and that said order set forth a time schedule requiring plans and specifications for any modification to be submitted to DEQ within 30 days after adoption of such order and that construction work be completed within 90 days after adoption of the order.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the Director's recommendation given above be adopted and that in addition the legal staff be requested to advise the Commission by the next meeting of any possibility that might be available for undertaking criminal action in this matter.

METLER BROTHERS LUMBER CO. (JELD-WEN), Klamath Falls

Mr. Day informed the Commission members that further consideration had been given this matter but his recommendation is still that the findings and order as previously proposed be approved with a termination date for use of the wigwam waste burner of May 1, 1972 instead of March 1, 1972.

It was MOVED by Mr. McMath, seconded by Mr. Harms and carried that the above recommendation of the Director in this matter be approved.

DON SHERROD LANDFILL, Multnomah County

Mr. R.E. Gilbert presented the staff report dated March 15, 1972 pertaining to this matter. He said the recommendation of the Director is that the application of the John M. King Company for a permit to deposit land clearing wastes in a landfill on the Don S. Sherrod property located between U.S. Highway 30 and Multnomah Channel in Section 28, T2N, R2W, Willamette Meridian, Multnomah County, be denied.

Mr. Bob Woods, General Superintendent, was present to represent the company. He urged approval of the application.

Mr. Harding Chinn, Multnomah County Sanitarian, was also present and supported the Director's recommendation.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the permit be denied.

FEDERAL-STATE MATCHING GRANTS FOR SEWAGE WORKS CONSTRUCTION

Mr. Sawyer reviewed the staff report dated March 13, 1972 regarding this matter and said it is recommended by the Director that a resolution be adopted advising EPA that the state of Oregon, acting through DEQ, does in fact wish to reinstate the matching grant program within the limits of available Federal funds in order to maximize grant allocations to the cities of Oregon.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the following resolution in this matter be adopted:

RESOLUTION

The Environmental Quality Commission of the State of Oregon hereby expresses the intent of the State of Oregon acting through the Department of Environmental Quality to reinstate the Federal-State matching grant program for Sewage Works Construction within the limits of available Federal Funds provided, however, that new construction does not become delayed by lack of

sufficient Federal money to fund the matching grants for all projects ready to proceed in any given fiscal year.

The Director of the Department of Environmental Quality is hereby authorized and directed to implement this resolution and to execute the required agreement with the Federal Environmental Protection Agency as soon as details are worked out relative to availability of funds and priority for retroactive increases to matching grant levels.

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that the FY '72 Construction Grant Priority list be amended to include the following seven projects:

WPC Ore. No.	Name of Applicant	Points	Grant	Remarks
285	Clackamas Community College	65	$15,660	Complete
233	Reedsport	65	19,512	"
315	Dufur	63	3,300	"
225	Silverton	63	3,620	"
303	Burns	62	4,290	"
277	La Grande	62	19,505	"
264	Toledo	59	71,479	"

CERTIFICATION FOR FEDERAL TAX CREDITS

Mr. Sawyer and Mr. Patterson presented the background information regarding this matter as set forth in the staff memorandum dated March 13, 1972.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the following resolution be adopted:

RESOLUTION

Pursuant to ORS 449.855, the Environmental Quality Commission hereby authorizes each of the regional air quality control authorities in the State of Oregon, namely:

Columbia-Willamette Air Pollution Authority
Lane Regional Air Pollution Authority
Mid-Willamette Valley Air Pollution Authority

to certify, pursuant to section 169 of the Internal Revenue Act of 1954, as amended, and regulations issued thereunder, that any air pollution control facility under the jurisdiction and located within the certifying air quality control region, for which application is made to the Environmental Protection Agency of the United States for certification for amortization deduction under said Section 169, is in conformity with state and local programs and requirements for the control of air pollution, or that any air pollution control

facility proposed to be located within the certifying air quality control region, but not yet in operation, if constructed and operated in accordance with the application, will be in conformity with state and local programs and requirements for the control of air pollution.

The Director of the Department of Environmental Quality is hereby authorized and directed to implement this resolution.

ZIG ZAG VILLAGE PERFORMANCE BOND

It was MOVED by Mr. Cogan, seconded by Mr. McMath and carried that for the proposed project referred to in the staff memorandum report of March 15, 1972 regarding this matter a personal bond be accepted in a form to be approved by the Attorney General in the amount of $25,000 and containing the following conditions:

(1) The owners shall be responsible for proper operation and maintenance of the sewerage facilities and the bond shall remain in force until such time as a responsible public entity assumes full liability and responsibility for operation and maintenance of the collection and treatment facilities, or until ownership of the collection and treatment facilities is transferred to a responsible public entity or until the treatment facility is eliminated by connection to an area-wide sewerage system.

(2) Ownership shall not be otherwise transferred without approval of the Department.

(3) Connection to an area-wide sewerage system shall be made as soon as such system becomes available.

SCHEDULE FOR FUTURE MEETINGS

It was agreed that the next meeting of the Commission would be on April 21, 1972 in the Public Service Building Auditorium, Portland, Oregon and that the Commission would meet on June 8 in Bend and on June 9 in Lakeview.

There being no further business this meeting was adjourned at 4:00 p.m.

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND

REVOCATION OF LICENSES FOR THE DISPOSAL OF

ENVIRONMENTALLY HAZARDOUS WASTES

OREGON ADMINISTRATIVE RULES, CHAPTER 340

DIVISION 6

SOLID WASTE MANAGEMENT

SUBDIVISION 2

A. PURPOSE

The purpose of these regulations is to prescribe uniform procedures for obtaining licenses from the Department of Environmental Quality for establishing and operating environmentally hazardous waste disposal sites and facilities as prescribed by ORS 459.410-459.690.

B. DEFINITIONS

As used in these regulations unless otherwise required by context:

1. "Commission" means the Environmental Quality Commission.
2. "Department" means the Department of Environmental Quality.
3. "Director" means the Director of the Department of Environmental Quality.
4. "Dispose" or "Disposal" means the discarding, treatment, recycling or decontamination of environmentally hazardous wastes or their collection, maintenance or storage at a disposal site.
5. "Disposal Site" means a geographical site in or upon which environmentally hazardous wastes are stored or otherwise disposed of in accordance with the provisions of ORS 459.410-459.690.
6. "Environmentally Hazardous Wastes" means Environmentally Hazardoud Wastes as defined by ORS 459.410, which includes discarded, useless or unwanted pesticides or pesticide residues, low-level radioactive wastes and receptacles and containers used therefor, that, because of their high concentration and/or persistence of toxic elements or other hazardous properties, and which have not been detoxified or cannot be detoxified by any practical means, may be classified by the Environmental Quality Commission as Environmentally Hazardous Wastes pursuant to ORS 459.410, but shall not include Environmentally Hazardous Wastes which have been detoxified by treatment, reduction in concentration of the toxic element or by any other means and formally declassified by the Environmental Quality Commission as no longer Hazardous to the environment.

7. "License" means a written license issued by the Commission, bearing the signature of the Director, which by and pursuant to its conditions authorizes the licensee to construct, install, modify or operate specified facilities or conduct specified activities for disposal of environmentally hazardous wastes.
8. "Person" means the Unites States and agencies thereof, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.

C. LICENSE REQUIRED

1. No person shall dispose of environmentally hazardous wastes upon any land in the state other than real property owned by the state of Oregon and designated as a disposal site pursuant to the provisions of ORS 459.410-459.690 and these regulations.
2. No person shall establish or operate a disposal site without a license therefor issued by the Commission pursuant to ORS 459.410-459.690 and these regulations.
3. Licenses issued by the Department shall establish minimum requirements for the disposal of environmentally hazardous wastes, limits as to types and quantities of materials to be disposed, minimum requirements for operation, maintenance, monitoring and reporting and supervision of disposal sites, and shall be properly conditioned to ensure compliance with pertinent local, state and federal standards and other requirements and to adequately protect life, property and the environment.
4. Licenses shall be issued to the applicant for the activities, operations, emissions or discharges of record, and shall be terminated automatically upon issuance of a new or modified license for the same operation.

D. NECESSITY FOR A DISPOSAL SITE

Any person proposing to establish or obtain a license for a disposal site for Environmentally Hazardous Wastes shall prepare and submit to the Department a detailed report with supporting information, justifying the necessity for a disposal site as proposed, including anticipated sources of wastes and types and quantities of wastes to be disposed. Environmentally Hazardous Wastes generated outside the State of Oregon and proposed to be imported for disposal in Oregon shall receive specific approval by the Environmental Quality Commission prior to said disposal.

E. APPLICATION FOR LICENSE

1. Any person wishing to obtain a new, modified or renewal license from the Department shall submit a minimum of eight (8) copies of a written application on forms provided by the Department. All application forms must be completed in full, signed by the applicant or his authorized representative and shall be accompanied by a minimum of eight (8) copies of all required exhibits.

2. An application for a license shall contain but not be limited to:
   a. The name and address of the applicant and person or persons to be directly responsible for the operation of the disposal site.
   b. A statement of financial condition of the applicant, prepared by a certified public accountant and including assets, liabilities and net worth.
   c. The experience of the applicant in construction, management supervision or development of disposal sites for environmentally hazardous wastes and in the handling of such substances.
   d. The management program for the operation of the disposal site, including the person or persons to be responsible for the operation of the disposal site and a resume of his qualifications, the proposed method of disposal, the proposed method of pretreatment or decontamination upon the disposal site, if any, and the proposed emergency measures and safeguards to be provided for the protection of the natural resources, the public and the employees at the disposal site.
   e. A schedule and description of sources, types and quantities of material to be disposed and detailed procedures for handling and disposal of each.
   f. A description of the size and type of facilities to be constructed upon the disposal site, including the height and type of fencing to be used, the size and construction of structures or buildings, warning signs, notices and alarms to be used, the type of drainage and waste treatment facilities and maximum capacity of such facilities, the location and source of each water supply to be used and the location and the type of fire control facilities to be provided at such site.
   g. A preliminaty engineering sketch and flow chart showing proposed plans and specifications for the construction and development of the site and the waste treatment and water supply facilities, if any, to be used at such site.
   h. The exact location and place where the applicant proposes to operate and maintain the disposal site, including the legal description of the lands included within such site.
   i. A preliminary geologist's survey report indicating land formation, location of water resources and directions of the flows thereof and his opinion relating to possible sources of contamination of such water resources.
   j. A proposed program for continuous monitoring and surveillance of the disposal site and for regular reporting to the Department.
3. License applications must contain or be accompanied by the following:
   a. A nonrefundable fee of $5,000 which shall be continuously appropriated to the Department for administrative expenses.
   b. A proposal and supporting information justifying the amounts of liability insurance proposed to protect the environment and the health, safety and welfare of the people of this state, including the names and addresses of the applicant's current or proposed insurance carriers and copies of insurance policies then in effect.

c. A proposal and supporting information justifying the amount of a cash bond proposed to be posted by the licensee and deemed to be sufficient to cover any costs of closing the site and monitoring it or providing for its security after closure and to secure performance of license requirements.

d. A proposal and supporting information justifying the proposed fees to be paid to the Department based either on the quantity and type of material accepted at the disposal site or a percentage of the fee collected for disposal or both, in amounts estimated to produce over the period of use of the site for disposal a sum sufficient to provide for any monitoring or protection of the site after closure.

4. The Department may require the submission of such other information as it deems necessary to make a decision on granting, modifying or denying a license.

5. Applications which are incomplete, unsigned or which do not contain the required exhibits, clearly identified, may be excluded from consideration by the Department at its discretion and the applicant shall be notified in writing of the deficiencies.

F. ENGINEERING PLANS REQUIRED

Before a disposal site or operation may be established, constructed, maintained or substantially modified, an applicant or licensee must submit to the Department final detailed engineering plans and specifications, prepared by a registered professional engineer, covering construction and operation of the disposal site and all related facilities and receive written approval of such final plans from the Department.

G. HEARINGS AND ISSUANCE OR DENIAL OF A LICENSE

1. Upon receipt of an applicaion, the Department shall cause copies of the application to be sent to affected state agencies, including the State Health Division, the Public Utility Commissioner, the Fish Commission of the State of Oregon, the State Game Commission and the State Engineer and to such other agencies or persons that the Department deems appropriate. ORS 459.410-459.690 provides that each agency shall respond by making a recommendation as to whether the license application should be granted. If the State Health Division recommends against granting the license, the Commission must deny the license.

2. After determination that an application for a license is complete, the Department will notify the applicant of its intent to schedule a hearing or hearings and the timetable and procedures to be followed. The Commission shall conduct hearings at such other places as the Department considers suitable. At the hearing the applicant may present his application and the public may appear or be represented in support of or in opposition of the application.

3. Prior to holding hearings on the license application, the Commission shall cause notice to be given in the county or counties where the the proposed disposal site is located, in a manner reasonably calculated to notify interested and affected persons of the license application.

4. The Department shall make such investigation as it considers necessary and following public hearings make a recommendation to the Commission as to whether or not a license should be issued. The recommendations of the Department, including proposed license provisions and conditions if the Department recommends issuance of a license, shall be forwarded to the applicant, to members of the Commission and, at the discretion of the Department, to other interested persons for comment. All comments must be submitted in writing within fourteen (14) days after mailing of the Department's recommendations if such comments are to receive consideration prior to final action on the application.
5. After fourteen (14) days have elapsed since the date of mailing of the Department's recommendations and after reviewing the Department's recommendations the Commission shall decide whether to issue the license or not. It shall cause notice of its decision to be given to the applicant by certified mail at the address designated by him in his application.
6. If the Commission refuses to issue a license, it shall afford the license applicant an opportunity for hearing after reasonable notice, served personally or by registered or certified mail. The notice shall contain:
   a. A statement of the party's right to hearing or a statement of the time and place of the hearing.
   b. A statement of the authority and jurisdiction under which the hearing is to be held.
   c. A reference to the particular sections of the statutes and rules involved.
   d. A short and plain statement of the matters asserted or charged.

H. RENEWAL, MODIFICATION, TERMINATION OR EXPIRATION OF LICENSE

1. An application for renewal, modification or termination of a license or to allow a license to expire shall be filed in a timely manner, but not less than ninety (90) days prior to the expiration date of the license. Procedures for issuance of a license shall apply to renewal, modification, termination or expiration of a license except that public hearings will not be held unless desired by the Commission. A license shall remain in effect until final action has been taken by the Commission on any appropriately submitted and complete application pending before the Commission.
2. In the event that the Commission finds it necessary to modify a license due to changed conditions or standards, receipt of additional information or any reason it deems would threaten public health and safety, the Department shall notify the licensee or his authorized representative by certified mail of the Commission's intent to modify the license. Such notification shall include the proposed modification and the reasons for modification. The modification shall become effective twenty (20) days from the date of mailing of such notice unless within that time the licensee requests a hearing before the Commission. Such a request for hearing shall be made in writing and shall include the reasons for such hearing. At the conclusion of any such hearing the Commission may affirm, modify or reverse the proposed modification.

I. SUSPENSION OR REVOCATION OF A LICENSE

1. Whenever, in the judgment of the Department from the results of monitoring or surveillance of operation of any disposal site, there is reasonable cause to believe that a clear and immediate danger to the Public health and safety exists from the continued operation of the site, without hearing or prior notice, the Department shall order the operation of the site halted by service of the order on the site superintendent.
2. Within twenty-four (24) hours after such order is served, the Department will appear in the appropriate circuit court to petition for such equitable relief as is required to protect the public health and safety and may commence proceedings for the revocation of the license of the disposal site if grounds therefore exist.
3. In the event that it becomes necessary for the Commission to suspend or revoke a license due to violation of any provision of ORS 459.410-459.690, non-compliance with these rules or the terms of the license, the threat of degradation of a natural resource, unapproved changes in operation, false information submitted in the application or any other cause the Department shall schedule a public hearing and notify the licensee by certified mail of the Commission's intent to suspend or revoke the license and the timetable and procedures to be followed. Any hearing held shall be conducted pursuant to the regulations of the Department.

an adjunct of a solid waste collection and disposal system, between a collection route and a disposal site, including but not limited to a large hopper, railroad gondola or barge.

(24) "Waste" means useless or discarded materials.

C. POLICY

Whereas inadequate solid waste collection, storage, transportation, recycling and disposal practices cause nuisance conditions, potential hazards to public health and safety and pollution of the air, water and land environment, it is hereby declared to be the policy of the Department of Environmental Quality to require effective and efficient solid waste collection and disposal service to both rural and urban areas and to promote and support comprehensive county or regional solid waste management planning, utilizing progressive solid waste management techniques, emphasizing recovery and reuse of solid wastes and insuring highest and best practicable protection of the public health and welfare and air, water and land resources.

D. PERMIT REQUIRED

(1) Except as provided by subsections (2) and (3) of this section, after July 1, 1971, a disposal site shall not be established and after July 1, 1972, a disposal site shall not be operated, maintained or substantially altered, expanded or improved, and a change shall not be made in the method or type of disposal at a disposal site, until the person owning or controlling the disposal site obtains a permit therefor from the Department.

(2) Disposal sites in existence at the time of adoption of these regulations and used only by the owner or person in control of the premises, to dispose of industrial or agricultural wastes generated by the owner or person in control of the premises, need not obtain a permit until July 1, 1973, unless the Department determines that a permit is necessary for a specific site prior to July 1, 1973, in order to adequately protect environmental quality or the public health or welfare.

(3) The following classes of disposal sites are specifically exempted from the above requirements to obtain a permit under these regulations,but shall comply with all other provisions of these regulations and other applicable laws, rules and regulations regarding solid waste disposal:

(a) Disposal sites, facilities or disposal operations covered under a permit issued under ORS 449.083 or under Chapter 699, Oregon Laws 1971 (HB 1931).

(b) A landfill site which is used only by the owner or person in control of the premises to dispose of soil, rock, concrete or other silimar non-decomposable materials.

(4) The Department may, in accordance with a specific conditional permit and compliance schedule, grant reasonable time for solid waste disposal sites or facilities which were existing at the time of adoption of these regulations to comply with these regulations.

(5) If it is determined by the Department that a proposed or existing disposal site or solid waste handling operation used only by the owner or person in control of the premises, is not likely to create a public nuisance, health hazard, air or water pollution or other environmental problem, the Department may waive any or all requirements of Sections E. and G. of these regulations and issue a properly conditioned written authorization, which may be in the form of a letter. Application for such authorization shall be in the form of a letter which fully describes the need and

justification therefor, the materials to be disposed and the conditions under which the operation is to be carried out and shall include an agreement by the applicant to terminate the operation immediately upon request by the Department.

E. APPLICATIONS FOR PERMITS

(1) Applications for permits shall be filed and permits shall be issued, denied, modified or revoked in accordance with PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF PERMITS as set forth in OAR Chapter 340, Division 1, Sub-Division 4.

(2) In order for applications for permits to be considered complete and accepted for processing they shall:

(a) be submitted in triplicate on forms provided by the Department and be accompanied by a like number of copies of all required exhibits.

(b) include recommendations of the local or state health agency having jurisdiction.

(c) include recommendations of the governing body and its regional solid waste advisory committee and the city or county planning commission having jurisdiction, to establish a new disposal site or to substantially alter, expand or improve a disposal site or to make a change in the method or type of disposal.

(d) include, for all existing landfill operations, a detailed site development and operational plan as required by sub-section H. (1) (b) of these regulations.

(e) include such other information as the Department may deem necessary to determine whether the proposed site and solid waste disposal facilities and the operation thereof will comply with applicable requirements.

(3) Applications for a permit to establish a new disposal site or to substantially alter, expand or improve a disposal site or to make a change in the method or type of disposal shall be accompanied by a feasibility study report prepared in accordance with Section F. of these regulations, unless the requirements of said feasibility study have been met by submittal of a regional or county-wide plan or other prior submittals.

(4) If a local public hearing regarding a proposed disposal site has not been held and if, in the judgement of the Department, there is sufficient public concern regarding the proposed disposal site, the Department may, as a condition of receiving and acting upon an application, require that such a hearing be held by the County Board of Commissioners or County Court or other local government agency responsible for solid waste management, for the purpose of informing and receiving information from the public.

(5) Landfills, incinerators, composting plants and sludge disposal sites are subject to special regulations under Sections H, I, J & K of these rules, however nothing in Sections H, I, J & K shall be construed to limit the methods of solid waste handling or disposal which may be permitted by the Department to only those methods cited.

F. FEASIBILITY STUDY REPORT

A feasibility study report shall include, but not be limited to, the following:

(1) A description of and background information on the service area including climate, topography, political entities, transportation system, major

contributors to the area economy, population density and trends and projections of factors affecting solid waste management in the area.

(2) A statement of the existing disposal practice in the service area, including types and quantities of wastes, methods of processing and disposal presently used.

(3) The status of a regional or county-wide solid waste management plan and evidence that the proposed disposal facility is a part of or is compatible with such a plan.

(4) Proposed method or methods to be used in processing and disposing of solid wastes, including anticipated types and quantities of solid wastes, justification of alternative disposal method selected, general design criteria, ultimate use of land disposal site, equipment to be used, projected life of the site, and proposed administration of the program.

(5) Maps, exhibits and reports to show graphically the location and nature of the proposed project. For a land disposal facility, the geologic characteristics of each site reflecting depths and types of soil; depth to rock; depth to local and regional groundwater tables; location and logs of soil borings; down-gradient uses of groundwater; direction and flow of groundwater; historic and seasonal surface water flows and elevations; proposed surface water diversion structures, berms, ditches, access roads, residences, buildings, streams, springs, ponds, wells and existing contours and elevations. For all sites and facilities the land use and zoning in the vicinity of the proposed site; population projections; prevailing and seasonal wind characteristics; supporting data and other pertinent information shall be presented.

(6) A proposal for protection and conservation of the air, water and land environment surrounding the disposal site, including control and/or treatment of leachate, prevention of traffic congestion and control of other discharges, emissions or activities which may result in a public health hazard, a public nuisance or environmental degradation.

(7) A proposed fiscal program for plan implementation, including initial capital required, capital budget and bond or loan amortization if applicable.

G. DETAILED PLANS AND SPECIFICATIONS REQUIRED

(1) Before a new disposal site or fixed transfer station used by the public is established, constructed, maintained or operated and before an existing disposal site or fixed transfer station is substantially altered, expanded or modified, an applicant must submit to the Department final detailed plans and specifications for construction and operation of the proposed disposal site or transfer station and all related facilities and obtain written approval of such final plans and specifications from the Department.

(2) Engineering plans and specifications submitted to the Department shall be prepared and stamped by a professional engineer with current Oregon registration.

(3) A completed application for a solid waste permit may be preliminarily reviewed by the Department and the Commission prior to the preparation of final detailed plans and specifications, if requested by the applicant or desired by the Department.

(4) Plans and specifications submitted to the Department shall be sufficiently detailed and complete to ensure that the proposed disposal site and related facilities will be constructed and operated as intended and in compliance with all pertinent state and local air, water and solid waste statutes and regulations.

H. SPECIAL RULES PERTAINING TO LANDFILLS

(1) Detailed Plans and Specifications shall include but not be limited to:

(a) Location and design of all physical features of the site, such as, berms, dikes, surface drainage control, access and on-site roads, water and waste water facilities, trenches, landfill lifts and cells,monitoring wells, fences, utilities, truck washing facilities, legal boundaries and property lines, land use, and existing contours and projected finish grades at not to exceed 5 foor contour intervals unless otherwise approved by the Department.

(b) A detailed operational plan and timetable including the proposed method and sequence of site development, utilization and operation and a proposal for monitoring and reporting any environmental effects resulting therefrom.

(2) Authorized Landfill Methods

(a) Sanitary Landfill.

Disposal of solid waste by landfilling shall be by the sanitary landfill method unless a modified landfill is specifically authorized by written permit.

(b) Modified Landfill.

Modified landfills may be permitted if it is determined by the Department that special circumstances such as climate, geographic area, site location, nature or quantity of the material to be landfilled, or population density justifies less than daily compaction and cover.

(c) Open Burning or Open Dumps.

Open burning or open dumps of putrescible solid wastes shall not be permitted.

Open burning of non-putrescible combustible wastes at a disposal site at distances greater than 500 feet from the active landfill area may be permitted in accordance with plans approved and permits issued by the Department provided that such burning is permitted by rules and regulations of the air pollution control authority having jurisdiction.

(3) Landfill Design and Construction.

(a) Location.

Modified landfills should be located a minimum of 1/4 mile from the nearest existing residence or commercial establishment other than that used by the landfill operator.

(b) Leachate.

Leachate production shall be minimized and where required shall be collected and treated or otherwise controlled in a manner approved by the Department.

(c) Groundwater.

Areas having high groundwater tables may be restricted to landfill operations which will maintain a safe vertical distance between deposited solid waste and the maximum water table elevation.

Solid wastes other than tires, rock, dirt, brick and concrete rubble and similar non-decomposible materials shall not be deposited directly into the groundwater table or in flooded trenches or cells.

(d) Monitoring Wells.

Monitoring wells may be required where deemed necessary to determine the effect of a landfill on usable groundwater re-

sources in accordance with plans approved in writing by the Department.

Other sites may be required to provide monitoring wells if they are determined by the Department to be necessary.

(e) Drainage Control.

A disposal site shall be so located, sloped or protected that drainage will be diverted around or away from the operational area of the site.

The surface contours of the site shall be maintained such that surface water run-off will not flow into or through the fill.

(f) Dikes.

Landfill sites which may be subject to flooding shall be protected by dikes which are constructed to be impervious to the passage of water and designed to prevent erosion or cutting out of the filled portions of the landfill site.

(g) Cover Material.

Adequate quantities of cover material shall be available to provide for periodic covering of deposited solid waste in accordance with the approved operational plan and permit conditions.

Final cover material must be available which will permit minimal percolation of surface water and minimum cracking of the completed fill.

(h) Access Roads.

Roads from a public highway to a disposal site and roads within a disposal site shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(i) Fences.

Access to landfills which are not attended on a twenty-four hour basis shall be controllable by means of gates which may be locked and the site shall be completely enclosed by a perimeter fence unless access is adequately controlled by the natural terrain features of the site.

(j) Site Screening.

Site screening shall be provided as required to effectively screen, insofar as is practicable, the active landfill area from residences and public view.

(k) Public Dumping.

Where practicable, special facilities such as a transfer station, vehicles or drop-box shall be provided to keep the public out of the active landfill area.

(l) Fire Protection.

Fire protection shall be provided in accordance with design and operational plans approved by the Department and in accordance with pertinent state and local fire regulations.

Where practicable, water under pressure shall be available at the site.

A minimum water supply of not less than 300 gallons should be provided.

(m) Special Handling.

Large dead animals, sewage sludges, septic tank pumpings, hospital wastes and other materials which may be hazardous or difficult to manage, shall not be deposited at a disposal site unless special provisions for such disposal are included in the operational plan or otherwise approved by the Department or local

health department having jurisdiction.

(n) Signs.

Signs clearly stating dumping area rules shall be posted and adequate to obtain compliance with the approved operational plans.

A clearly visible and legible sign or signs shall be erected at the entrance to the disposal site which shall contain at least the following:

Name of facility and owner.
Emergency phone number of attendant
Restricted materials (if applicable).
Operational hours during which wastes will be received for disposal.
Penality for unlawful dumping.

(o) Truck Washing Facilities.

Truck washing areas shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(p) Sewage Disposal.

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(4) Landfill Operation.

(a) Compaction and cover.

Solid Waste deposited at a landfill site shall be spread on a slope no steeper than 3 horizontal to 1 vertical and compacted in layers not to exceed 2 feet in depth up to maximum cell heights in accordance with the approved operational plan and covered with not less than 6 inches of compacted cover material at intervals specified in the permit. Alternative procedures to achieve equivalent results may be approved by the Department.

(b) Final Cover and Grading.

A layer of not less than two (2) feet of compacted earth, in addition to intermediate cover material, shall be placed over the completed fill following the final placement of solid waste. The final cover shall be graded, seeded with appropriate ground cover and maintained to prevent cracking, erosion and the ponding of water.

(c) Exposed Solid Waste.

Unloading of solid waste on the site shall be confined to the smallest practical area and the area of exposed waste material on the active landfill face shall be kept to a minimum.

(d) Equipment.

Sufficient equipment in good operating condition and adequate to construct and operate the landfill site including placement, compaction and covering of solid wastes under all anticipated weather and soil conditions shall be available at all times,with provisions for auxiliary or standby equipment as required in accordance with the approved operational plan.

(e) Accidental Burning.

All reasonable precautions, such as segregation of flammable wastes and early removal of "hot spots", shall be taken to prevent accidental ignition or spontaneous combustion of solid wastes at a landfill site. Water, stockpiled earth or other means shall be

available to extinguish such fires as may occur.

Hot or burning materials, or any materials likely to cause fire shall be deposited temporarily at a safe distance from the fill area and shall not be included in the landfill operation until the fire hazard is eliminated.

(f) Salvage.

Salvaging or scavenging shall be controlled so as to not interfere with optimum disposal site operation and to not create unsightly conditions or vector harborage.

All salvaged materials shall be removed from the disposal site at the end of each operating day, unless some other recycling or storage program is authorized in the operational plan approved by the Department.

Food products, hazardous materials, containers used for hazardous materials or furniture and bedding with concealed filling shall not be salvaged from a disposal site.

(g) Nuisance Conditions.

Blowing debris shall be controlled such that the entire disposal site is maintained free of litter.

Dust, malodors and noise shall be controlled to prevent air pollution or excessive noise as defined by ORS Chapter 449 and Chapter 452, Oregon Laws 1971, and rules and regulations adopted pursuant thereto.

(h) Health Hazards.

Rodent and insect control measures such as baiting and insecticide spraying shall be provided as necessary to prevent vector production and sustenance.

Any other conditions which may result in transmission of diseases to man and animals shall be controlled.

(i) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure complaince with conditions of a permit or these regulations.

(j) Closure of Landfills.

Before a landfill may be closed or abandoned to further use, all solid wastes at the disposal site shall be compacted and covered and the site finally graded and restored in a manner approved in writing by the Department.

A maintenance program for continued control of erosion, repair, and stabilization of the fill shall be provided until the completed fill has stabilized to the point where maintenance is no longer required.

I. SPECIAL RULES PERTAINING TO INCINERATION

1. Detailed Plans and Specifications.

(a) All incineration equipment and air pollution control appurtenances thereto shall comply with air pollution control rules and regulations and emission standards of this Department or the regional air pollution control authority having jurisdiction.

(b) Detailed plans and specifications for incinerator disposal sites shall include, but not be limited to, the location and physical features of the site, such as contours, drainage control, landscaping, fencing, access and on-site roads, solid waste

handling facilities, truck washing facilities, water and wastewater facilities, ash and residue disposal and design and performance specifications of incineration equipment and provisions for testing emissions therefrom.

(2) Incinerator Design and Construction.

(a) Ash and Residue Disposal.

Incinerator ash and residues shall be disposed in an approved landfill unless handled otherwise in accordance with a plan approved in writing by the Department.

(b) Waste Water Discharges.

There shall be no discharge of waste water to public waters except in accordance with a waste discharge permit from the Department, issued under ORS 449.083.

(c) Access Roads.

All-weather roads shall be provided from the public highways or roads,to and within the disposal site and shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(d) Drainage.

An incinerator site shall be designed such that surface drainage will be diverted around or away from the operational area of the site.

(e) Fire Protection.

Fire protection shall be provided in accordance with plans approved in writing by the Department and in compliance with pertinent state and local fire regulations.

(f) Fences.

Access to the incinerator site shall be controlled by means of a complete perimeter fence and gates which may be locked.

(g) Sewage Disposal.

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(h) Truck Washing Facilities.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(3) Incinerator Operations.

(a) Storage.

All solid waste deposited at the site shall be confined to the designated dumping area.

Accumulation of solid wastes and undisposed ash residues shall be kept to minimum practical quantities.

(b) Salvage.

Salvaging shall be controlled so as to not interfere with optimum disposal operation and to not create unsightly conditions or vector harborage.

All salvaged material shall be stored in a building or enclosure until it is removed from the disposal site in accordance with a recycling program authorized in the operational plan approved in writing by the Department.

Food products, hazardous materials, containers used for hazardous materials, or furniture and bedding with concealed

filling shall not be salvaged from a disposal site.

(c) Nuisance Conditions.

Blowing debris shall be controlled such that the entire disposal site is maintained free of litter.

Dust, malodors and noise shall be controlled to prevent air pollution or excessive noise as defined by ORS Chapter 449 and Chapter 452, Oregon Laws 1971, and rules and regulations adopted pursuant thereto.

(d) Health Hazards.

Rodent and insect control measures shall be provided, sufficient to prevent vector production and sustenance. Any other conditions which may result in transmission of disease to man and animals shall be controlled.

(e) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure compliance with conditions of a permit or these regulations.

J. SPECIAL RULES PERTAINING TO COMPOSTING PLANTS

(1) Detailed Plans and Specifications shall include but not be limited to:

(a) Location and design of the physical features of the site and composting plant, surface drainage control, waste water facilities, fences, residue disposal, odor control and design and performance specifications of the composting equipment and detailed description of methods to be used.

(b) A proposed plan for utilization of the processed compost including copies of signed contracts for utilization or other evidence of assured utilization of composted solid waste.

(2) Compost Plant Design and Construction.

(a) Non-Combustible Wastes.

Facilities and procedures shall be provided for handling, recycling or disposing solid waste that is non-biodegradable by composting.

(b) Odors.

The design and operational plan shall give consideration to keeping odors to lowest practicable levels. Composting operations, generally, shall not be located in odor sensitive areas.

(c) Drainage Control.

Provisions shall be made to effectively collect, treat and dispose of leachate or drainage from stored compost and the composting operation.

(d) Waste Water Discharges.

There shall be no discharge of waste water to public waters, except in accordance with a Waste Discharge Permit from the Department, issued under ORS 449.083.

(e) Access Roads.

All-weather roads shall be provided from the public highway or roads to and within the disposal site and shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(f) Drainage.

A composting site shall be designed such that surface drainage will be diverted around or away from the operational area of the site.

(g) Fire Protection

Fire protection shall be provided in accordance with plans approved in writing by the Department in compliance with pertinent state and local fire regulations.

(h) Fences.

Access to the composting site shall be controlled by means of a complete perimeter fence and gates which may be locked.

(i) Sewage Disposal.

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(j) Truck Washing Facilities.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(3) Composting Plant Operation.

(a) Supervision of Operation.

A composting plant shall be operated under the supervision of a responsible individual who is thoroughly familiar with the operating procedures established by the designer.

All compostable waste shall be subjected to complete processing in accordance with the equipment manufacturer's operating instructions or patented process being utilized.

(b) Removal of Compost.

Compost shall be removed from the composting plant site as frequently as possible, but not later than one year after treatment is completed.

(c) Use of Composted Solid Waste.

Composted solid waste offered for use by the general public shall contain no pathogenic organisms, shall be relatively odor-free and shall not endanger the public health or safety.

(d) Storage.

All solid waste deposited at the site shall be confined to the designated dumping area.

Accumulation of solid wastes and undisposed residues shall be kept to minimum practical quantities.

(e) Salvage.

Salvaging shall be controlled so as to not interfere with optimum disposal operation and to not create unsightly conditions or vector harborage.

All salvaged material shall be stored in a building or enclosure until it is removed from the disposal site in accordance with a recycling program authorized in the operational plan approved in writing by the Department.

K. SPECIAL RULES PERTAINING TO SLUDGE DISPOSAL SITES

(1) Permit Required.

(a) Land used for the spreading, deposit, lagooning or disposal of sewage sludge, septic tank pumpings and other sludges is defined as a disposal site by Chapter 648, Oregon Laws 1971, and is subject to the requirements of these regulations including the requirements for obtaining a permit from the Department in accordance with Sections D and E of these regulations.

(b) Disposal of sewage sludges resulting from a sewage treatment facility that is operating under a current and valid Waste Discharge Permit, issued under ORS 449.083, is exempted from obtaining a solid waste disposal permit, provided that said sewage sludge disposal is adequately covered by specific conditions of the Waste Discharge Permit. Such sewage sludge disposal operations and sites shall comply with all other provisions of these regulations and other laws, rules and regulations pertaining to solid waste disposal.

(2) Plans and Specifications for Sludge Disposal Sites.

(a) Detailed plans and specifications for sludge disposal lagoons shall include, but not be limited to location and design of the physical features of the site, such as berms, dikes, surface drainage control, access and on-site roads, waste water facilities, inlet and emergency overflow structures, fences, utilities and truck washing facilities, topography with contours not to exceed 5 foot contour intervals, elevations, legal boundaries and property lines, and land use.

(b) Plans and specifications for land spreading of sludge shall include, but not be limited to physical features of the site, such as, surface drainage, access and on-site roads, fences, truck washing facilities, topography with contours not to exceed 5-foot contour intervals, rates and frequency of sludge application, legal boundaries and property lines and land use.

(3) Prohibited Methods of Sludge Disposal.

(a) Septic tank pumpings and raw sewage sludge shall not be permitted to be disposed of by land spreading, unless it is specifically determined and approved in writing by the Department or state or local health agency having jurisdiction, that such disposal can be conducted with assured, adequate protection of public health and safety and the environment.

(b) Except for "heat-treated" sewage sludges, sewage sludges including septic tank pumpings, raw, non-digested and digested sewage sludges, shall not be:

- Used as fertilizer on root crops, vegetables, low growing berries or fruits that may be eaten raw.
- Applied to land later than one year prior to planting where vegetables are to be grown.
- Used on grass in public parks or other areas at a time or in such a way that persons could unknowingly come in contact with it.
- Given or sold to the public without their knowledge as to its origin.

(c) Sludges shall not be deposited in landfills except in accordance with operational plans that have been submitted to and approved by the Department in accordance with Sub-Section H. (1) (b) of these regulations.

(4) Sludge Lagoon and Sludge Spreading Area Design, Construction and Operation.

(a) Location.

Sludge lagoons shall be located a minimum of 1/4 mile from the nearest residence other than that of the lagoon operator or attendant.

Sludge shall not be spread on land where natural run-off could carry a residue into public waters.

If non-digested sludge is spread on land within 1/4 mile of a residence, community of public use area, it shall be plowed under the ground, buried or otherwise incorporated into the soil within five (5) days after application.

(b) Fences.

Public access to a lagoon site shall be controlled by man-proof fencing and gates which shall be locked at all times that an attendant is not on duty.

Public access to sludge spreading areas shall be controlled by complete perimeter fencing and gates capable of being locked as necessary.

(c) Signs.

Signs shall be posted at a sludge spreading area as required.

Signs which are clearly legible and visible shall be posted on all sides of a sludge lagoon, stating the contents of the lagoon and warning of potential hazard to health.

(d) Drainage.

A sludge disposal site shall be so located, sloped or protected such that surface drainage will be diverted around or away from the operational area of the site.

(e) Type of Sludge Lagoon.

Lagoons shall be designed and constructed to be non-overflow and water tight.

(f) Lagoon Freeboard.

A minimum of 3.0 feet of dike freeboard shall be maintained above the maximum water level within a sludge lagoon unless some other minimum freeboard is specifically approved by the Department.

(g) Lagoon Emergency Spillway.

A sludge lagoon shall be provided with an emergency spillway adequate to prevent cutting-out of the dike, should the water elevation overtop the dike for any reason.

(h) Sludge Removal from Lagoon.

Water or sludge shall not be pumped or otherwise removed from a lagoon, except in accordance with a plan approved in writing by the Department.

(i) Monitoring Wells.

Lagoon sites located in areas having high groundwater tables or potential for contaminating usable groundwater resources may be required to provide groundwater monitoring wells in accordance with plans approved in writing by the Department. Said monitoring wells shall be sufficient to detect the movement of groundwater and easily capable of being pumped to obtain water samples.

(j) Truck Washing.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(k) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure compliance with conditions of a permit or these regulations.

L. GENERAL RULES PERTAINING TO SPECIFIED WASTES

(1) Agricultural Wastes.

Residues from Agricultural practices shall be recycled, utilized for productive purposes or disposed of in a manner not to cause vector creation or sustenance, air or water pollution, public health hazards, odors or nuisance conditions.

(2) Hazardous Solid Wastes.

No hazardous solid wastes shall be deposited at any disposal site without prior written approval of the Department or state or local health department having jurisdiction.

(3) Waste Vehicle Tires.

(a) Open Dumping.

Disposal of loose waste tires by open dumping into ravines, canyons, gullies, and trenches, is prohibited.

(b) Tire Landfill.

Bulk quantities of tires which are disposed by landfilling and which are not incorporated with other wastes in a general landfill, must be baled, chipped, split, stacked by hand ricking or otherwise handled in a manner provided for by an operational plan submitted to and approved by the Department.

(c) General Landfill.

Bulk quantities of tires if incorporated in a general landfill with other wastes, shall be placed on the ground surface on the bottom of the fill and covered with earth before other wastes are placed over them.

(4) Waste Oils.

Large quantities of waste oils, greases, oil sludges or oil soaked wastes shall not be placed in any disposal site unless special provisions for handling and other special precautions are included in the approved plans and specifications and operational plan to prevent fires and pollution of surface or groundwaters.

(5) Demolition Materials.

Due to the unusually combustible nature of demolition materials, demolition landfills or landfills incorporating large quantities of combustible materials shall be cross-sectioned into cells by earth dikes sufficient to prevent the spread of fire between cells, in accordance with engineering plans required by these regulations. Equipment shall be provided of sufficient size and design to densely compact the material to be included in the landfill.

M. TRANSFER STATIONS

(1) Plans and Specifications.

Plans and specifications for a fixed or permanent transfer station shall include, but not be limited to the location and physical features of the facility such as contours, surface drainage control, access and on-site roads traffic routing, landscaping, weigh stations, fences and specifications for solid waste handling equipment, truck and area washing facilities and wash water disposal, and water supply and sanitary waste disposal.

(2) Transfer Station Design, Construction and Operation.

The design, construction and operational requirements for an incinerator disposal site under Sections I (2) and (3) shall apply to a

transfer station, except for Section I (2) (a.) regarding Ash and Residue.

N. STORAGE AND COLLECTION

(1) General Requirements.

(a) Storage and collection of solid waste shall be conducted in a manner to prevent:

- Vector production and sustenance.
- Conditions for transmission of diseases to man or animals.
- Hazards to service or disposal workers or to the public.
- Air pollution.
- Water pollution or allow escape of solid wastes or contaminated water to public waters.
- Objectionable odors, dust, unsightliness, aesthetically objectionable conditions or other nuisance conditions.

(2) Containers and Storage Areas.

(a) Standard Garbage Containers.

Individual containers for manual pickup shall have a tight-fitting lid or cover, hand holds or bales, be in good condition and have maximum capacity of thirty-two (32) gallons. Collectors may refuse to pick up containers, including tote containers, of a gross weight of more than seventy-five (75) pounds.

(b) Storage Bins and Storage Vehicles.

Storage bins and storage vehicles shall be leak-proof, have tight lids and covers that may be easily opened for intended use and shall have suitable fittings to facilitate removal or emptying.

Containers, storage bins or storage vehicles shall be readily washable or have liners of paper, plastic or similar materials, or both.

(c) Storage Area.

Storage houses, rooms or areas shall be of rodent proof construction which are readily cleanable with proper drainage.

Storage rooms or buildings, if not refrigerated, shall be adequately vented and all openings shall be screened.

(d) Unconfined Waste.

Unless special service or special equipment is provided by the collector for handling unconfined waste, materials such as rubbish and refuse, brush, leaves, tree cuttings and other debris for manual pickup and collection shall be in securely tied bundles or in boxes, sacks, or other receptacles and solid waste so bundled shall not exceed 60 pounds in weight.

(3) Removal Frequency.

Putrescible solid waste shall be removed from the premises at regular intervals not to exceed 7 days. All solid waste shall be removed at regular intervals so as not to create the conditions cited in Section N - (1).

(4) Cleaning of Storage Area.

Areas around storage containers shall be cleaned regularly so as not to create the conditions cited in Section N - (1).

(5) Storage of Specified Wastes.

(a) Industrial Solid Waste.

Storage of industrial solid wastes shall be in accordance with these rules and regulations. Open storage areas shall not be closer than 100 feet horizontal distance from the normal highwater mark of any public waters unless special provision is

made which prevents wastes, or drainage therefrom, from entering public waters.

(b) Agriculture Wastes.

Storage of agricultural wastes shall not create vector production or sustenance, conditions for transmission of diseases to man or animals, water or air pollution and shall be in a manner to reduce and minimize objectionable odors, unsightliness, aesthetically objectionable and other nuisance conditions.

(c) Hazardous Wastes.

Containers for hazardous wastes shall be marked to designate the content as toxic, explosive, or otherwise hazardous in a manner designed to give adequate protection to the collector and storage site operator.

O. TRANSPORTATION

(1) Collection and Transfer Vehicles Construction and Operation.

(a) Solid waste collection and transfer vehicles and devices shall be constructed, loaded and operated so as to prevent dropping, leaking, sifting, or blowing or other escapement of solid waste from the vehicle.

(b) Collection and transfer vehicles and devices carrying loads which are likely to blow or fall shall have a cover which is either an integral part of the vehicle or device or which is a separate cover of suitable materials with fasteners designed to secure all sides of the cover to the vehicle or device and shall be used while in transit.

(2) Cleaning Collection Vehicles.

(a) Collection and transfer vehicles or other devices used in transporting solid waste shall be cleanable and shall be cleaned at weekly intervals or more often as necessary, to prevent, odors, insects, rodents or other nuisance conditions.

(3) Waste Water.

Waste Water from the cleaning process of containers of non-hazardous waste shall be disposed of in a manner approved by the Department or state or local health department having jurisdiction.

P. VARIANCES

The Commission may by specific written variance or conditional permit waive certain requirements of these rules and regulations when circumstances of the solid waste disposal site location, operating procedures, and/or other conditions indicate that the purpose and intent of these regulations can be achieved without strict adherence to all of the requirements.

Q. VIOLATIONS

Violations of these regulations shall be punishable upon conviction as provided in Section 20, Chapter 648, Oregon Laws 1971 (HB 1951).

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

REGULATIONS PERTAINING TO

SOLID WASTE MANAGEMENT

OREGON ADMINISTRATIVE RULES CHAPTER 340

DIVISION 6

SOLID WASTE MANAGEMENT

SUBDIVISION 1

A. PURPOSE

The purpose of these regulations is to prescribe requirements, limitations, and procedures for storage, collection, transportation, and disposal of solid waste, pursuant to Chapter 648, Oregon Laws 1971 (HB 1051).

B. DEFINITIONS

As used in these regulations unless the context required otherwise:

(1) "Commission" means the Environmental Quality Commission.

(2) "Composting" is the process of biochemical degradation of organic waste under controlled conditions.

(3) "Department means the Department of Environmental Quality.

(4) "Digested sludge" means the concentrated sewage sludge that has decomposed under controlled conditions of pH, temperature and mixing in a digester tank.

(5) "Director" means the Director of the Department of Environmental Quality.

(6) "Disposal Site" means land used for the disposal or handling of solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, salvage sites, incinerators for solid waste delivered by the public or by a solid waste collection service and composting plants; but the term does not include a facility subject to the permit requirements of ORS 449.083 or a landfill site which is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non-decomposable material, unless the site is used by the public either directly or through a solid waste collection service.

(7) "Hazardous Solid Waste" is solid waste that may, by itself or in combination with other solid waste, be infectious, explosive, poisonous, highly flammable, caustic or toxic or otherwise dangerous or injurious to human, plant or animal life, but does not include Environmentally Hazardous Wastes as defined in Section 1, Chapter 699, Oregon Laws 1971 (Enrolled HB 1931).

(8) "Heat-treated" means a process of drying or treating sewage sludge where there is an exposure of all portions of the sludge to high temperatures for a sufficient time to kill all pathogenic organisms.

(9) "Incinerator" means a combustion device specifically designed for the reduction, by burning, of combustible solid wastes.

(10) "Land Disposal Site" is a disposal site at which solid wastes are placed on or in the ground for disposal, such as but not limited to landfills, sludge lagoons and sludge spreading areas.

(11) "Modified Landfill" is the disposal of solid waste by compaction in or upon the land and cover of all wastes deposited, with earth or other approved cover material at specific designated intervals, but not each operating day.

(12) "Landfill" is a general term meaning all landfill operations such as sanitary landfills and modified landfills.

(13) "Leachate" is liquid that has percolated through solid waste.

(14) "Non-digested Sludge" means the sewage sludge that has accumulated in a digester but due to a lack of environmental control has only partially decomposed.

(15) "Permit" means a written permit issued by the Department, bearing the signature of the Director or his authorized representative which by its conditions may authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or dispose of solid wastes in accordance with specified limitations.

(16) "Person" means the United States or agencies thereof, any state or public or private corporation, local government unit, public agency, individual, partnership, association, firm, trust, estate or any other legal entity.

(17) "Public Waters" 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.

(18) "Putrescible Material" is organic material that can decompose and may give rise to foul smelling, offensive products.

(19) "Raw Sewage Sludge" means the accumulated suspended and settleable solids of sewage deposited in tanks or basins mixed with water, to form a semi-liquid mass.

(20) "Salvage" means separating or collecting reusable solid or liquid wastes for resale or the business of separating or collecting and reclaiming reusable solid or liquid wastes at a solid waste disposal site.

(21) "Sanitary Landfill" is the disposal of solid waste by compaction in or upon land and cover of all wastes deposited with earth or other approved cover material at least once each operating day.

(22) "Solid Waste" means all putrescible and non-putrescible wastes, including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction wastes; discarded or abandoned vehicles or parts thereof; discarded home and industrial appliances; manure; vegetable or animal solid and semi-solid wastes, dead animals and other wastes; but the term does not include:

(a) Environmentally Hazardous Wastes as defined in Section 1, Chapter 699, Oregon Laws 1971 (Enrolled HB 1931).

(b) Materials used for fertilizer or for other productive purposes or which are salvageable as such materials and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals.

(23) "Transfer Station" means a fixed or mobile facility, normally used as

State of Oregon
Department of Environmental Quality

REGULATIONS PERTAINING TO WASTE DISCHARGE PERMITS

Adopted March 24, 1972

These regulations are to be made a part of OAR Chapter 340, Division 4, Subdivision 5, and are enacted in lieu of OAR 340, Sections 45.005 through 45.060, which are hereby repealed.

A. PURPOSE

The purpose of these regulations is to prescribe limitations on disposal and discharge of wastes and the requirements and procedures for obtaining Waste Discharge Permits pursuant to ORS 449.083.

B. DEFINITIONS

As used in these regulations unless otherwise required by context:

1) "Department" means Department of Environmental Quality.

2) "Person" means the United States and agencies thereof, the state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatever.

3) "Waste Discharge Permit" or "Permit" means a written permit issued by the Department, in accordance with the Procedures set forth in OAR Chapter 340, Section _____. (Procedures for Issuance, Denial, Modification and Revocation of Permits.)

4) "Wastes" means sewage, industrial wastes and all other liquid, gaseous, solid, radioactive or other substance which will or may cause pollution of any waters of the state.

5) "Discharge" or "disposal" means the placement of wastes into public waters, on land or otherwise into the environment in a manner that does or may tend to affect the quality of public waters.

6) "Public waters" or "waters of the state" include lakes, bays, ponds, impounding reservoirs, 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.

7) "Treatment" or "waste treatment" means the alteration of the quality of waste waters by physical, chemical or biological means or a combination thereof such that the tendency of said wastes to cause any degradation in water quality or other environmental conditions is reduced.

8) "Sewage" means the water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. The mixture of sewage as above defined with wastes or industrial wastes, as defined in subsections 4 and 9 of this section, shall also be considered "sewage" within the meaning of these regulations.

9) "Industrial waste" means any liquid, gaseous, radioactive or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of any natural resources.

10) "Toxic waste" means any waste which will cause or can reasonably be expected to cause a hazard to fish or other aquatic life or to human or animal life in the environment.

C. PERMIT REQUIRED

1) Without first obtaining a permit from the Department, no person shall:

a) Construct, install, expand or significantly modify any factory, mill, plant or other industrial or commercial facility which will result in a new or enlarged waste discharge to public waters.

b) Construct, install or significantly modify any facilities designed or used for the treatment or disposal of wastes.

c) Construct or use any new outlet for wastes into public waters.

d) Discharge any wastes into any public waters.

e) Operate any facilities which function to treat or dispose of wastes.

f) Conduct any industrial, commercial or agricultural operation which will or may cause or tend to cause pollution of any public waters.

2) Although not exempted from complying with all applicable laws, rules and regulations regarding water pollution, the following are specifically exempted from the above requirements to obtain a permit:

a) Persons utilizing conventional cesspools, seepage pits or septic tank and subsurface drainage field disposal systems for sewage and non-toxic commercial or industrial wastes, provided such system is approved by and is installed, operated and maintained in accordance with the rules, regulations and other requirements of the local county health department or the Oregon State Health Division.

b) Persons discharging wastes into a publicly owned or privately owned sewerage system, provided such system has a valid permit from the Department. In such cases, the owner of such sewerage system assumes ultimate responsibility for controlling and treating the wastes which he allows to be discharged into said system.

c) Gravel removal operations which are conducted in accordance with a valid removal permit issued by the Division of State Lands. Waste Discharge Permits are required for gravel washing and other processing operations where water quality is a factor.

d) Persons discharging uncontaminated cooling waters where the discharge meets all of the following criteria:

(1) The volume discharged does not exceed 20 gpm.

(2) The ratio of receiving stream flow to cooling water flow shall not be less than 20 to 1.

(3) The temperature of the cooling water does not exceed 100° F.

(4) The temperature of the receiving stream does not exceed 68° F.

(5) The discharge does not cause any aesthetically objectionable conditions.

e) Agricultural irrigation return waters.

f) Logging, land clearing or road building.

g) Construction or installation of essential bridges, culverts or other stream crossings.

3) Where established water quality standards may be violated by such legitimate activities as are listed in sections 2c, 2d, 2e, 2f and 2g above, specific written authorization shall be obtained from the Department prior to commencing such activities.

D. NON-PERMITTED DISCHARGES

1) Discharge of the following wastes into any public waters shall not be permitted:

a) Untreated or inadequately treated sewage.

b) Untreated or inadequately treated or inadequately controlled commercial or industrial wastes which can be effectively treated or disposed of by other practicable means.

c) Toxic wastes.

2) In cases of preexisting untreated or inadequately treated discharges, enforcement may not be undertaken by the Department as long as the discharger is operating in accordance with a specifically approved program to provide the necessary treatment or control and as long as the continued discharge does not cause a serious hazard to the health, safety and welfare of the public or cause irreparable damage to a resource.

E. PROCEDURES FOR OBTAINING PERMITS

Submission and processing of applications for permits and issuance, denial, modification and revocation of permits shall be in accordance with the Procedures set forth in OAR Chapter 340, Section _____. (Procedures for Issuance, Denial, Modification and Revocation of Permits.)

F. OTHER REQUIREMENTS

Prior to commencing construction on any waste collection, treatment, disposal or discharge facilities for which a permit is required by Section C above, detailed plans and specifications must be submitted to and approved in writing by the Department as required by ORS 449.395; and for privately owned sewerage systems, a performance bond must be filed with the Department as required by ORS 449.400.

State of Oregon
Department of Environmental Quality

PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF PERMITS

Adopted March 24, 1972

These regulations are to be made a part of OAR Chapter 340, Division 1, Subdivision 4.

A. PURPOSE

The purpose of these regulations is to prescribe uniform procedures for obtaining permits from the Department of Environmental Quality as prescribed by Oregon Revised Statutes (ORS) 449.083; Chapter 406, Oregon Laws 1971; and Chapter 648, Oregon Laws 1971.

B. DEFINITIONS

As used in these regulations unless otherwise required by context:

1) "Department" means Department of Environmental Quality. Department actions shall be taken by the Director as defined herein.

2) "Commission" means Environmental Quality Commission.

3) "Director" means Director of the Department of Environmental Quality or his authorized deputies or officers.

4) "Permit" means a written permit issued by the Department, bearing the signature of the Director, which by its conditions may authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities or emit, discharge or dispose of wastes in accordance with specified limitations.

C. TYPE, DURATION AND TERMINATION OF PERMITS

1) Permits issued by the Department will specify those activities, operations, emissions and discharges which are permitted as well as the requirements, limitations and conditions which must be met.

2) The duration of permits will be variable, but shall not exceed five (5) years. The expiration date will be recorded on each permit issued. A new application must be filed with the Department to obtain renewal or modification of a permit.

3) Permits are issued to the official applicant of record for the activities, operations, emissions or discharges of record and shall be automatically terminated:

a) Within 60 days after sale or exchange of the activity or facility which requires a permit.

b) Upon change in the nature of activities, operations, emissions or discharges from those of record in the last application.

c) Upon issuance of a new, renewal or modified permit for the same operation.

d) Upon written request of the permittee.

D. APPLICATION FOR A PERMIT

1) Any person wishing to obtain a new, modified or renewal permit from the Department shall submit a written application on a form provided by the Department. Applications must be submitted at least 60 days before a permit is needed. All application forms must be completed in full, signed by the applicant or his legally authorized representative and accompanied by the specified number of copies of all required exhibits. The name of the applicant must be the legal name of the owner of the facilities or his agent or the lessee responsible for the operation and maintenance.

2) Applications which are obviously incomplete, unsigned or which do not contain the required exhibits (clearly identified) will not be accepted by the Department for filing and will be returned to the applicant for completion.

3) Applications which appear complete will be accepted by the Department for filing.

4) Within 15 days after filing, the Department will preliminarily review the application to determine the adequacy of the information submitted.

   a) If the Department determines that additional information is needed, it will promptly request the needed information from the applicant. The application will not be considered complete for processing until the requested information is received. The application will be considered to be withdrawn if the applicant fails to submit the requested information within 90 days of the request.

   b) If in the opinion of the Director additional measures are necessary to gather facts regarding the application, the Director will notify the applicant of his intent to institute said measures and the timetable and procedures to be followed. The application will not be considered complete for processing until the necessary additional fact-finding measures are completed. When the information in the application is deemed adequate, the applicant will be notified that this application is complete for processing. Processing will be completed within 45 days after such notification.

5) In the event the Department is unable to complete action on an application within 45 days after notification that the application is complete for processing, the applicant shall be deemed to have received a temporary or conditional permit, such permit to expire upon final action by the Department to grant or deny the original application. Such temporary or conditional permit does not authorize any construction, activity, operation or discharge which will violate any of the laws, rules or regulations of the State of Oregon or the Department of Environmental Quality.

6) If, upon review of an application, the Department determines that a permit is not required, the Department shall notify the applicant in writing of this determination. Such notification shall constitute final action by the Department on the application.

E. ISSUANCE OF A PERMIT

1) Following determination that it is complete for processing, each application will be reviewed on its own merits. Recommendations will be developed in accordance with the provisions of all applicable statutes, rules and regulations of the State of Oregon and the Department of Environmental Quality.

2) If the Department proposes to issue a permit, proposed provisions prepared by the Department will be forwarded to the applicant and other interested persons at the discretion of the Department for comment. All comments must be submitted in writing within 14 days after mailing of the proposed provisions if such comments are to receive consideration prior to final action on the application.

3) After 14 days have elapsed since the date of mailing of the proposed provisions, the Department may take final action on the application for a permit. The Department may adopt or modify the proposed provisions or recommend denial of a permit. In taking such action, the Department shall consider the comments received regarding the proposed provisions and any other information obtained which may be pertinent to the application being considered.

4) The Department shall promptly notify the applicant in writing of the final action taken on his application. If the Department recommends denial, notification shall be in accordance with the provisions of Section G. If the conditions of the permit issued are different from the proposed provisions forwarded to the applicant for review, the notification shall include the reasons for the changes made. A copy of the permit issued shall be attached to the notification.

5) If the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department.

F. RENEWAL OF A PERMIT

The procedure for issuance of a permit shall apply to renewal of a permit. If a completed application for renewal of a permit is filed with the Department in a timely manner prior to the expiration date of the permit, the permit shall not be deemed to expire until final action has been taken on the renewal application to issue or deny a permit.

G. DENIAL OF A PERMIT

If the Department proposes to deny issuance of a permit, it shall notify the applicant by registered or certified mail of the intent to deny and the reasons for denial. The denial shall become effective 20 days from the date of mailing of such notice unless within that time the applicant requests a hearing

before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department.

H. MODIFICATION OF A PERMIT

In the event that it becomes necessary for the Department to institute modification of a permit due to changing conditions or standards, receipt of additional information or any other reason pursuant to applicable statutes, the Department shall notify the permittee by registered or certified mail of its intent to modify the permit. Such notification shall include the proposed modification and the reasons for modification. The modification shall become effective 20 days from the date of mailing of such notice unless within that time the permittee requests a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department. A copy of the modified permit shall be forwarded to the permittee as soon as the modification becomes effective. The existing permit shall remain in effect until the modified permit is issued.

I. SUSPENSION OR REVOCATION OF A PERMIT

1) In the event that it becomes necessary for the Department to suspend or revoke a permit due to non-compliance with the terms of the permit, unapproved changes in operation, false information submitted in the application or any other cause, the Department shall notify the permittee by registered mail of its intent to suspend or revoke the permit. Such notification shall include the reasons for the suspension or revocation. The suspension or revocation shall become effective 20 days from the date of mailing of such notice unless within that time the permittee requests a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department.

2) If the Department finds that there is a serious danger to the public health or safety or that irreparable damage to a resource will occur, it may, pursuant to applicable statutes, suspend or revoke a permit effective immediately. Notice of such suspension or revocation must state the reasons for such action and advise the permittee that he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 90 days of the date of suspension and shall state the grounds for the request. Any hearing shall be conducted pursuant to the regulations of the Department.

J. SPECIAL PERMITS

The Department may waive the procedures prescribed in Section E and issue special permits of duration not to exceed 60 days from the date of issuance for unexpected or emergency activities, operations, emissions or discharges. Said permits shall be properly conditioned to insure adequate protection of property and preservation of public health, welfare and resources. Application for such permits shall be in writing and may be in the form of a letter which fully describes the emergency and the proposed activities, operations, emissions or discharges.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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GOVERNOR

L. B. DAY
Director

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Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. B, EQC Meeting, March 24, 1972

Project Plans for February, 1972

During the month of February staff action was taken relative to plans, specifications and reports as follows:

Water Quality Control

1. Thirty-Three domestic sewage projects were reviewed:
   a) Provisional approval was given to:
      25 plans for sewer extensions
      1 plan for sewage treatment works improvements
      2 plans for sewage lift stations
      1 engineering report
      1 contract modification
   b) Approval without conditions was given to:
      2 contract modifications
      1 outfall sewer

2. Two project plans for industrial waste facilities were approved.

Air Quality Control

1. Thirty-six project plans, reports or proposals were received and reviewed:
   a) 9 schedules of compliance with Particle Board Regulations
      1) 8 approved
      2) 1 additional information requested
   b) 12 wigwam burner proposals
      1) 9 approved
      2) 3 additional information requested

TELEPHONE: (503) 229-5696

c) 15 industrial AQC proposals other than WWB and Particle Board Compliance Schedules were reviewed:

1) 13 approved
2) 2 additional information requested

Solid Waste Disposal

No project plans were reviewed.

Director's Recommendation

It is recommended that the Commission give its confirming approval to staff action on project plans for the month of February.

L. B. Day

3/16/72

PROJECT PLANS

Water Quality Division

During the month of February, 1972, 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.

Date	Location	Project	Action
Municipal Projects (32)			
2/1/72	Portland	S.W. Maplecrest Drive sewer	Prov. approval
2/1/72	USA	Change Order No. 3 Johnson Creek interceptor	Prov. approval
2/1/72	Bear Creek Valley Sanitary Authority	Change Order No. 1 Kirkland pump station	Approved
2/1/72	Oak Lodge San. Dist.	Laurie Valley Subd. sewers	Prov. approval
2/1/72	North Bend	Hamilton Avenue pump station and interceptor	Prov. approval
2/8/72	Toledo	Contract No. 71-4 (sewer ext.)	Prov. approval
2/9/72	Lake Oswego	Twin Points sanitary sewer	Prov. approval
2/9/72	Portland	N.E. 33rd Drive and Elwood Drive sewers	Prov. approval
2/11/72	Crook County	Ochoco West Development (sewerage proposal)	Concept approval
2/16/72	North Tillamook County San. Auth.	System and lagoon (0.703 mgd and effluent storage)	Prov. approval
2/16/72	Troutdale	Addendum No. 1 Beaverton Creek interceptor	Approved
2/16/72	Driftwood Shores	Outfall sewer redesign	Approved
2/22/72	Ontario	Improvement District No. 29 (sewers)	Prov. approval
2/23/72	Salem	Boone Road area sewer ext.	Prov. approval

Date	Location	Project	Action
2/23/72	Gladstone	Ridgewood Subd. (sewers)	Prov. approval
2/23/72	USA	S.W. Dakota Street sewers	Prov. approval
2/23/72	USA	Canterberry Apts. sewers	Prov. approval
2/23/72	Lake Oswego	Condo-Lea Phase IV sewers	Prov. approval
2/23/72	Oregon City	Gaffney Lane sewers	Prov. approval
2/23/72	USA	Salix Subd. (sewers)	Prov. approval
2/24/72	Portland	Linnton pump station (Unit 2, Phase III)	Prov. approval
2/24/72	Gresham	Ken Mar sewer ext. (N.E. 185th)	Prov. approval
2/24/72	Bend	Pheasant Hill Subd. (sewers)	Prov. approval
2/24/72	Newport	Highway 101 sewer extension	Prov. approval
2/24/72	Waldport	Crest View Hills No. 5 (sewers)	Prov. approval
2/24/72	Eugene	(1) Job #833 sewer ext. (2) Job #289 sewer ext.	Prov. approval Prov. approval
2/28/72	Lake Oswego	Windsor Terrace sewers	Prov. approval
2/28/72	Oak Lodge San. Dist.	Dean's Subd. (sewers)	Prov. approval
2/28/72	Oregon City	Mike's Subd. (sewers)	Prov. approval
2/28/72	Hood River	American Village (sewers)	Prov. approval
2/29/72	Sutherlin	Comstock Street sewer	Prov. approval
2/29/72	Portland	Port Center - Phase 1A (sewer)	Prov. approval

Industrial Projects (2)

2/24/72	Gordon Hilderbrand Wasco	Manure system	Approved
2/29/72	Lamb-Weston, Inc. Hermiston	Preliminary report for potato plant waste disposal	Concept approval

AP - 10. PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR FEBRUARY, 1972.

DATE	LOCATION	PROJECT	ACTION
1	Coos County	Georgia Pacific Corp. Norway Division Statement of Compliance with Board Products Regulations	Approved
	Douglas County	Georgia Pacific Corp. Sutherlin Division Statement of Compliance with Board Products Regulation	Approved
	Jackson County	Georgia Pacific Corp. Rogue River Division Statement of Compliance with Board Products Regulation	Approved
	Coos County	Georgia Pacific Corp. Plywood and Hardboard Division Submission of emission testing schedule for compliance with Board Products Regulation	Approved
	Coos County	Georgia Pacific Corp. Coquille Plywood Division Submission of emission testing schedule for compliance with Board Products Regulation	Approved
	Lincoln County	Georgia Pacific Corp. Toledo Plywood Division Submission of emission testing schedule for compliance with Board Products Regulation	Approved
	Jackson County	Georgia Pacific Corp. Rogue River Division Plans for modifying WWB	Requested additional information
2	Lake County	Eastern Oregon Pine Plans and specifications to modify one (1) WWB by July 15, 1972	Approved

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR FEBRUARY, 1972 (Cont.)

DATE	LOCATION	PROJECT	ACTION
1	Lake County	Eastern Oregon Pine Proposal to phase out one (1) WWB by May 1, 1972	Approved
	Deschutes County	Brooks Willamette Corp. Bend Particleboard Division Plans and specifications to install wet scrubbers for control of particulates from drier cyclones for compliance with Board Products Regulations	Approved
	Klamath County	Boise Cascade Corp. Chemult Lumber Division Plans and specifications to modify WWB by June 1, 1972	Approved
11	Marion County	Boise Cascade Corp. Salem Paper Division Proposal for monitoring and reporting program	Approved
	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for monitoring and reporting program	Approved
	Coos County	Menasha Corporation North Bend Paper Division Proposal for monitoring and reporting program	Approved
	Yamhill County	Publishers Paper Company Newberg Division Proposal for monitoring and reporting program	Approved
	Clackamas County	Publishers Paper Company Oregon City Division Proposal for monitoring and reporting program	Approved
14	Deschutes County	Brooks Willamette Corp. Redmond Division Inspection and check-out of modified WWB operation for compliance	Approved

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR FEBRUARY, 1972 (Cont.)

DATE	LOCATION	PROJECT	ACTION
14	Tillamook County	Tillamook Veneer and Plywood Company Inspection and check-out of modified WWB for compliance	Approved
15	Jackson County	Double Dee Lumber County Request for an extension of the time schedule to April 30, 1972, for use of the Steve Wilson, Tolo, WWB since re-building of the mill that was destroyed by fire is some sixty (60) days behind schedule	Approved
	Lake County	Lakeview Lumber Company Plans to modify WWB	Additional information requested
16	Multnomah County	University of Oregon Medical School - Parking Structure Plans	Approved
	Douglas County	Sun Studs, Inc. Request for an extension of the time schedule for phase out of the WWB until March 1, 1972, due to delays not attributable to the company	Approved
17	Douglas County	International Paper Company Gardiner Division Proposal for compliance to meet 1975 emission standards	Approved
	Douglas County	Spangler Wood Products Proposal to phase out WWB by June 20, 1972	Approved
18	Douglas County	Green Valley Lumber Company Plans to modify WWB	Additional information requested
	Klamath County	Modoc Veneer, Division of Nordic Plywood Company Proposal to modify WWB by June 30, 1972, in accordance with plans and specifications previously approved by the Environmental Quality Commission	Approved

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR FEBRUARY, 1972 (Cont.)

DATE	LOCATION	PROJECT	ACTION
18	Coos County	Georgia Pacific Corp. Hardboard Division Submission of schedule of compliance with Board Products Regulation	Approved
22	Deschutes County	Brooks Willamette Corp. Bend Particleboard Division Proposal to install high pressure pneumatic sander-dust system	Additional information requested
23	Marion County	Boise Cascade Corp. Salem Paper Division Proposal for Special Studies Program	Approved
	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for Special Studies Program	Approved
	Coos County	Menasha Corporation North Bend Paper Division Proposal for Special Studies Program	Approved
	Yamhill County	Publishers Paper Co. Newberg Division Proposal for Special Studies Program	Approved
	Clackamas County	Publishers Paper Co. Oregon City Division Proposal for Special Studies Program	Approved
28	Marion County	Boise Cascade Corp. Salem Paper Division a) Proposal for new recovery furnace	Approved
		b) Proposal for treatment of digester relief emissions	Not approved Additional information requested
29	Linn County	Crown Zellerbach Corp. Lebanon Paper Division Proposal for compliance	Additional information requested

DEPARTMENT OF ENVIRONMENTAL QUALITY

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March 8, 1972

To: Environmental Quality Commission
From: Director
Subject: Agenda Item C, March 24, 1972 EQC Meeting

Hearing re: Proposed PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION and REVOCATION of PERMITS

Background

On February 25, 1972, a hearing was held regarding the above referenced proposed rules. At the hearing, testimony and questions raised the following points.

1. Concern was expressed regarding C 3a which provides for termination of permits upon sale or exchange of the permitted facility. This provision could cause facilities to be forced to either operate or close down until a new permit could be issued.

2. The solid waste permit statute does not provide for a Temporary Permit, therefore, the language of D 5 should be modified.

3. Section H regarding modification of a permit should be changed to insure that permits are modified only for legitimate reasons.

4. It was suggested that Section D-4-b regarding a hearing on applications be modified to limit the cases where a hearing could be held.

Subsequent to the hearing, the following suggestions were received:

1. Under C 3c, add the word "renewal" to provide for termination of one permit upon issuance of a renewal permit.

2. Under I 2, add "pursuant to applicable statutes" to clarify the procedure for immediate suspension of a permit.

TELEPHONE: (503) 229-5696

Evaluation

The attached draft of the proposed regulations contains the following changes:

1. C 3 has been modified to provide that a permit will be terminated within 60 days of sale or exchange of a permit and also to provide that a permit will be terminated upon issuance of a renewal permit.

2. D 5 has been modified to provide for a temporary or conditional permit in the event an application is not acted on within the prescribed time. This should resolve the problem regarding statutory authorization for a Temporary Permit for Solid Waste sites.

3. H has been modified to provide for modification of permit as a result of changing conditions or standards, receipt of additional information or any other reason pursuant to applicable statutes. This should insure that permits are modified only for legitimate reasons.

4. The word "sustained" in line 2 of I 1) has been deleted as recommended by the Department at the hearing.

5. The words "pursuant to applicable statutes" has been added in Line 3 of I 2) to clarify conditions for immediate revocation of a permit.

The suggestion to modify Section D 4 b regarding fact gathering hearings on applications was considered by the Department, however, it is suggested that no change be made.

Director's Recommendation

It is recommended that the proposed regulations regarding Procedures for Issuance, Denial, Modification and Revocation of Permits as contained in the attached draft, including proposed additions and deletions be adopted by the Commission as regulations of the Department.

L. B. Day

HLS:ak

January 24, 1972
Amended March 7, 1972

PROPOSED
PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION, AND REVOCATION OF PERMITS

These regulations are to be made a part of OAR Chapter 340, Division 1, Subdivision 4.

A. PURPOSE.

The purpose of these regulations is to prescribe uniform procedures for obtaining permits from the Department of Environmental Quality as prescribed by Oregon Revised Statutes (ORS) 449.083; Chapter 406, Oregon Laws 1971; and Chapter 648, Oregon Laws 1971.

B. DEFINITIONS.

As used in these regulations unless otherwise required by context:

1) "Department" means Department of Environmental Quality. Department actions shall be taken by the Director as defined herein.
2) "Commission" means Environmental Quality Commission.
3) "Director" means Director of the Department of Environmental Quality or his authorized deputies or officers.
4) "Permit" means a written permit issued by the Department, bearing the signature of the Director, which by its conditions may authorize the permittee to construct, install, modify, or operate specified facilities, conduct specified activities, or emit, discharge or dispose of wastes in accordance with specified limitations.

C. TYPE, DURATION, AND TERMINATION OF PERMITS.

1) Permits issued by the Department will specify those activities, operations, emissions, and discharges which are permitted as well as the requirements, limitations, and conditions which must be met.
2) The duration of permits will be variable, but shall not exceed five (5) years. The expiration date will be recorded on each permit issued. A new application must be filed with the Department to obtain renewal or modification of a permit.
3) Permits are issued to the official applicant of record for the activities, operations, emissions, or discharges of record, and shall be automatically terminated ~~upon:~~
   a) Within 60 days after ~~Sale or exchange of~~ the activity or facility which requires a permit.

b) Upon change in the nature of activities, operations, emissions, or discharges from those of record in the last application.

c) Upon issuance of a new, renewal or modified permit for the same operation.

d) Upon written request of the permittee.

D. APPLICATION FOR A PERMIT.

1) Any person wishing to obtain a new, modified, or renewal permit from the Department shall submit a written application on a form provided by the Department. Applications must be submitted at least 60 days before a permit is needed. All application forms must be completed in full, signed by the applicant or his legally authorized representative, and accompanied by the specified number of copies of all required exhibits. The name of the applicant must be the legal name of the owner of the facilities or his agent or the lessee responsible for the operation and maintenance.

2) Applications which are obviously incomplete, unsigned, or which do not contain the required exhibits (clearly identified) will not be accepted by the Department for filing and will be returned to the applicant for completion.

3) Applications which appear complete will be accepted by the Department for filing.

4) Within 15 days after filing, the Department will preliminarily review the application to determine the adequacy of the information submitted.

a) If the Department determines that additional information is needed, it will promptly request the needed information from the applicant. The application will not be considered complete for processing until the requested information is received. The application will be considered to be withdrawn if the applicant fails to submit the requested information within 90 days of the request.

b) If, in the opinion of the Director, additional measures are ~~Department, a hearing is~~ necessary to gather facts regarding the application, the Director ~~Department~~ will notify the applicant of his ~~its~~ intent to institute said measures ~~schedule a hearing~~ and the timetable and procedures to be followed. The application will not be considered complete for processing until the necessary ~~hearing is completed.~~ additional fact-finding measures are completed.

When the information in the application is deemed adequate, the applicant will be notified that this application is complete for processing. Processing will be completed within 45 days after such notification.

5) In the event the Department is unable to complete action on an application within 45 days after notification that the application is complete for processing, the applicant shall be deemed to have received a temporary or conditional permit, such permit to expire upon final action by the Department to grant or deny the original application. Such temporary or conditional permit does not authorize any construction, activity, operation, or discharge which will violate any of the laws, rules, or regulations of the State of Oregon or the Department of Environmental Quality.

6) If, upon review of an application, the Department determines that a permit is not required, the Department shall notify the applicant in writing of this determination. Such notification shall constitute final action by the Department on the application.

E. ISSUANCE OF A PERMIT.

1) Following determination that it is complete for processing, each application will be reviewed on its own merits. Recommendations will be developed in accordance with the provisions of all applicable statutes, rules, and regulations of the State of Oregon and the Department of Environmental Quality.

2) If the Department proposed to issue a permit, proposed provisions prepared by the Department will be forwarded to the applicant and other interested persons at the discretion of the Department for comment. All comments must be submitted in writing within 14 days after mailing of the proposed provisions if such comments are to receive consideration prior to final action on the application.

3) After 14 days have elapsed since the date of mailing of the proposed provisions, the Department may take final action on the application for a permit. The Department may adopt or modify the proposed provisions or recommend denial of a permit. In taking such action, the Department shall consider the comments received

regarding the proposed provisions and any other information obtained which may be pertinent to the application being considered.

4) The Department shall promptly notify the applicant in writing of the final action taken on his application. If the Department recommends denial, notification shall be in accordance with the provisions of Section G. If the conditions of the permit issued are different from the proposed provisions forwarded to the applicant for review, the notification shall include the reasons for the changes made. A copy of the permit issued shall be attached to the notification.

5) If the applicant is dissatisfied with the conditions or limitations of any permit issued by the Department, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the permit. Any hearing held shall be conducted pursuant to the regulations of the Department.

F. RENEWAL OF A PERMIT.

The procedure for issuance of a permit shall apply to renewal of a permit. If a completed application for renewal of a permit is filed with the Department in a timely manner prior to the expiration date of the permit, the permit shall not be deemed to expire until final action has been taken on the renewal application to issue or deny a permit.

G. DENIAL OF A PERMIT.

If the Department proposes to deny issuance of a permit, it shall notify the applicant by registered or certified mail of the intent to deny and the reasons for denial. The denial shall become effective 20 days from the date of mailing of such notice unless within that time the applicant requests a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department.

H. MODIFICATION OF A PERMIT.

In the event that it becomes necessary for the Department to institute modification of a permit due to changing conditions or standards, receipt

pursuant to applicable statutes,
of additional information, or any other reason,/the Department shall notify the permittee by registered or certified mail of its intent to modify the permit. Such notification shall include the proposed modification and the reasons for modification. The modification shall become effective 20 days from the date of mailing of such notice unless within that time the permittee requests a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department. A copy of the modified permit shall be forwarded to the permittee as soon as the modification becomes effective. The existing permit shall remain in effect until the modified permit is issued.

I. SUSPENSION OR REVOCATION OF A PERMIT.

1) In the event that it becomes necessary for the Department to suspend or revoke a permit due to ~~sustained~~ non-compliance with the terms of the permit, unapproved changes in operation, false information submitted in the application, or any other cause, the Department shall notify the permittee by registered or certified mail of its intent to suspend or revoke the permit. Such notification shall include the reasons for the suspension or revocation. The suspension or revocation shall become effective 20 days from the date of mailing of such notice unless within that time the permittee requests a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department.

2) If the Department finds that there is a serious danger to the public health or safety or that irreparable damage to a resource will occur, , pursuant to applicable statutes,
it may/~~suspend or revoke a permit~~ effective immediately. Notice of such suspension or revocation must state the reasons for such action and advise the permittee that he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 90 days of the date of suspension and shall state the grounds for the request. Any hearing shall be conducted pursuant to the regulations of the Department.

J. SPECIAL PERMITS.

The Department may waive the procedures prescribed in Section E and issue special permits of duration not to exceed 60 days from the date of issuance for unexpected or emergency activities, operations, emissions, or discharges. Said permits shall be properly conditioned to insure adequate protection of property and preservation of public health, welfare, and resources. Application for such permits shall be in writing and may be in the form of a letter which fully describes the emergency and the proposed activities, operations, emissions, or discharges.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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March 8, 1972

To: Environmental Quality Commission
From: Director
Subject: Agenda Item D, March 24, 1972 EQC Meeting

Proposed REGULATIONS PERTAINING TO WASTE DISCHARGE PERMITS

Background

On February 25, 1972, a hearing was held regarding the Department's proposal to repeal existing Waste Discharge Permit Regulations and enact new rules in their place. At the hearing, testimony was given regarding two items as follows:

1. The "Toxic Wastes" definition (B 10) should be revised to reflect toxicity under actual field conditions as opposed to laboratory conditions.

2. It was suggested that Item C 3 regarding the requirement to obtain specific written authorization prior to commencing enumerated activities which would violate water quality standards be modified to provide that other permits (such as Land Division Permits) or approvals could be considered as acceptable authorization.

No further written testimony was received during the 10 days allowed by the Commission for submittal.

Evaluation

The Department has evaluated the testimony and has arrived at the following conclusions:

1. The suggestion regarding the definition of Toxic Waste has merit. The intent of the department can be clarified by adding the words "in the environment" to the end of the definition. (Page 2, Item B 10). This change is indicated on the attached draft of the proposed rules.

2. The suggestion regarding modification of Item C 3 to permit other permits or approvals to be considered acceptable

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approval is rejected by the Department. The general construction of Sections C 2 and C 3 provide that certain activities such as logging, construction, etc. are exempt from the requirement to obtain Waste Discharge Permits. However, such Exemption does not constitute permission to violate any other applicable laws or regulations and certainly not Water Quality Standards. The Department recognizes that conduct of certain essential activities may not be possible unless authorization is granted for a short term violation of Water Quality Standards. The Department cannot, however, recommend any language which would propose to allow such variances without careful consideration of each case.

3. At the hearing, the Department proposed that the definition of "Person" be amended to include the "United States". On advice of legal counsel, the Department is now recommending that the added words be "the United States and agencies thereof", as is indicated on the attached draft of the proposed regulations.

Director's Recommendation

It is recommended that the Proposed Regulations Pertaining to Waste Discharge Permits as contained in the attached draft, including proposed additions, be adopted by the Commission as regulations of the Department and that OAR Chapter 340, Sections 45.005 through 45.060 be repealed.

L. B. Day

HLS:ak

January 11, 1972
Amended March 7, 1972

PROPOSED
REGULATIONS PERTAINING TO WASTE DISCHARGE PERMITS

These regulations are to be made a part of OAR Chapter 340, Division 4, Subdivision 5, and are enacted in lieu of OAR 340, Sections 45.005 through 45.060, which are hereby repealed.

A. PURPOSE.

The purpose of these regulations is to prescribe limitations on disposal and discharge of wastes and the requirements and procedures for obtaining Waste Discharge Permits pursuant to ORS 449.083.

B. DEFINITIONS.

As used in these regulations unless otherwise required by context:

1) "Department" means Department of Environmental Quality.

2) "Person" means the United States and agencies thereof, ~~the state, any individual, public or private~~ corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate, or any other legal entity whatever.

3) "Waste Discharge Permit" or "Permit" means a written permit issued by the Department, in accordance with the Procedures set forth in OAR Chapter 340, Section _____. (Procedures for Issuance, Denial, Modification, and Revocation of Permits.)

4) "Wastes" means sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substance which will or may cause pollution or tend to cause pollution of any waters of the state.

5) "Discharge" or "disposal" means the placement of wastes into public waters, on land, or otherwise into the environment in a manner that does or may tend to affect the quality of public waters.

6) "Public waters" or "waters of the state" include lakes, bays, ponds, impounding reservoirs, 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.

7) "Treatment" or "waste treatment" means the alteration of the quality of waste waters by physical, chemical, or biological means, or a combination thereof such that the tendency of said wastes to cause any degradation in water quality or other environmental conditions is reduced.

8) "Sewage" means the water-carried human or animal waste from residences, buildings, industrial establishments, or other places, together with such ground water infiltration and surface water as may be present. The mixture of sewage as above defined with wastes or industrial wastes, as defined in Subsections 4 and 9 of this section, shall also be considered "sewage" within the meaning of these regulations.

9) "Industrial waste" means any liquid, gaseous, radioactive, or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of any natural resources.

10) "Toxic waste" means any waste which will cause or can reasonably be expected to cause a hazard to fish or other aquatic life or to human or animal life in the environment.

C. PERMIT REQUIRED.

1) Without first obtaining a permit from the Department, no person shall:

a) Construct, install, expand, or significantly modify any factory, mill, plant, or other industrial or commercial facility which will result in a new or enlarged waste discharge to public waters.

b) Construct, install, or significantly modify any facilities designed or used for the treatment or disposal of wastes.

c) Construct or use any new outlet for wastes into public waters.

d) Discharge any wastes into any public waters.

e) Operate any facilities which function to treat or dispose of wastes.

f) Conduct any industrial, commercial, or agricultural operation which will or may cause or tend to cause pollution of any public waters.

2) Although not exempted from complying with all applicable laws, rules, and regulations regarding water pollution, the following are specifically exempted from the above requirements to obtain a permit:
   a) Persons utilizing conventional cesspools, seepage pits, or septic tank and subsurface drainage field disposal systems for sewage and non-toxic commercial or industrial wastes, provided such system is approved by and is installed, operated, and maintained in accordance with the rules, regulations, and other requirements of the local county health department or the Oregon State Health Division.
   b) Persons discharging wastes into a publicly owned or privately owned sewerage system, provided such system has a valid permit from the Department. In such cases, the owner of such sewerage system assumes ultimate responsibility for controlling and treating the wastes which he allows to be discharged into said system.
   c) Gravel removal operations which are conducted in accordance with a valid removal permit issued by the Division of State Lands. Waste Discharge Permits are required for gravel washing and other processing operations where water quality is a factor.
   d) Persons discharging uncontaminated cooling waters where the discharge meets all of the following criteria:
      (1) The volume discharged does not exceed 20 gpm.
      (2) The ratio of receiving stream flow to cooling water flow shall not be less than 20 to 1.
      (3) The temperature of the cooling water does not exceed 100° F.
      (4) The temperature of the receiving stream does not exceed 68° F.
      (5) The discharge does not cause any aesthetically objectionable conditions.
   e) Agricultural irrigation return waters.
   f) Logging, land clearing, or road building.
   g) Construction or installation of essential bridges, culverts, or other stream crossings.
3) Where established water quality standards may be violated by such legitimate activities as are listed in Sections 2c, 2d, 2e, 2f, and 2g above, specific written authorization shall be obtained from the Department prior to commencing such activities.

D. NON-PERMITTED DISCHARGES.

1) Discharge of the following wastes into any public waters shall not be permitted:

   a) Untreated or inadequately treated sewage.

   b) Untreated or inadequately treated or inadequately controlled commercial or industrial wastes which can be effectively treated or disposed of by other practicable means.

   c) Toxic wastes.

2) In cases of preexisting untreated or inadequately treated discharges, enforcement may not be undertaken by the Department as long as the discharger is operating in accordance with a specifically approved program to provide the necessary treatment or control and as long as the continued discharge does not cause a serious hazard to the health, safety, and welfare of the public or cause irreparable damage to a resource.

E. PROCEDURES FOR OBTAINING PERMITS.

Submission and processing of applications for permits and issuance, denial, modification, and revocation of permits shall be in accordance with the Procedures set forth in OAR Chapter 340, Section _____. (Procedures for Issuance, Denial, Modification, and Revocation of Permits.)

F. OTHER REQUIREMENTS.

Prior to commencing construction on any waste collection, treatment, disposal, or discharge facilities for which a permit is required by Section C above, detailed plans and specifications must be submitted to and approved in writing by the Department as required by ORS 449.395; and, for privately owned sewerage systems, a performance bond must be filed with the Department as required by ORS 449.400.

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MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item E March 24, 1972, EQC Meeting
Re: Adoption of Proposed PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF LICENSES FOR THE DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES

BACKGROUND

The testimony received at the public hearing held Friday, February 25, 1972 and all other written comments received regarding the subject procedural regulations, have been reviewed and considered and a final proposed draft of these procedural rules is attached.

FACTUAL ANALYSIS

A major point of discussion raised was the necessity of including under Section B. Definitions, a definition of Environmentally Hazardous Wastes to describe the type of waste materials which would be considered to be environmentally hazardous. Such a definition has been added to the Procedures as definition 6. on page 1, which in addition to the statutorily defined Environmentally Hazardous Wastes establishes broad guidelines for classifying other residues as Environmentally Hazardous Wastes and contemplates declassification of Environmentally Hazardous Wastes if they can be practicably detoxified or neutralized by proper treatment or processing to meet specific, established standards.

The question was raised as to the desirability of limiting the deposit of wastes at disposal sites for Environmentally Hazardous Wastes to only those wastes generated in Oregon. In consideration of this question, an addition has been made to Section D. which requires the specific approval of the Environmental Quality Commission to dispose in Oregon of Environmentally Hazardous Wastes generated outside of Oregon. A complete prohibition of such disposal has not been included in the proposed procedures and is not recommended for the following reasons:

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(a) The 1971 Legislature considered the point during its deliberations on House Bill 1931 and rejected it as having disadvantages equal to its advantages.

(b) It is believed that there are not enough radioactive wastes generated in Oregon at the present time to make it economically feasible to operate a site for disposal only of Oregon's radioactive wastes. Some radioactive wastes are produced in Oregon however and are now disposed out of the state and may need to continue to go out-of-state. A restriction as suggested above could result in a similar reprisal action by another state.

(c) There is ample opportunity for the Department to screen the types, quantities and sources of wastes proposed to be handled at the time that an Environmentally Hazardous Waste license is applied for and to restrict or control waste disposal to the best advantage of the state.

An objection was raised to the amendment for Section D. Necessity for a Disposal Site, that a preliminary justification of the necessity for a disposal site would make it difficult for operators of existing disposal sites handling Environmentally Hazardous Wastes to meet the 60 day deadline for making application to the Department for a license. The amendment only suggested that justification of a site precede application for a license, however the sentence making the suggestion has been deleted in Section D. to avoid apparent confusion.

It was also testified that detailed information regarding the types, quantities, sources and reasons for wastes to be handled as Environmentally Hazardous Wastes is not readily available to a license applicant, therefore the requirement to submit that information is unduly restrictive. A license applicant must be very familiar with the wastes he proposes to handle, however the Department agrees that it is unnecessary to require an applicant to give reasons for wastes to be handled as Environmentally Hazardous Wastes and this provision is deleted.

CONCLUSIONS

The regulations proposed for making application and issuing licenses for disposal of Environmentally Hazardous Wastes are now considered to be in final workable form, having received appropriate amendment in response to public review and comment.

DIRECTOR'S RECOMMENDATION

It is recommended that the proposed Procedures for Issuance, Denial, Modification and Revocation of Licenses for the Disposal of Environmentally Hazardous Wastes be adopted by the Commission at this regularly scheduled meeting.

E. B. Day

EAS:3-7-72

RECOMMENDED AMENDMENTS TO THE PROPOSED

PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND

REVOCATION OF LICENSES FOR THE DISPOSAL OF

ENVIRONMENTALLY HAZARDOUS WASTES

1. On pages 1 - 2, delete all of Definition B. 6, "Environmentally Hazardous Wastes", and substitute a new Definition B. 6. as follows:

   6. "Environmentally Hazardous Wastes" means Environmentally Hazardous Wastes as defined by ORS 459.410, which includes discarded, useless or unwanted pesticides or pesticide residues, low-level radioactive wastes and receptacles and containers used for the above materials, and such other materials and residues and receptacles and containers used therefor that, because of their high concentration and/or persistence of toxic elements or other hazardous properties, and which have not been detoxified or cannot be detoxified by any practical means, may be classified by the Environmental Quality Commission as Environmentally Hazardous Wastes pursuant to ORS 459.410, but shall not include Environmentally Hazardous Wastes which have been detoxified by treatment, reduction in concentration of the toxic element or by any other means and formally de-classified by the Environmental Quality Commission as no longer hazardous to the environment.

2. On page 2, under definition B. 8., "Person", line 1, following the words United States insert and agencies thereof,.

3. On page 3, under subsection C. 3., delete all of subsection C. 3 and substitute the following new C. 3.:

   3. Licenses issued by the Department shall establish minimum requirements for the disposal of environmentally hazardous wastes, limits as to types and quantities of materials to be disposed, minimum requirements for operation, maintenance, monitoring and reporting and supervision of disposal sites, and shall be properly conditioned to ensure compliance with pertinent local, state and federal standards and other requirements and to adequately protect life, property and the environment.

March 7, 1972

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

[PROPOSED]

PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF LICENSES FOR THE DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES

A. PURPOSE.

The purpose of these regulations is to prescribe uniform procedures for obtaining licenses from the Department of Environmental Quality for establishing and operating environmentally hazardous waste disposal sites and facilities as prescribed by Chapter 699, Oregon Laws 1971.

B. DEFINITIONS.

As used in these regulations unless otherwise required by context:

1. "Commission" means the Environmental Quality Commission.
2. "Department" means the Department of Environmental Quality.
3. "Director" means the Director of the Department of Environmental Quality.
4. "Dispose" or "Disposal" means the discarding, treatment, recycling or decontamination of environmentally hazardous wastes or their collection, maintenance or storage at a disposal site.
5. "Disposal Site" means a geographical site in or upon which environmentally hazardous wastes are stored or otherwise disposed of in accordance with the provisions of Chapter 699, Oregon Laws 1971.
6. "Environmentally Hazardous Wastes" means discarded useless or unwanted pesticides or pesticide residues, low-level radioactive materials and recepticles and containers used therefor as defined by Chapter 699, Oregon Laws 1971 and such other residues that may be classified by the Environmental Quality Commission as Environmentally Hazardous Wastes pursuant to the above act, which shall include:

Those substances or combinations of substances which cannot safely be discarded or disposed into the environment by conventional waste disposal methods and without special controls, due to their high concentration and/or persistence of toxic elements or other hazardous properties, and which have not been or cannot practicably be detoxified, reduced in concentration, neutralized or otherwise changed or converted by processing, treatment or other means to meet specific, established standards so that the wastes may be declassified as non-hazardous to the environment.

7. [6.] "License" means a written license issued by the Commission, bearing the signature of the Director, which by and pursuant to its conditions authorizes the licensee to construct, install, modify or operate specified facilities or conduct specified activities for disposal of environmentally hazardous wastes.

8. [7.] "Person" means the United States, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.

C. LICENSE REQUIRED.

1. No person shall dispose of environmentally hazardous wastes upon any land in the state other than real property owned by the state of Oregon and designated as a disposal site pursuant to the provisions of Chapter 699, Oregon Laws 1971 and these regulations.

2. No person shall establish or operate a disposal site without a license therefor issued by the Commission pursuant to Chapter 699, Oregon Laws 1971 and these regulations.

3. Licenses issued by the Department shall specify those activities, operations, emissions and discharges which will be permitted as well as the requirements, limitations and conditions which shall be met.

4. Licenses shall be issued to the applicant for the activities, operations, emissions or discharges of record, and shall be terminated automatically upon issuance of a new or modified license for the same operation.

D. NECESSITY FOR A DISPOSAL SITE

Any person proposing to establish or obtain a license for a disposal site for Environmentally Hazardous Wastes shall prepare and submit to the Department a detailed report with supporting information, justifying the necessity for a disposal site as proposed, including anticipated sources of wastes and types and quantities of wastes to be disposed.[and the reasons for declaring and handling said wastes as Environmentally Hazardous Wastes. Justification for establishing a disposal site for Environmentally Hazardous Wastes should be submitted prior to submission of a complete and detailed application for a license to establish said site] Environmentally Hazardous Wastes generated outside the State of Oregon and proposed to be imported for disposal in Oregon shall receive specific approval by the Environmental Quality Commission prior to said disposal.

E. APPLICATION FOR LICENSE

1. Any person wishing to obtain a new, modified or renewal license from the Department shall submit a minimum of eight (8) copies of a written application on forms provided by the Department. All application

forms must be completed in full, signed by the applicant or his authorized representative and shall be accompanied by a minimum of eight (8) copies of all required exhibits.

2. An application for a license shall contain but not be limited to:

   a. The name and address of the applicant and person or persons to be directly responsible for the operation of the disposal site.

   b. A statement of financial condition of the applicant, prepared by a certified public accountant and including assets, liabilities and net worth.

   c. The experience of the applicant in construction, management, supervision or devleopment of disposal sites for environmentally hazardous wastes and in the handling of such substances.

   d. The management program for the operation of the disposal site, including the person or persons to be responsible for the operation of the disposal site and a resume of his qualifications, the proposed method of disposal, the proposed method of pretreatment or decontamination upon the disposal site, if any, and the proposed emergency measures and safeguards to be provided [at such site.] <u>for the protection of the natural resources, the public and the employees at the disposal site.</u>

   e. A schedule and description of sources, types and quantities of material to be disposed and detailed procedures for handling and disposal of each.

   f. A description of the size and type of facilities to be constructed upon the disposal site, including the height and type of fencing to be used, the size and construction of structures or buildings, warning signs, notices and alarms to be used, the type of drainage and waste treatment facilities and maximum capacity of such facilities, the location and source of each water supply to be used and the location

and the type of fire control facilities to be provided at such site.

g. A preliminary engineering sketch and flow chart showing proposed plans and specifications for the construction and development of the site and the waste treatment and water supply facilities, if any, to be used at such site.

h. The exact location and place where the applicant proposes to operate and maintain the disposal site, including the legal description of the lands included within such site.

i. A preliminary geologist's survey report indicating land formation, location of water resources and directions of the flows thereof and his opinion relating to possible sources of contamination of such water resources.

j. A proposed program for continuous monitoring and surveillance of the disposal site and for regular reporting to the Department.

3. License applications must contain or be accompanied by the following:

a. A nonrefundable fee of $5,000 which shall be continuously appropriated to the Department for administrative expenses.

b. A proposal and supporting information justifying the amounts of liability insurance proposed to protect the environment and the health, safety and welfare of the people of this state, including the names and addresses of the applicant's current or proposed insurance carriers and copies of insurance policies then in effect.

c. A proposal and supporting information justifying the amount of a cash bond proposed to be posted by the licensee and deemed to be sufficient to cover any costs of closing the site and monitoring it or providing for its security after closure and to secure performance of license requirements.

d. A proposal and supporting information justifying the proposed fees to be paid to the Department, based either on the quantity and type of material accepted at the disposal site or a percentage of the fee collected for disposal or both, in amounts estimated to produce over the period of use of the site for disposal a sum sufficient to provide for any monitoring or protection of the site after closure.

4. The Department may require the submission of such other information as it deems necessary to make a decision on granting, modifying or denying a license.

5. Applications which are incomplete, unsigned or which do not contain the required exhibits, clearly identified, may be excluded from consideration by the Department at its discretion, and the applicant shall be notified in writing of the deficiencies.

F. ENGINEERING PLANS REQUIRED.

Before a disposal site or operation may be established, constructed, maintained or substantially modified, an applicant or licensee must submit to the Department final detailed engineering plans and specifications, prepared by a registered professional engineer, covering construction and operation of the disposal site and all related facilities and receive written approval of such final plans from the Department.

G. HEARINGS AND ISSUANCE OR DENIAL OF A LICENSE.

1. Upon receipt of an application, the Department shall cause copies of the application to be sent to affected state agencies, including the State Health Division, the Public Utility Commissioner, the Fish Commission of the State of Oregon, the State Game Commission and the State Engineer and to such other agencies or persons that the Department deems appropriate. Chapter 699 Oregon Laws 1971 provides that each agency shall

respond by making a recommendation as to whether the license application should be granted. If the State Health Division recommends against granting the license, the Commission must deny the license.

2. After determination that an application for a license is complete, the Department will notify the applicant of its intent to schedule a hearing or hearings and the time table and procedures to be followed. The Commission shall conduct a public hearing in the county or counties where the proposed site is located and may conduct hearings at such other places as the Department considers suitable. At the hearing the applicant may present his application and the public may appear or be represented in support of or in opposition to the application.

3. Prior to holding hearings on the license application, the Commission shall cause notice to be given in the county or counties where the proposed disposal site is located, in a manner reasonably calculated to notify interested and affected persons of the license application.

4. The Department shall make such investigation as it considers necessary and following public hearings make a recommendation to the Commission as to whether or not a license should be issued. The recommendations of the Department, including proposed license provisions and conditions if the Department recommends issuance of a license, shall be forwarded to the applicant, to members of the Commission and, at the discretion of the Department, to other interested persons for comment. All comments must be submitted in writing within fourteen (14) days after mailing of the Department's recommendations if such comments are to receive consideration prior to final action on the application.

5. After fourteen (14) days have elapsed since the date of mailing of the Department's recommendations and after reviewing the Department's recommendations the Commission shall decide whether to issue the license or not. It shall cause notice of its decision to be given to the applicant by certified mail at the address designated by him in his application.

6. If the Commission refuses to issue a license, it shall afford the license applicant an opportunity for hearing after reasonable notice, served personally or by registered or certified mail. The notice shall contain:

   a. A statement of the party's right to hearing or a statement of the time and place of the hearing.

   b. A statement of the authority and jurisdiction under which the hearing is to be held.

   c. A reference to the particular sections of the statutes and rules involved.

   c. A short and plain statement of the matters asserted or charged.

H. RENEWAL, MODIFICATION, TERMINATION OR EXPIRATION OF LICENSE.

1. An application for renewal, modification or termination of a license or to allow a license to expire shall be filed in a timely manner, but not less than ninety (90) days prior to the expiration date of the license. Procedures for issuance of a license shall apply to renewal, modification, termination or expiration of a license except that public hearings will not be held unless desired by the Commission. A license shall remain in effect until final action has been taken by the Commission on any appropriately submitted and complete application pending before the Commission.

2. In the event that the Commission finds it necessary to modify a license due to changed conditions or standards, receipt of additional information or any reason it deems would threaten public health and safety, the Department shall notify the licensee or his authorized representative by certified mail of the Commission's intent to modify the license. Such notification shall include the proposed modification and the reasons for modification. The modification shall become effective twenty (20) days from the date of mailing of such notice unless within that time the licensee requests a hearing before the Commission. Such a request for hearing shall be made in writing and shall include the reasons for such hearing. At the conclusion of any such hearing the Commission may affirm, modify or reverse the proposed modification.

I. SUSPENSION OR REVOCATION OF A LICENSE.

1. Whenever, in the judgment of the Department from the results of monitoring or surveillance of operation of any disposal site, there is reasonable cause to believe that a clear and immediate danger to the public health and safety exists from the continued operation of the site, without hearing or prior notice, the Department shall order the operation of the site halted by service of the order on the site superintendent.

2. Within twenty-four (24) hours after such order is served, the Department will appear in the appropriate circuit court to petition for such equitable relief as is required to protect the public health and safety and may commence proceedings for the revocation of the license of the disposal site if grounds therefore exist.

3. In the event that it becomes necessary for the Commission to suspend or revoke a license due to violation of any provision of Chapter 699 Oregon Laws 1971, non-compliance with these rules or the terms of the license, the threat of degradation of a natural resource, unapproved changes in operation, false information submitted in the application or any other cause, the Department shall schedule a public hearing and notify the licensee by certified mail of the Commission's intent to suspend or revoke the license and the timetable and procedures to be followed. Any hearing held shall be conducted pursuant to the regulations of the Department.

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item F March 24, 1972, EQC Meeting
Re: Adoption of Proposed REGULATIONS PERTAINING TO SOLID WASTE MANAGEMENT

BACKGROUND

The testimony received at the public hearing held Friday, February 25, 1972 and all other written comments received regarding the proposed Regulations Pertaining to Solid Waste Management, have been reviewed and considered and a final proposed draft of these regulations is attached.

FACTUAL ANALYSIS

At the suggestion of legal counsel, the United States has been added on Page 3 to definition (16) "Person", in order to bring solid waste facilities of Federal agencies such as the U. S. Forest Service and the Bureau of Land Management under the state solid waste permit system and to include them in regional solid waste management planning.

Testimony was received which raised concern that complete developmental information including planning commission hearings and a feasibility study report must be submitted with permit applications for existing disposal sites. This is not considered necessary and was not the intention of the Department, therefore clarifying language has been added on Page 6. to subsection E. (2) (c.) and on Page 7 to subsection E. (3), which limits development of full information to new or substantially altered sites. These changes also help to reduce concern expressed for the limited time available before July 1, 1972, by which date permits must be issued to all authorized disposal sites. This concern has been further eased by making known the Department's intent to initially issue temporary or conditional permits which provide reasonable time for existing sites to comply with the new regulations and for presently active regional planning efforts to fully develop.

TELEPHONE: (503) 229-5696

On Page 7 a subsection (5) has been added under Section E. which points out that Sections H, I, J & K are special regulations pertaining to only those four most common methods of solid waste disposal;landfill, incineration, composting and sludge disposal and that disposal is not restricted to those methods.

Considerable comment was received in regard to the preparation of plans and specifications by a professional engineer, on Page 9 subsection G (2). It does not appear possible to write a regulation which specifically defines under all anticipated circumstances when plans and specifications should or should not be prepared by a professional engineer. It is also apparent that the State Board of Engineering Examiners cannot practicably make a formal determination on each and every proposal, therefore the wording which implied this action is deleted. Plans and specifications are required for all new disposal sites and amendments are proposed which require that all engineering plans and specifications must be prepared by a professional engineer. The Department will therefore make the judgement as to what is engineering and this is acceptable to the Board of Engineering Examiners.

On Pages 30 and 31 under subsections N. (2) (a) and (d.), regulation of the size and weight of garbage cans and bundles of waste has been deleted as being outside the regulatory authority of the Department and should more appropriately be included in local government solid waste ordinances.

Numerous minor adjustments which relieve apparent ambiguities or misinterpretations have been made to the regulations, including addition of clarifying language and rewording of statements, in response to detailed comments received.

Testimony was given to the effect that the role of the health department and the sanitarians in particular is not emphasized in the regulations and that their required comment on permit applications should be approval or disapproval rather than recommendations. A change has not been made to the regulations because "recommendations" is statutory from HB 1051 and it is felt that the health department may not always have the time or want to make a definite "yes or no" decision on all possible disposal sites, such as some industrial landfills.

It was proposed by the demolition landfill operators that performance bonds be required of such operators to ensure compliance with the permits issued and proper closure or disposition of the landfill in the case of fire or landslide disaster, bankruptcy proceedings or upon completion of filling. The proposal has merit but upon investigation it has been determined that a non-revocable perpetual bond sufficient to accomplish the above would be extremely difficult, if not impossible, to secure. The difficulty of obtaining a bond would also make it discriminitory against qualified and

capable private operators of limited financial means. It is felt that permit application and plans and specification requirements allow for adequate preliminary evaluation of any proposed disposal site. The bond requirement for private sewage treatment plants has been of limited value and, in fact, no such bond has ever been invoked.

CONCLUSIONS

The proposed Regulations Pertaining to Solid Waste Management are now considered to be in final workable form, having received appropriate amendment in response to public review and comment.

DIRECTOR'S RECOMMENDATION

It is recommended that the proposed Regulations Pertaining to Solid Waste Management be adopted by the Commission at this regularly scheduled meeting.

L. B. Day

EAS:2/8/72

RECOMMENDED AMENDMENTS TO THE PROPOSED

REGULATIONS PERTAINING TO SOLID WASTE MANAGEMENT

1. On page 3, under Definition (16), "Person", in line 1 following the words United States insert and agencies thereof

After the new thereof, delete (the) and substitute any.

2. On page 6, add a subsection D. (5) as follows:

(5) If it is determined by the Department that a proposed or existing disposal site or solid waste handling operation used only by the owner or person in control of the premises, is not likely to create a public nuisance, health hazard, air or water pollution or other environmental problem, the Department may waive any or all requirements of Sections E. and G. of these regulations and issue a properly conditioned written authorization, which may be in the form of a letter. Application for such authorization shall be in the form of a letter which fully describes the need and justification therefor, the materials to be disposed and the conditions under which the operation is to be carried out and shall include an agreement by the applicant to terminate the operation immediately upon request by the Department.

3. On page 30, under subsection (2) (a) Standard Garbage Containers, restore the entire section which is indicated within brackets to be deleted.

Under subsection (2) (a) on line 4, following the word containers, insert including tote containers.

4. On pages 30-31, restore subsection (2) (d) Unconfined Wastes.

March 8, 1972

STATE OF OREGON

DEPARTMENT OF ENVIRONMENTAL QUALITY

[PROPOSED]

REGULATIONS PERTAINING TO

SOLID WASTE MANAGEMENT

OREGON ADMINISTRATIVE RULES CHAPTER 340

DIVISION 6

SOLID WASTE MANAGEMENT

A. PURPOSE

The purpose of these regulations is to prescribe requirements, limitations, and procedures for storage, collection, transportation, and disposal of solid waste, pursuant to Chapter 648, Oregon Laws 1971 (HB 1051).

B. DEFINITIONS

As used in these regulations unless the context requires otherwise:

(1) "Commission" means the Environmental Quality Commission.

(2) "Composting" is the process of biochemical degradation of organic waste under controlled conditions.

(3) "Department" means the Department of Environmental Quality.

(4) "Digested sludge" means the concentrated sewage sludge that has decomposed under controlled conditions of pH, temperature and mixing in a digester tank.

(5) "Director" means the Director of the Department of Environmental Quality.

(6) "Disposal Site" means land used for the disposal or handling of solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, salvage sites, incinerators for solid waste delivered by the public or by a solid waste collection service and

composting plants; but the term does not include a facility subject to the permit requirements of ORS 449.083 or a landfill site which is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non-decomposable material, unless the site is used by the public either directly or through a solid waste collection service.

(7) "Hazardous Solid Waste" is solid waste that may, by itself or in combination with other solid waste, be infectious, explosive, poisonous, highly flammable, caustic or toxic or otherwise dangerous or injurious to human, plant or animal life, but does not include Environmentally Hazardous Wastes as defined in Section 1, Chapter 699, Oregon Laws 1971 (Enrolled HB 1931).

(8) "Heat-treated" means a process of drying or treating sewage sludge where there is an exposure of all portions of the sludge to high temperatures for a sufficient time to kill all pathogenic organisms.

(9) "Incinerator" means a combustion device specifically designed for the reduction, by burning, of combustible solid wastes.

(10) "Land Disposal Site" is a disposal site at which solid wastes are placed on or in the ground for disposal, such as but not limited to landfills, sludge lagoons and sludge spreading areas.

(11) "Modified Landfill" is the disposal of solid waste by compaction in or upon the land and cover of all wastes deposited, with earth or other approved cover material at specific designated intervals, but not each operating day.

(12) "Landfill" is a general term meaning all landfill operations such as sanitary landfills and modified landfills.

(13) "Leachate" is liquid that has percolated through solid waste.

(14) "Non-digested Sludge" means the sewage sludge that has accumulated in a digester but due to a lack of environmental control has only partially decomposed.

(15) "Permit" means a written permit issued by the Department, bearing the signature of the Director or his authorized representative which by its conditions may authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or dispose of solid wastes in accordance with specified limitations.

(16) "Person" means the United States, the state or a public or private corporation, local government unit, public agency, individual, partnership, association, firm, trust, estate or any other legal entity.

(17) "Public Waters" 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.

(18) "Putrescible Material" is organic material that can decompose and may give rise to foul smelling, offensive products.

(19) "Raw Sewage Sludge" means the accumulated suspended and settleable solids of sewage deposited in tanks or basins mixed with water, to form a semi-liquid mass.

(20) "Salvage" means separating or collecting reusable solid or liquid wastes for resale or the business of separating or collecting and reclaiming reusable solid or liquid wastes at a solid waste disposal site.

(21) "Sanitary Landfill" is the disposal of solid waste by compaction in or upon land and cover of all wastes deposited with earth or other approved cover material at least once each operating day.

(22) "Solid Waste" means all putrescible and non-putrescible wastes, including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction wastes; discarded or abandoned vehicles or parts thereof; discarded home and industrial appliances; manure; vegetable or animal solid and semi-solid wastes, dead animals and other wastes; but the term does not include:

(a) Environmentally hazardous wastes as defined in Section 1, Chapter 699, Oregon Laws 1971 (Enrolled HB 1931).

(b) Materials used for fertilizer or for other productive purposes or which are salvageable as such materials and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals.

(23) "Transfer Station" means a fixed or mobile facility, normally used as an adjunct of a solid waste collection and disposal system, between a collection route and a disposal site, including but not limited to a large hopper, railroad gondola or barge.

(24) "Waste" means useless or discarded materials.

C. POLICY

Whereas inadequate solid waste collection, storage, transportation, recycling and disposal practices cause nuisance conditions, potential hazards to public health and safety and pollution of the air, water and land environment, it is hereby declared to be the policy of the Department

of Environmental Quality to require effective and efficient solid waste collection and disposal service to both rural and urban areas and to promote and support comprehensive county or regional solid waste management planning, utilizing progressive solid waste management techniques, emphasizing recovery and reuse of solid wastes and insuring highest and best practicable protection of the public health and welfare and air, water and land resources.

D. PERMIT REQUIRED

(1) Except as provided by subsections (2) and (3) of this section, after July 1, 1971, a disposal site shall not be established and after July 1, 1972, a disposal site shall not be operated, maintained or substantially altered, expanded or improved, and a change shall not be made in the method or type of disposal at a disposal site, until the person owning or controlling the disposal site obtains a permit therefor from the Department.

(2) Disposal sites in existence at the time of adoption of these regulations and used only by the owner or person in control of the premises, to dispose of industrial or agricultural wastes generated by the owner or person in control of the premises, need not obtain a permit until July 1, 1973, unless the Department determines that a permit is necessary for a specific site prior to July 1, 1973, in order to adequately protect environmental quality or the public health or welfare.

(3) The following classes of disposal sites are specifically exempted from the above requirements to obtain a permit under these regulations but shall comply with all other provisions of these regulations and other applicable laws, rules and regulations regarding solid waste disposal:

(a) Disposal sites, facilities or disposal operations covered under a permit issued under ORS 449.083 or under Chapter 699, Oregon Laws 1971 (HB 1931).

(b) A landfill site which is used only by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non-decomposable material.

(4) The Department may, in accordance with a specific conditional permit and compliance schedule, grant reasonable time for existing solid waste disposal sites or facilities which were existing at the time of adoption of these regulations to comply with these regulations.

E. APPLICATIONS FOR PERMITS

(1) Applications for permits shall be filed and permits shall be issued, denied, modified or revoked in accordance with PROCEDURES FOR ISSUANCE, DENIAL, MODIFICATION AND REVOCATION OF PERMITS as set forth in OAR Chapter 340, Division 1, Sub-division 4.

(2) In order for applications for permits to be considered complete and accepted for processing they shall:

(a) be submitted in triplicate on forms provided by the Department and be accompanied by a like number of copies of all required exhibits.

(b) include recommendations of the local or state health agency having jurisdiction.

(c) include recommendations of the governing body and its [of the county or] regional solid waste advisory committee and the city or county planning commission having jurisdiction, to establish a new disposal site or to substantially alter, expand or improve a disposal site or to make a change in the method or type of disposal.

(d) include, for all existing landfill operations, a detailed site development and operational plan as required by sub-section H. (1) (b) of these regulations.

(e) include such other information as the Department may deem necessary to determine whether the proposed site and solid waste disposal facilities and the operation thereof will comply with applicable requirements.

(3) Applications for a permit to establish a new disposal site or to substantially alter, expand or improve a disposal site or to make a change in the method or type of disposal shall be accompanied by a feasibility study report prepared in accordance with Section F. of these regulations unless the requirements of said feasibility study have been met by submittal of a regional or county-wide plan or other prior submittals.

(4) If a local public hearing regarding a proposed disposal site has not been held and if, in the judgement of the Department, there is sufficient public concern regarding the proposed disposal site, the Department may as a condition of receiving and acting upon an application require that such a hearing be held by the County Board of Commissioners or County Court or other local government agency responsible for solid waste management, for the purpose of informing and receiving information from the public.

(5) Landfills, incinerators, composting plants and sludge disposal sites are subject to special regulations under Sections H, I, J & K of these rules, however nothing in Sections H, I, J & K shall be construed to limit the methods of solid waste handling or disposal which may be permitted by the Department to only those methods cited.

F. FEASIBILITY STUDY REPORT

A feasibility study report shall include, but not be limited to, the following:

(1) A description of and background information on the service area including climate, topography, political entities, transportation system, major

contributors to the area economy, population density and trends and projections of factors affecting solid waste management in the area.

(2) A statement of the existing disposal practice in the service area, including types and quantities of wastes, methods of processing and disposal presently used.

(3) The status of a regional or county-wide solid waste management plan and evidence that the proposed disposal facility is a part of or is compatible with such a plan.

(4) Proposed method or methods to be used in processing and disposing of solid wastes, including anticipated types and quantities of solid wastes, justification of alternative disposal method selected, general design criteria, ultimate use of land disposal site, equipment to be used, projected life of the site, and proposed administration of the program.

(5) Maps, exhibits and reports to show graphically the location and nature of the proposed project. For a land disposal facility, the geologic characteristics of each site reflecting depths and types of soil; depth to rock; depth to local and regional groundwater tables; location and logs of soil borings; down-gradient uses of groundwater; direction and flow of groundwater; historic and seasonal surface water flows and elevations; proposed surface water diversion structures, berms, ditches, access roads, residences, buildings, streams, springs, ponds, wells and existing contours and elevations. For all sites and facilities the land use and zoning in the vicinity of the proposed site; population projections; prevailing and seasonal wind characteristics; supporting data and other pertinent information shall be presented.

(6) A proposal for protection and conservation of the air, water and land environment surrounding the disposal site, including control and/or treatment of leachate, prevention of traffic congestion and control of

other discharges, emissions or activities which may result in a public health hazard, a public nuisance or environmental degradation.

(7) A proposed fiscal program for plan implementation, including initial capital required, capital budget and bond or loan amortization if applicable.

G. DETAILED PLANS AND SPECIFICATIONS REQUIRED

(1) Before a new disposal site or fixed transfer station used by the public is established, constructed, maintained or operated and before an existing disposal site or fixed transfer station is substantially altered, expanded or modified, an applicant must submit to the Department final detailed plans and specifications for construction and operation of the proposed disposal site or transfer station and all related facilities and obtain written approval of such final plans and specifications from the Department.

(2) Engineering plans and specifications submitted to the Department shall be prepared and stamped by a professional engineer with current Oregon registration. [unless it is determined by the applicant that the work proposed does not constitute "the practice of professional engineering" as defined by ORS 672.010; in such cases the plans may be accepted as prepared by a person, other than a registered professional engineer, with special experience and knowledge in the solid waste disposal field.]

(3) A completed application for a solid waste permit may be preliminarily reviewed by the Department and the Commission prior to the preparation of final detailed plans and specifications, if requested by the applicant or desired by the Department.

(4) Plans and specifications submitted to the Department shall be sufficiently detailed and complete to ensure that the proposed disposal site and related facilities will be constructed and operated as intended and in compliance with all pertinent state and local air, water and solid waste statutes and regulations.

H. SPECIAL RULES PERTAINING TO LANDFILLS

(1) Detailed Plans and Specifications shall include but not be limited to:

(a) Location and design of all physical features of the site, such as, berms, dikes, surface drainage control, access and on-site roads, water and waste water facilities, trenches, landfill lifts and cells monitoring wells, fences, utilities, truck washing facilities, legal boundaries and property lines, land use, and existing contours and projected finish grades at not to exceed 5 foot contour intervals unless otherwise approved by the Department.

(b) A detailed operational plan and timetable including the proposed method and sequence of site development, utilization and operation and a proposal for monitoring and reporting any environmental effects resulting therefrom.

(2) Authorized Landfill Methods

(a) Sanitary Landfill.

Disposal of solid waste by landfilling shall be by the sanitary landfill method unless a modified landfill is specifically authorized by written permit.

(b) Modified Landfill.

Modified landfills may be permitted if it is determined by the Department that special circumstances such as climate, geographic area, site location, nature or quantity [or method] of the material to be landfilled, or population density [or cost], justifies less than daily compaction and cover.

(c) Open Burning or Open Dumps.

Open burning or open dumps of putrescible solid wastes shall not be permitted.

Open burning of non-putrescible combustible wastes at a disposal site at distances greater than 500 feet from the active landfill area may be permitted in accordance with plans approved and permits issued by the Department provided that such burning is permitted by rules and regulations of the air pollution control authority having jurisdiction.

(3) Landfill Design and Construction.

(a) Location.

Modified landfills should [shall] be located a minimum of 1/4 mile from the nearest existing residence or commercial establishment other than that used by the landfill operator.

[Sanitary landfills may be located closer than 1/4 mile to residences or commercial establishments in accordance with plans approved in writing by the Department.]

(b) Leachate.

Leachate production shall be minimized and where required [any leachate produced] shall be collected and treated or otherwise controlled in a manner approved by the Department.

(c) Groundwater.

Areas having high groundwater tables may be restricted to landfill operations which will maintain a safe vertical distance between deposited solid waste and the maximum water table elevation.

Solid wastes other than tires, rock, dirt, brick and concrete rubble and similar non-decomposible materials shall not be deposited directly into the groundwater table or in flooded trenches or cells.

(d) Monitoring Wells.

[Sites located in areas having high groundwater tables shall

provide, in accordance with plans approved in writing by the Department, groundwater monitoring wells which are sufficient to detect the movement of leachate and easily capable of being pumped to obtain water samples.]

Monitoring wells may be required where deemed necessary to determine the effect of a landfill on usable groundwater resources in accordance with plans approved in writing by the Department.

Other sites may be required to provide monitoring wells if they are determined by the Department to be necessary.

(e) Drainage Control.

A disposal site shall be so located, sloped or protected that drainage will be diverted around or away from the operational area of the site.

The surface contours of the site shall be maintained such that surface water run-off will not flow into or through the fill.

(f) Dikes.

Landfill sites [for disposing of putrescible materials and] which may be subject to flooding shall be protected by dikes which are constructed to be impervious to the passage of water and designed to prevent erosion or cutting out of the filled portions of the landfill site.

(g) Cover Material.

Adequate quantities of cover material shall be available to provide for periodic covering of deposited solid waste in accordance with the approved operational plan and permit conditions.

Final cover material must be available which will permit

minimal percolation of surface water and minimum cracking of the completed fill.

(h) Access Roads.

[All-weather] Roads [shall be provided] from a [the] public highway [or roads] to a disposal site and roads within a [the] disposal site [and] shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(i) Fences.

Access to landfills which are not attended on a twenty-four hour basis shall be controllable by means of gates which may be locked and the site shall be completely enclosed by a perimeter fence unless access is adequately controlled by the natural terrain features of the site.

(j) Site Screening.

Site screening shall be provided as required to effectively screen, insofar as is practicable, the active landfill area from residences and public view.

(k) Public Dumping.

Where practicable, special facilities such as a transfer station, vehicles or drop-box shall be provided to keep the public out of the active landfill area.

(l) Fire Protection.

Fire protection shall be provided in accordance with design and operational plans approved by the Department and in accordance with pertinent state and local fire regulations.

Where practicable, water under pressure shall be available at the site.

A minimum water supply of not less than 300 gallons should be provided.

(m) Special [Wastes.] Handling.

Large dead animals, sewage sludges, septic tank pumpings, hospital wastes and other materials which may be hazardous or difficult to manage, shall not be deposited at a disposal site unless [only if] special provisions for such disposal are included in the operational plan or otherwise approved [in writing] by the Department or local health department having jurisdiction.

(n) Signs.

Signs clearly stating dumping area rules shall be posted and adequate to obtain compliance with the approved operational plans.

A clearly visible and legible sign or signs shall be erected at the entrance to the disposal site which shall contain at least the following:

Name of facility and owner.

Emergency phone number of attendant.

Restricted materials (if applicable).

Operational hours during which wastes will be received for disposal.

Penality for unlawful dumping.

(o) Truck Washing Facilities.

Truck washing areas [if provided] shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(p) Sewage Disposal.

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(4) Landfill Operation.

(a) Compaction and cover.

Solid Waste deposited at a landfill site shall be spread on a slope no steeper than 3 horizontal to 1 vertical and compacted in layers not to exceed 2 feet in depth up to maximum cell heights in accordance with the approved operational plan and covered with not less than 6 inches of compacted cover material at intervals specified in the permit. Alternative procedures to achieve equivalent results may be approved by the Department.

(b) Final Cover and Grading.

A layer of not less than two (2) feet of compacted earth, in addition to intermediate cover material, shall be placed over the completed fill following the final placement of solid waste. The final cover shall be graded, seeded with appropriate ground cover and maintained to prevent cracking, erosion and the ponding of water.

(c) Exposed Solid Waste.

Unloading of solid waste on the site shall be confined to the smallest practical area and the area of exposed waste material on the active landfill face shall be kept to a minimum.

(d) Equipment.

Sufficient equipment in good operating condition and adequate to construct and operate the landfill site including placement, compaction and covering of solid wastes under all anticipated weather and soil conditions shall be available at all times with provisions for auxiliary or standby equipment as required in accordance with the approved operational plan.

(e) Accidental Burning.

All reasonable precautions, such as segregation [separation] of flammable wastes ["special wastes"] and early removal of "hot spots", shall be taken to prevent accidental ignition or spontaneous combustion of solid wastes at a landfill site. Water, stockpiled earth or other means shall be available to extinguish such fires as may occur.

Hot or burning materials, or any materials likely to cause fire shall be deposited temporarily at a safe distance from the fill area and shall not be included in the landfill operation until the fire hazard is eliminated.

(f) Salvage.

Salvaging or scavenging shall be controlled so as to not interfere with optimum disposal site operation and to not create unsightly conditions or vector harborage.

All salvaged materials shall be removed from the disposal site at the end of each operating day, unless some other recycling or storage program is authorized in the operational plan approved by the Department.

Food products, hazardous materials, containers used for hazardous materials or furniture and bedding with concealed filling shall not be salvaged from a disposal site.

(g) Nuisance Conditions.

Blowing debris shall be controlled such that the entire disposal site is maintained free of litter.

Dust, malodors and noise shall be controlled to prevent air pollution or excessive noise as defined by ORS Chapter 449 and

Chapter 452, Oregon Laws 1971, and rules and regulations adopted pursuant thereto.

(h) Health Hazards.

Rodent and insect control measures such as baiting and insecticide spraying shall be provided as necessary to prevent vector production and sustenance.

Any other conditions which may result in transmission of diseases to man and animals shall be controlled.

(i) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure compliance with conditions of a permit or these regulations.

(j) Closure of Landfills.

Before a landfill may be closed or abandoned to further use, all solid wastes at the disposal site shall be compacted and covered and the site finally graded and restored in a manner approved in writing by the Department.

A maintenance program for continued control of erosion, repair, and stabilization of the fill shall be provided until the completed fill has stabilized to the point where maintenance is no longer required.

I. SPECIAL RULES PERTAINING TO INCINERATION

I. Detailed Plans and Specifications.

(a) All incineration equipment and air pollution control appurtenances thereto shall comply with air pollution control rules and regulations and emission standards of this Department or the regional air pollution control authority having jurisdiction.

(b) Detailed plans and specifications for incinerator disposal sites shall include, but not be limited to the location and physical features of the site, such as [including] contours, drainage control, landscaping, fencing, access and on-site roads, solid waste handling facilities, truck washing facilities, water and wastewater facilities, ash and residue disposal and design and performance specifications of incineration equipment and provisions for testing emissions therefrom.

(2) Incinerator Design and Construction.

(a) Ash and Residue Disposal.

Incinerator ash and residues shall be disposed in an approved landfill unless handled otherwise in accordance with a plan approved in writing by the Department.

(b) Waste Water Discharges.

There shall be no discharge of waste water to public waters except in accordance with a waste discharge permit from the Department, issued under ORS 449.083.

(c) Access Roads.

All-weather roads shall be provided from the public highways or roads to and within the disposal site and shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(d) Drainage.

An incinerator site shall be designed such that surface drainage will be diverted around or away from the operational area of the site.

(e) Fire Protection.

Fire protection shall be provided in accordance with plans approved in writing by the Department and in compliance with

pertinent state and local fire regulations.

(f) Fences.

Access to the incinerator site shall be controlled by means of a complete perimeter fence and gates which may be locked.

(g) Sewage Disposal

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(h) Truck Washing Facilities.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(3) Incinerator Operations.

(a) Storage.

All solid waste deposited at the site shall be confined to the designated dumping area.

Accumulation of solid wastes and undisposed ash residues shall be kept to minimum practical quantities.

(b) Salvage.

Salvaging shall be controlled so as to not interfere with optimum disposal operation and to not create unsightly conditions or vector harborage.

All salvaged material shall be stored in a building or enclosure until it is removed from the disposal site in accordance with a recycling program authorized in the operational plan approved in writing by the Department.

Food products, hazardous materials. containers used for Hazardous materials, or furniture and bedding with concealed

filling shall not be salvaged from a disposal site.

(c) Nuisance Conditions.

Blowing debris shall be controlled such that the entire disposal site is maintained free of litter.

Dust, malodors and noise shall be controlled to prevent air pollution or excessive noise as defined by ORS Chapter 449 and Chapter 452, Oregon Laws 1971, and rules and regulations adopted pursuant thereto.

(d) Health Hazards.

Rodent and insect control measures shall be provided, sufficient to prevent vector production and sustenance. Any other conditions which may result in transmission of disease to man and animals shall be controlled.

(e) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure compliance with conditions of a permit or these regulations.

J. SPECIAL RULES PERTAINING TO COMPOSTING PLANTS

(1) Detailed Plans and Specifications shall include but not be limited to:

(a) Location and design of the physical features of the site and composting plant, surface drainage control, waste water facilities, fences, residue disposal, odor control and design and performance specifications of the composting equipment and detailed description of methods to be used.

(b) A proposed plan for utilization of the processed compost including copies of signed contracts for utilization or other evidence of assured utilization of composted solid waste.

(2) Compost Plant Design and Construction.

(a) Non-Compostable Wastes.

Facilities and procedures shall be provided for handling, recycling or disposing solid waste that is non-biodegradable by composting.

(b) Odors.

The design and operational plan shall give consideration to keeping odors to lowest practicable levels. Composting operations, generally, shall not be located in odor sensitive areas.

(c) Drainage Control.

Provisions shall be made to effectively collect, treat and dispose of leachate or drainage from stored compost and the composting operation.

(d) Waste Water Discharges.

There shall be no discharge of waste water to public waters, except in accordance with a waste discharge permit from the Department, issued under ORS 449.083.

(e) Access Roads.

All-weather roads shall be provided from the public highway or roads to and within the disposal site and shall be designed and maintained to prevent traffic congestion, traffic hazards and dust and noise pollution.

(f) Drainage.

A composting site shall be designed such that surface drainage will be diverted around or away from the operational area of the site.

(g) Fire Protection.

Fire protection shall be provided in accordance with plans approved in writing by the Department in compliance with pertinent state and local fire regulations.

(h) Fences.

Access to the composting site shall be controlled by means of a complete perimeter fence and gates which may be locked.

(i) Sewage Disposal.

Sanitary waste disposal shall be accomplished in a manner approved by the Department or state or local health agency having jurisdiction.

(j) Truck Washing Facilities.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(3) Composting Plant Operation

(a) Supervision of Operation.

A composting plant shall be operated under the supervision of a responsible individual who is thoroughly familiar with the operating procedures established by the designer.

All compostable waste shall be subjected to complete processing in accordance with the equipment manufacturers operating instructions of patented process being utilized.

(b) Removal of Compost.

Compost shall be removed from the composting plant site as frequently as possible, but not later than one year after treatment

is completed.

(c) Use of Composted Solid Waste.

Composted solid waste offered for use by the general public shall contain no pathogenic organisms, shall be relatively odor-free and shall not endanger the public health or safety.

(d) Storage.

All solid waste deposited at the site shall be confined to the designated dumping area.

Accumulation of solid wastes and undisposed residues shall be kept to minimum practical quantities.

(e) Salvage.

Salvaging shall be controlled so as to not interfere with optimum disposal operation and to not create unsightly conditions or vector harborage.

All salvaged material shall be stored in a building or enclosure until it is removed from the disposal site in accordance with a recycling program authorized in the operational plan approved in writing by the Department.

K. SPECIAL RULES PERTAINING TO SLUDGE DISPOSAL SITES

(1) Permit Required.

(a) Land used for the spreading, deposit, lagooning or disposal of sewage sludge, septic tank pumpings and other sludges is defined as a disposal site by Chapter 648, Oregon Laws 1971, and is subject to the requirements of these regulations including the requirements for obtaining a permit from the Department in accordance with Sections D and E of these regulations.

(b) Disposal of sewage sludges resulting from a sewage treatment facility that is operating under a current and valid waste discharge permit, issued under ORS 449.083, is exempted from obtaining a solid waste disposal permit, provided that said sewage sludge disposal is adequately covered by specific conditions of the waste discharge permit. Such sewage sludge disposal operations and sites shall comply with all other provisions of these regulations and other laws, rules and regulations pertaining to solid waste disposal.

(2) Plans and Specifications for Sludge Disposal Sites.

(a) Detailed plans and specifications for sludge disposal lagoons shall include, but not be limited to location and design of the physical features of the site, such as berms, dikes, surface drainage control, access and on-site roads, waste water facilities, inlet and emergency overflow structures, fences, utilities and truck washing facilities, topography with contours not to exceed 5 foot contour intervals, elevations, legal boundaries and property lines, and land use.

(b) Plans and specifications for land spreading of sludge shall include, but not be limited to physical features of the site, such as, surface drainage, access and on-site roads, fences, truck washing facilities, topography with contours not to exceed 5 foot contour intervals, rates and frequency of sludge application, legal boundaries and property lines and land use.

(3) Prohibited Methods of Sludge Disposal.

(a) Septic tank pumpings and raw sewage sludge shall not be permitted to be disposed of by land spreading, unless it is specifically determined and approved in writing by the Department or state or

local health agency having jurisdiction, that such disposal can be conducted with assured, adequate protection of public health and safety and the environment.

(b) Except for "heat-treated" sewage sludges, sewage sludges including septic tank pumpings, raw, non-digested and digested sewage sludges, shall not be:

- Used as fertilizer on root crops, vegetables, low growing berries or fruits that may be eaten raw.
- Applied to land later than one year prior to planting where vegetables are to be grown.
- Used on grass in public parks or other areas at a time or in such a way that persons could unknowingly come in contact with it.
- Given or sold to the public without their knowledge as to its origin.

(c) Sludges shall not be deposited in landfills except in accordance with operational plans that have been submitted to and approved by the Department in accordance with Sub-Section H. (1) (b) of these regulations.

(4) Sludge Lagoon and Sludge Spreading Area Design, Construction and Operation

(a) Location.

Sludge lagoons shall be located a minimum of 1/4 mile from the nearest residence other than that of the lagoon operator or attendant.

Sludge shall not be spread on land where natural run-off could carry a residue into public waters.

If non-digested sludge is spread on land within 1/4 mile of

a residence, community or public use area, it shall be plowed under the ground, buried or otherwise incorporated into the soil within five (5) days after application.

(b) Fences.

Public access to a lagoon site shall be controlled by man-proof fencing and gates which shall be locked at all times that an attendant is not on duty.

Public access to sludge spreading areas shall be controlled by complete perimeter fencing and gates capable of being locked as necessary.

(c) Signs.

Signs shall be posted at a sludge spreading area as required.

Signs which are clearly legible and visible shall be posted on all sides of a sludge lagoon, stating the contents of the lagoon and warning of potential hazard to health.

(d) Drainage.

A sludge disposal site shall be so located, sloped or protected such that surface drainage will be diverted around or away from the operational area of the site.

(e) Type of Sludge Lagoon.

Lagoons shall be designed and constructed to be non-overflow and water tight.

(f) Lagoon Freeboard.

A minimum of 3.0 feet of dike freeboard shall be maintained above the maximum water level within a sludge lagoon unless some other minimum freeboard is specifically approved by the Department.

(g) Lagoon Emergency Spillway.

A sludge lagoon shall be provided with an emergency spillway adequate to prevent cutting-out of the dike should the water elevation overtop the dike for any reason.

(h) Sludge Removal from Lagoon.

Water or sludge shall not be pumped or otherwise removed from a lagoon except in accordance with a plan approved in writing by the Department.

(i) Monitoring Wells.

Lagoon sites located in areas having high groundwater tables or potential for contaminating usable groundwater resources may be required to provide groundwater monitoring wells in accordance with plans approved in writing by the Department. Said monitoring wells shall be sufficient to detect the movement of groundwater and easily capable of being pumped to obtain water samples.

(j) Truck Washing.

Truck washing areas, if provided, shall be hard surfaced and all wash waters shall be conveyed to a catch basin, drainage and disposal system approved by the Department or state or local health agency having jurisdiction.

(k) Records.

The Department may require such records and reports as it considers are reasonably necessary to ensure compliance with conditions of a permit or these regulations.

L. GENERAL RULES PERTAINING TO SPECIFIED WASTES

(1) Agricultural Wastes.

Residues from Agricultural practices shall be recycled, utilized

for productive purposes or disposed of in a manner not to cause vector creation or sustenance, air or water pollution, public health hazards, odors or nuisance conditions.

(2) Hazardous Solid Wastes.

No hazardous solid wastes shall be deposited at any disposal site without prior written approval of the Department or state or local health department having jurisdiction.

(3) Waste Vehicle Tires.

(a) Open Dumping.

Disposal of loose waste tires by open dumping into ravines, canyons, gullies, and trenches, is prohibited.

(b) Tire Landfill.

Bulk quantities of tires which are disposed by landfilling and which are not incorporated with other wastes in a general landfill, must be baled, chipped, split, stacked by hand ricking or otherwise handled in a manner provided for by an operational plan submitted to and approved by the Department.

(c) General Landfill.

Bulk quantities of tires if incorporated in a general landfill with other wastes, shall be placed on the ground surface on the bottom of the fill and covered with earth before other wastes are placed over them.

(4) Waste Oils.

Large quantities of waste oils, greases, oil sludges or oil soaked wastes shall not be placed in any disposal site unless special provisions for handling and other special precautions are included in the approved plans and specifications and operational plan to prevent

fires and pollution of surface or groundwaters.

(5) Demolition Materials.

Due to the unusually combustable nature of demolition materials, demolition landfills or landfills incorporating large quantities of combustible materials shall be cross-sectioned into cells by earth dikes sufficient to prevent the spread of fire between cells, in accordance with engineering plans required by these regulations. Equipment shall be provided of sufficient size and design to densely compact the material to be included in the landfill.

M. TRANSFER STATIONS

(1) Plans and Specifications.

Plans and specifications for a fixed or permanent transfer station shall include, but not be limited to the location and physical features of the facility such as [including] contours, surface drainage control, access and on-site roads traffic routing, landscaping, weigh stations, fences and specifications for solid waste handling equipment, truck and area washing facilities and wash water disposal, and water supply and sanitary waste disposal.

(2) Transfer Station Design, Construction and Operation.

The design, construction and operational requirements for an incinerator disposal site under Sections I (2) and (3) shall apply to a transfer station, except for Section I (2) (a.) regarding Ash and Residue.

N. STORAGE AND COLLECTION

(1) General Requirements.

(a) Storage and collection of solid waste shall be conducted in a manner to prevent:

- Vector production and sustenance.

- Conditions for transmission of diseases to man or animals.
- Hazards to service or disposal workers or to the public.
- Air Pollution.
- Water pollution or allow escape of solid wastes or contaminated water to public waters.
- Objectionalbe odors, dust, unsightliness, aesthetically objectionable conditions or other nuisance conditions.

(2) Containers and Storage Areas.

(a) Standard Garbage Containers

Individual containers for manual pickup shall have a tight-fitting lid or enclosure, hand holds or bales, and be in good condition. [and have maximum capacity of thirty-two (32) gallons. Collectors may refuse to pick up containers of a gross weight of more than seventy-five (75) pounds.]

(b) Storage Bins and Storage Vehicles

Storage bins and storage vehicles shall be leak-proof, have tight lids and covers that may be easily opened for intended use and shall have suitable fittings to facilitate removal or emptying.

Containers, storage bins or storage vehicles shall be readily washable or have liners of paper, plastic or similar materials, or both.

(c) Storage Area

Storage houses, rooms or areas shall be of rodent proof construction which are readily cleanable with proper drainage.

Storage rooms or buildings, if not refrigerated, shall be adequately vented and all openings shall be screened.

(d) [Unconfined Waste]

[Unless special service or special equipment is provided by t

collector for handling unconfined waste, materials such as rubbish and refuse, brush, leaves, tree cuttings and other debris for manual pickup and collection shall be in securely tied bundles or in boxes, sacks, or other receptacles and solid waste so bundled shall not exceed 60 pounds in weight.]

(3) Removal Frequency.

Putrescible solid waste shall be removed from the premises at regular intervals not to exceed 7 days. All solid waste shall be removed at regular intervals so as not to create the conditions cited in Section N - (1).

(4) Cleaning of Storage Area.

Areas around storage containers shall be cleaned regularly so as not to create the conditions cited in Section N - (1).

(5) [Special Solid Wastes.] Storage of Specified Wastes.

(a) Industrial Solid Wastes

Storage of industrial solid wastes shall be in accordance with these rules and regulations. Open storage areas shall not be closer than 100 feet horizontal distance from the normal highwater mark of any public waters, unless special provision is made which prevents wastes, or drainage therefrom, from entering public waters.

(b) Agricultural Wastes

Storage of agricultural wastes shall not create vector production or sustenance, conditions for transmission of diseases to man or animals, water or air pollution and shall be in a manner to reduce and minimize objectionable odors, unsightliness, aesthetically objectionable and other nuisance conditions.

(c) Hazardous Wastes

Containers for hazardous wastes shall be marked to designate the content as toxic, explosive, or otherwise hazardous in a manner designed to give adequate protection to the collector and storage site operator.

O. TRANSPORTATION

(1) Collection and Transfer Vehicles Construction and Operation.

(a) Solid waste collection and transfer vehicles and devices shall be constructed, loaded and operated so as to prevent dropping, leaking, sifting,or blowing or other escapement of solid waste from the vehicle.

(b) Collection and transfer vehicles and devices carrying loads which are likely to blow or fall shall have a cover which is either an integral part of the vehicle or device or which is a separate cover of suitable materials with fasteners designed to secure all sides of the cover to the vehicle or device and shall be used while in transit.

(2) Cleaning Collection Vehicles.

(a) Collection and transfer vehicles or other devices used in transportating solid waste shall be cleanable and shall be cleaned at weekly intervals or more often as necessary, to prevent, odors, insects, rodents or other nuisance conditions.

(3) Waste Water.

Waste Water from the cleaning process of containers of non-hazardous waste shall be disposed of in a manner approved by the Department or state or local health department having jurisdiction.

P. VARIANCES

The Commission may by specific written variance or conditional permit waive certain requirements of these rules and regulations when circumstances of the solid waste disposal site location, operating procedures, and/or other conditions indicate that the purpose and intent of these regulations can be achieved without strict adherence to all of the requirements.

Q. VIOLATIONS

Violations of these regulations shall be punishable upon conviction as provided in Section 20, Chapter 648, Oregon Laws 1971 (HB 1051).

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

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GOVERNOR

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Director

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Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. G, March 24, 1972, EQC Meeting

Nitrogen Standard For All Public Waters

Background

The entrainment of air and the subsequent supersaturation of gases below hydroelectric projects is a serious hazard to the fishery resources in the Columbia and Snake Rivers. The identity of this problem has been traditionally expressed in terms of percentage Nitrogen, which includes Argon, above theoretical saturation levels, although oxygen is also involved in the supersaturation phenomenon but to a lesser degree. Fishes exposed to waters supersaturated with gases can develop symptoms of "gas bubble disease," depending upon the exposure time and the level of gases above saturation.

Some Fisheries scientists would like to have the proposed Nitrogen supersaturation standard expressed in terms of "total gas partial pressures" rather than percentage of Dissolved Nitrogen. The concept of total gas partial pressures may be more scientifically accurate in portraying the problem since air entrainment in the waters below spillways involves all the component atmospheric gases. However, after the staff reviewed the merits of including total gas partial pressures as an alternative to the currently proposed Dissolved Nitrogen standard, it was deemed inadvisable at the present to propose such an amendment for these reasons:

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1. "Total gas partial pressures" would be a confusing standard to the general public.

2. The existing data are mostly for Dissolved Nitrogen and have not been recalculated to date to show the corresponding "total gas partial pressures" with respect to Nitrogen levels. In some cases this is not possible because of a lack of some variables necessary for the calculation of "total gas partial pressures."

3. The most serious gas bubble disease problem with fish has been identified with gas supersaturation due to air entrainment (primarily at spillways) or due to temperature changes and in these cases Dissolved Nitrogen (DN) is the predominant and controlling factor and is essentially the same as Dissolved Total Gases (DTG).

   When fundamental data showing the relationship between gas bubble disease and total gas partial pressures become available at some future date, an amendment to the currently proposed Dissolved Nitrogen standard could be considered at that time.

At the Public Hearing of February 25, 1972, the Commission heard testimony from the general public and governmental agencies regarding the adoption of the following proposed amendment to Rule 41-025 of Subdivision 1, Division 4, Chapter 340, Oregon Administrative Rules:

(12) The dissolved nitrogen concentration (DN) relative to the water surface (a) from the date of adoption of this Standard until January 1, 1973 to exceed 110 percent of saturation and (b) after January 1, 1973 to exceed 105 percent of saturation, unless prior to January 1, 1973 the Commission shall by rule extend the 110% saturation limit based on competent research which conclusively demonstrates that the 110% saturation limit is not injurious to the fishery resources.

Director's Recommendation

It is recognized that the solution to the Nitrogen problem in the Columbia - Snake River System will require a large expenditure of funds and possibly 4 or more years of research and construction to effect the necessary reduction of Nitrogen below hydroelectric projects. In view of the time and expense involved to prepare plans and studies to resolve the Nitrogen problem, it is recommended that the Commission consider the adoption of a single-level Dissolved Nitrogen standard which will assuredly protect fish, as follows:

(12) The dissolved nitrogen concentration (DN) relative to the water surface to exceed 105% of saturation from the date of adoption of this standard.

Such a standard, if adopted, will provide the hydroelectric project owners with a definite goal from which to plan the necessary changes and modifications to their existing facilities. Such changes and modifications together with monitoring programs and time schedules will be detailed in Waste Discharge Permits to be issued for each project.

L. B. Day

ELQ
3/20/72

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

TOM McCALL
GOVERNOR

L. B. DAY
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ARNOLD M. COGAN
Portland

Memorandum:

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. H, EQC Meeting, March 24, 1972

Introductory Statement for the Public Hearing on Proposed Regulations Pertaining to Oil Spills in Public Waters

Oregon's 1971 legislative body enacted House Bill 1301 which gives our State a specific oil pollution control law to be administered by the Department of Environmental Quality. Section 8 of the law declares that "The Commission shall adopt such rules and regulations as it deems necessary and proper for the purpose of carrying out the provisions of this 1971 Act."

The staff has reviewed the Act and prepared additional regulations they believe are necessary to successfully implement and enforce the intentions of the Act. By advance mailing you have received copies of both the Act and the proposed regulations. Copies of the Act and the proposed regulations have also been widely distributed to others of known interest.

Certain language from the Act has been repeated in the regulations as a matter of continuity and clarity.

In summary, the proposed regulations read as follows:

Section A states their purpose. Section B gives language definitions. Section C specifies requirements for giving notice to the Department of Environmental Quality, containing the spilled materials,

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the necessity for quick clean-up, and written reports.

Section D restricts the use of clean up chemicals.

Section E sets the control requirements for disposal of oil collected from spills.

Lastly Section F explains the liability and penalties for violations of the Act.

The State oil spill regulations and control procedures are proposed to be applied to supplement Federal-State-Local cooperative programs which are already being effectively applied to interstate and commercially navigable waters.

Oil spill responses and controls in the navigable, marine, and estuarine waters of our state have been and are being handled under the National and Regional Multi-agency Oil and Hazardous Materials Pollution Contingency Plan - as provided for in the Federal Oil Pollution Act of 1961 and again in the more recent Federal Water Pollution Control Act. The Coast Guard serves very efficiently as the on-scene commanders of this group.

Under the multi-agency plan the Coast Guard is required to maintain immediate and continuous communications with certain other Federal and State agencies who would have jurisdictional interest in oil spills. The Department of Environmental Quality is the lead state agency in Oregon. Communications from the Coast Guard have come in a most efficient and precise manner. As on-scene commanders, the Coast Guard has been equally efficient in conducting clean-up operations and gathering information for prosecution where necessary. Due to their local efforts together with the efforts of the Portland Harbor Patrol, we have in Oregon some of the most oil free waters to be found in the nation.

In view of the Coast Guard's already established and proven program for oil pollution response and control in marine, estuarine, and navigable waters, it is recommended that the DEQ not develop a costly and duplicating program in those waters now covered by them. In other words, the current multi-agency contingency plan would continue unchanged. It is effective and the DEQ is a fully involved member. Notice to the Coast Guard of an oil spill, as required under federal law, would satisfy the DEQ's proposed requirement for notification.

The Coast Guard's activities in no way interfere with Oregon's waste discharge permit program for shore facilities that may be sources of oil pollution. Quite the contrary, their surveys and inspections have been a considerable aid to our waste discharge permit compliance program.

After the proposed regulations for Oregon's oil pollution control act are approved and adopted, a specific state action plan will be developed to handle oil spills in those intrastate waters not covered by the Multi-agency Contingency Plan.

Elsewhere in Oregon we have had very few oil pollution problems. Infrequent railroad and tank truck accidents have been the most serious sources. The quantities of spilled petroleum products were generally small and damages not far reaching.

Since Oregon began this development of its own oil pollution control program we have received a number of company brochures on chemical compounds available for use in the dispersion, emulsification, and coagulation of oil in water. From past experience, it is known that a number of these compounds can have real and potential side effects worse than the oil alone. In many cases, the broad effect is to drive the oil into the water rather than facilitate its removal. Thus, it is emphasized that the state program will, in all cases, stress the collection and removal of oil from the water as stated in Section D of the proposed regulations. Application of chemicals would be allowed only as necessary to remove severe fire hazards, and then only in accordance with specifically approved procedures.

Oil pollution in public waters, especially navigable and marine waters, is punishable by penalties under Federal, State, and local laws. It is our Department's intention that the assessment of costs and fines must be determined on a case by case basis according to the considerations listed in Section F, Violations, of the proposed regulations.

Director's Recommendations:

1. Keep the record of this hearing open for an additional 10 days.
2. Evaluate the testimony received.
3. Consider the adoption of the proposed regulations at the April 21, 1972, EQC meeting.

L. B. Day

GDC:3/15/72

BEFORE THE 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 at 10:00 o'clock Friday, March 24, 1972, in the Second Floor Auditorium of the Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon, with respect to Proposed Regulations Pertaining to Oil Spills in Public Waters.

Any person desiring to submit any views or data orally or in writing may do so by attending the hearing or by writing to the Director, Department of Environmental Quality, 1234 S.W. Morrison St., Portland, Oregon 97205, prior to the hearing.

For your background information you will find attached herewith one copy of the Proposed Regulations Pertaining to Oil Spills in Public Waters, plus a copy of the parent act ORS 449.155 to 449.175 (i.e. Chapter 524, Oregon Laws 1971 [HB 1301] which authorize the proposed regulations.

attached

L. B. Day

(Proposed)

Regulations Pertaining to Oil Spills into Public Waters

Department of Environmental Quality

March, 1972

These regulations are to be made a part of OAR Chapter 340, Division 4, Sub-division 7.

A. Purpose

The purpose of these regulations is to prescribe procedures for reporting and controlling oil spills into public waters, and for regulating the removal and disposal of spilled oil and rehabilitating and restoring any public resource damaged thereby, pursuant to ORS 449.155 to 449.175.

B. Definitions

As used in these regulations unless otherwise required by context:

(1) "Oils" or "oil" shall mean oil, including gasoline, crude oil, fuel oil, diesel oil, lubricating oil, sludge, oil refuse and any other petroleum related product.

(2) "Having control over oil" shall include but shall not be limited to any person using, storing or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(3) "Public waters" or "waters of the state" includes 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.

(4) "Spill" shall mean any unlawful discharge or entry of oil into public waters or waters of the state.

(5) "Department" shall mean the Department of Environmental Quality.

(6) "Director" shall mean the Director of the Department of Environmental Quality.

(7) "Person" shall mean the United States, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatsoever.

C. Notice, Control and Cleanup of Oil Spills Required

(1) Any person owning or having control over oil that is spilled into public waters or on land such that there is a substantial likelihood it will enter public waters shall:

(a) Immediately stop the spilling;

(b) Immediately collect and remove the spilled oil unless not feasible in which case the person shall take all practicable actions to contain, treat and disperse the same;

(c) Immediately proceed to correct the cause of the spill;

(d) Immediately notify the Department of the type, quantity, and location of the spill and corrective actions taken and proposed to be taken; and

(e) Within seven days following a spill, submit a complete and detailed written report to the Department describing all aspects of the spill and steps taken to prevent a recurrence.

(2) Clean up of oil spills shall proceed in a timely and diligent manner until written notice is obtained from the Department that satisfactory clean up has been achieved.

(3) Compliance with the above requirements does not relieve the owner or person having control over oil from liability, damages or penalties resulting from spill of such oil.

D. Approval Required for Use of Chemicals

(1) No chemicals shall be used to disperse, coagulate or otherwise treat oil spills except as may be specifically approved by the Department.

(2) Physical removal of oil spills will ordinarily be required except where use of chemical dispersants is warranted by extreme fire danger or other unusually hazardous circumstances.

E. Approval Required for Disposal of Spilled Oils

(1) Spilled oils and oil contaminated materials resulting from control, treatment, and clean up shall be handled and disposed of in a manner approved by the Department.

(2) Disposal of oils and oily wastes resulting from clean up of an oil spill may be achieved by reclaiming and recycling, disposal at a disposal site operated under and in accordance with a permit issued pursuant to Chapter 648 Oregon Laws 1971 or treated and discharged in accordance with a permit obtained pursuant to ORS 449.083.

F. Violations

In addition to liability for costs of removal and clean up of oil spills, liability for damages to resources resulting from oil spills and other penalties provided by law, any person who intentionally or negligently causes or permits the discharge of oil into the waters of the state shall incur a civil penalty of an amount up to $20,000 for each violation, pursuant to ORS 449.995. In determining the amount of civil penalty the Director shall give consideration to the following:

(1) Gravity of the violation

(2) Previous record of compliance or non-compliance

(3) Timeliness of notice to the Department of an oil spill

(4) Timeliness and effectiveness of clean up efforts

(5) Other appropriate considerations

OREGON LAWS 1971

CHAPTER 524

AN ACT [HB 1301]

Relating to water pollution; appropriating money; and providing penalties.

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

SECTION 1. Sections 2 to 16 of this 1971 Act are added to and made a part of ORS chapter 449.

SECTION 2. As used in sections 2 to 16 of this 1971 Act, unless the context requires otherwise:

(1) "Oils" or "oil" shall mean oil, including gasoline, crude oil, fuel oil, diesel oil, lubricating oil, sludge, oil refuse and any other petroleum related product.

(2) "Ship" shall mean any boat, ship, vessel, barge, or other floating craft of any kind.

(3) "Having control over oil" shall include but shall not be limited to any person using, storing or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

SECTION 3. It shall be unlawful for oil to enter the waters of the state from any ship or any fixed or mobile facility or installation located offshore or onshore whether publicly or privately operated, regardless of the cause of the entry or fault of the person having control over the oil, or regardless of whether it be the result of intentional or negligent conduct, accident or other cause. This section shall not apply to discharges of oil under the following circumstances:

(1) The person discharging was expressly authorized to do so by the department, having obtained a permit therefor in accordance with ORS 449.083

(2) Where the person having control over the oil can prove that a discharge was caused by:

(a) An act of war or sabotage or an act of God, or

(b) Negligence on the part of the United States Government, or the state of Oregon.

SECTION 4. (1) Any person owning oil or having control over the same which enters the waters of the state in violation of section 3 of this 1971 Act shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry. In any action to recover such damages, said person shall be relieved from strict liability without regard to fault if he can prove that the oil to which the damages relate, entered the waters of the state by causes set forth in subsections (1) and (2) of section 3 of this 1971 Act.

(2) Nothing in this section shall be construed as limiting the right of a person owning or having control of oil to maintain an action for the recovery of damages against another person for an act or omission of such other person resulting in the discharge of oil for which the person owning or having control of such oil is liable under subsection (1) of this section.

SECTION 5. (1) In addition to liability for damages to the state for injury to fish and wildlife, and to their habitat, as set forth in ORS 449.103, it shall be the obligation of any person owning or having control over oil entering waters of the state in violation of section 3 of this 1971 Act to collect and remove the same immediately.

(2) If it is not feasible to collect and remove, that person shall take all practicable actions to contain, treat and disperse the same.

(3) The director shall prohibit or restrict the use of any chemicals or other dispersant or treatment materials proposed for use under this section whenever it appears to him that use thereof would be detrimental to the public interest.

SECTION 6. (1) If any person fails to collect, remove, treat or disperse oil immediately when under an obligation to do so as provided in section 5 of this 1971 Act the commission is authorized with the staff, equipment and material under its control, or by contract with outside parties, to take such actions as are necessary to collect, remove, treat, or disperse oil discharged into waters of the state.

(2) The director of the department shall keep a record of all necessary expenses incurred in carrying out any clean-up project or activity authorized under this section, including a reasonable charge for the services performed by the state's personnel and the state's equipment and materials utilized.

(3) The authority granted hereunder shall be limited to clean-up projects and activities which are designed to protect the public interest or public property.

SECTION 7. Any person who fails to collect, remove, treat or disperse oil immediately when under an obligation to do so as provided in section 5 of this 1971 Act, shall be responsible for the necessary expenses incurred by the state in carrying out a clean-up project or activity authorized under section 6 of this 1971 Act.

SECTION 8. The commission shall adopt such rules and regulations as it deems necessary and proper for the purpose of carrying out the provisions of this 1971 Act.

SECTION 9. Any person who intentionally or negligently causes or permits the discharge of oil into the waters of the state shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to $20,000 for every such violation; that amount to be determined by the director of the department after taking into consideration the gravity of the violation, the previous record of the violator in complying, or failing to comply, with the provisions of this 1971 Act, and such other considerations as the director deems appropriate. The penalty provided for in this section shall become due and payable when the person incurring the same receives a notice in writing from the director of the department describing such violation with reasonable particularity and advising such person that the penalty is due.

SECTION 10. If the amount of state-incurred expenses under section 6 of this 1971 Act or the amount of such penalties provided under section 9 of this 1971 Act are not paid to the commission within 15 days after receipt of notice, the Attorney General, upon the request of the director, shall bring action in the name of the State of Oregon in the Circuit Court of Marion County or the circuit court of any other county in which the violation may have taken place to recover the amount specified in the final order of the director. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise provided in this chapter.

SECTION 11. (1) All penalties recovered under section 9 of this 1971 Act shall be paid into an Oil Spillage Control Fund, which account is hereby established within the General Fund, to be administered by the department for the advancement of costs incurred in carrying out cleanup activities as outlined in section 6 of this 1971 Act and for the rehabilitation of affected fish and wildlife as provided under ORS 449.103

(2) With the approval of the commission, the moneys in the Oil Spillage Control Fund may be invested as provided by ORS 293.701 to 293.776 and earnings from such investment shall be credited to the fund.

(3) The Oil Spillage Control Fund shall not be used for any purpose other than that for which the fund was created.

SECTION 12. (1) The commission, through its duly authorized representatives, shall have the power to enter upon any private or public property, including the boarding of any ship, at any reasonable time, and the owner, managing agent, master or occupant of such property shall permit such entry for the purpose of investigating conditions relating to violations of section 3 of this 1971 Act, and to have access to any pertinent records relating to such property, including but not limited to blueprints, operation and maintenance records and logs, operating rules and procedures.

(2) Notwithstanding subsection (1) of this section, no person shall be required to divulge trade secrets or secret processes involved in his business operations.

SECTION 13. The director may, upon written application therefore, received within 15 days after receipt of notice under section 9 of this 1971 Act, and when deemed in the best interest of the state in carrying out the purposes of this chapter, remit or mitigate any penalty provided for in section 9 of this 1971 Act or discontinue any prosecution to recover the same upon such terms as he in his discretion shall deem proper.

SECTION 14. This 1971 Act shall grant authority to the commission that is supplemental to and in no way reduces or otherwise modifies the powers heretofore granted to the commission, except as it may directly conflict therewith.

SECTION 15. Nothing in this 1971 Act or the rules and regulations adopted thereunder shall require or prohibit any act if such requirement or prohibition is in conflict with any applicable federal law or regulation.

SECTION 16. If any provision of this 1971 Act be held invalid by any court of competent jurisdiction, the same shall not affect the validity of this 1971 Act as a whole or any part thereof other than that portion so held to be invalid.

Approved by the Governor June 28, 1971.
Filed in the office of Secretary of State June 29, 1971.

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

TOM McCALL
GOVERNOR

L. B. DAY
Director

ENVIRONMENTAL QUALITY COMMISSION

B. A. McPHILLIPS
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Springfield

STORRS S. WATERMAN
Portland

GEORGE A. McMATH
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ARNOLD M. COGAN
Portland

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. I, EQC Meeting, March 24, 1972

S - Winchester Bay Sanitary District (Salmon Harbor)

Background

1. On November 2, 1971, the Department received a petition filed by Steven R. Schell, NW Environmental Defense Center on behalf of Earl Sykes, 174 N. 16th St., Reedsport, Oregon. The petition alleges violation of DEQ Water Quality Standards in Salmon Harbor Boat Basin No. 1 (on the basis of one sample showing an MPN of 260 as compared to our standard of 240); takes notice of the additional 960 boat slips being added by the new boat basin, and claims that adequate sewage treatment facilities for recreational boats do not exist in and around Salmon Harbor.

2. Winchester Bay is located at the mouth of the Umpqua River and is a highly used area for sport and commercial fishing. The unincorporated community has a present resident population of about 525 with a 1990 projected resident population of about 800. These population figures do not include tourists or transients.

3. Salmon Harbor is the portion of Winchester Bay that has been developed and is presently being expanded as a boat basin. Development of Salmon Harbor involves four organizations:

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(1) Douglas County Parks Department, (2) Douglas County Board of Commissioners, (3) Port of Umpqua, and (4) Salmon Harbor Management Committee. The Port of Umpqua is a Port District deriving revenue from taxes in the Winchester Bay, Reedsport, Gardiner, and Scottsburg areas. Douglas County and the Port of Umpqua are equal partners in Salmon Harbor. Douglas County finances capital improvements and may be reimbursed 50% by the Port. The Port is responsible for operation of Salmon Harbor and acts through the Salmon Harbor Management Committee. In development of Salmon Harbor a portion of the annual income to the Port is being allocated to construction of the new boat basin.

4. Salmon Harbor development began in about 1950 with construction of the original boat basin and other harbor improvements. During the winter of 1970 a new boat basin was dredged in Salmon Harbor adjacent to the old basin. The new basin is known as the West Bay development. In April 1971, Douglas County financed a Master Plan for Salmon Harbor, West Bay development. (A copy of the Master Plan is available in the Department files.) In July 1971, the Douglas County Parks Department obtained a U.S. Army Corps of Engineers permit to construct mooring floats and ramps in the existing boat basin. The permit application was reviewed by the staff and no objections to the project were stated at that time. A contract was awarded in February 1972 for construction of new docks for 112 boats.

5. The Douglas County Health Department has recognized deficiencies in septic tank and drainfield systems for sewage disposal in the community of Winchester Bay. Sanitary surveys were conducted in cooperation with the State Board of Health and a report by the Douglas County Health Officer documented sewage disposal deficiencies in a report published in 1964. Through efforts of the Health Department, DEQ staff and interested local people, the Winchester Bay Sanitary District was formed in August 1967. The Sanitary District obtained financing from the U.S. Department of Housing and Urban Development for a preliminary engineering study for sewage collection and treatment. The study was completed by CH_2M/Hill in April 1969, and was reviewed by the Department June 10, 1969. A bond issue in the amount of $179,000 to provide local finances for a $514,000 project was defeated on May 25, 1971 by a vote of 72 to 33. Sewage treatment for Salmon Harbor was included in the cost estimate at a cost of about $40,000.

6. Prior to 1967, insanitary and overcrowded overnight camping occurred throughout Winchester Bay and the Salmon Harbor area. In 1967 Windy Cove Park was constructed by the Douglas County Parks Department adjacent to both the old boat basin and the new West Bay Development. Umpqua Lighthouse State Park, near the boundary of Winchester Bay Sanitary District, also provides some recreational camping facilities.

Evaluation

1. Dockside sewage dump stations are scheduled to be provided for boat holding tanks as each dock is constructed in a phased program. Douglas County agreed to provide the facilities as a stipulation to receiving a Corps of Engineers permit for construction of the docks. There is no reason at the present time to believe Douglas County will not provide the dump stations as indicated. In either event, either EPA or Corps of Engineers should be able to enforce conditions of the permit requiring dump stations with each phase of dock construction.

2. Disposal of sewage from the dump stations is proposed to be to septic tank and drainfields until a sanitary sewerage system is available. It is difficult to predict the additional amount of sewage that may be generated from construction of the new docks. Due to the large numbers of tourists already in the area during the summer it is possible that construction of dockside dump stations and public restrooms would serve only to provide a better method of sewage disposal compared to dumping the wastes in Winchester Bay or on public or private lands. Thus, it appears to be in the public interest to allow or require construction of public restrooms and dockside dump stations even if the sewage from those facilities must go to septic tanks and drainfields until a sanitary sewer is available. Use of septic tanks and drainfields is the present method of sewage disposal utilized within the community of Winchester Bay. The need for sanitary sewers to serve Salmon Harbor developments is no more or no less important than the need to provide sewage collection for all of Winchester Bay. Sewage treatment to serve either must serve both to assuredly eliminate sewage disposal deficiencies in the area.

3. Salmon Harbor is conspicuously posted to prohibit dumping bilges or holding tanks in the water. A deputy sheriff is on duty during the fishing season from 9:00 p.m. to 6:00 a.m. to enforce the prohibition through citations or reports to the Harbor Master. During the hours of 6:00 a.m. to 9:00 p.m.

the regulation is enforced by the dock tenders. Enforcement involves action against people who are actually observed discharging wastes inside the boat basin. A more thorough inspection program could improve regulatory control of boat use in Salmon Harbor.

4. Conditions of insanitary sewage disposal from overcrowded overnight camping prior to 1967 was improved by construction of Windy Cove Park by Douglas County. Trailer dump stations exist at this park for disposal of sanitary sewage. Two (2) new restrooms have been provided for fill areas in the old boat basin. Previous use of these two areas resulted in overnight camping without adequate sewage disposal. Insanitary conditions from unregulated overnight camping still exist in parking areas along Beach Boulevard. An ordinance and policy have recently been adopted by the Douglas County Parks Department to prohibit overnight camping on county property except in designated areas. A deputy sheriff has been hired to implement the policy. Greater regulation and control of camping by the Douglas County Parks Department on county property may shift the large number of campers and trailers to other public or private areas possibly overtaxing existing sewage disposal facilities or causing camping in areas not properly developed as camp sites.

5. Fish cleaning facilities are not presently provided and are proposed for the new boat basin (West Bay Development) only if a sanitary sewer is available. The need for adequate fish cleaning and waste disposal facilities exists and will not be satisfactorily resolved until sanitary sewage collection and treatment is made available. In general, liquid disposal of fish cleaning wastes should not take place in a septic tank and drainfield system due to high solids concentrations. Cleaning of fish by dumping the entrails into the bay could be immediately improved by deposit of the material into garbage cans if they were provided.

6. Refuse (solid waste) disposal is to the Reedsport sanitary landfill through franchised collectors. Deficiencies exist at the Reedsport landfill but those deficiencies are not directly related to development of Salmon Harbor. Improvements to the Reedsport landfill will be considered in a pending overall evaluation of solid waste disposal for Douglas County.

7. Ground and storm water drains have been observed carrying percolating septic tank effluents and raw sewage to Winchester Bay. Bacteriological sampling of one drain has shown abnormally high concentrations of

coliform bacteria. Topography, tidal fluctuations, and high population density make conditions for septic systems poor and require the construction of sanitary sewage collection and treatment facilities to provide fully acceptable sewage disposal for Winchester Bay and Salmon Harbor. The Douglas County Health Officer has documented these conditions and has indicated sewage collection and treatment as the only acceptable method of sewage disposal to protect the public health.

8. The Winchester Bay Sanitary District sewerage program is deficient in local financial arrangements. Total project costs were estimated in 1969 in a preliminary report by CH_2M/Hill at about $447,000. Due to rising costs in the same initial construction would cost $541,000 in March 1972. Delay has increased the costs about $94,000. Cost of an addition to the initial system to include Umpqua Beach Resort is estimated at $45,000 bringing the total 1972 costs to $586,000. A financing scheme proposed prior to the May 1971 bond issue election included a $74,000 grant from EPA and a grant for $130,000 from FHA. At that time Douglas County agreed to provide $101,000 in prepaid assessment charges. Based on March 1972 cost figures of a total project cost of $586,000, an EPA or DEQ grant of about $88,000 would be required with an FHA grant of $130,000. Douglas County participation through prepaid assessment charges has been increased to $150,000 as of March 1972, or an increase of $49,000 over the county's initial participation proposed in May of 1971. A question remains as to the availability of FHA grant funds of $130,000. Recent indications are that the District has not applied for an FHA grant so it would take about two (2) years from the date of application to secure those funds. FHA grants cannot be made on a reimbursible basis, so if the project is tied to an FHA grant, it could not be constructed until the money is actually offered.

9. Consideration was given to including Umpqua Beach Resort and Umpqua Lighthouse State Park in the initial construction. At that time (May 1971) it was decided not to include these areas due to the high cost of extending the sewers compared to the revenue return. Umpqua Beach Resort is within the boundaries of the District but Umpqua Lighthouse is just outside the boundary. A sewer extension to serve both these areas is highly desirable and should be accomplished as soon as possible; however, initial construction should not be delayed in order to arrange additional financing to sewer the area to the State Park at this time. It may be best to include the Umpqua

Beach resort area now and have eventual inclusion of the Umpqua Lighthouse State Park and the nearby Coast Guard Station when financing will permit.

10. Final engineering plans have not been prepared. Capacity has been included in the preliminary plans to serve the entire West Bay development of Salmon Harbor. Construction of sewers to serve the West Bay can be done either under the initial construction or at a later date as commercial developments dictate. Under the presently proposed financing scheme, design and construction of main sewers to Salmon Harbor would not be included due to the cost. Douglas County could construct sewers for the area, however, as a separate item from the initial construction.

Conclusions:

1. More people are attracted to the Winchester Bay-Salmon Harbor area during peak recreational seasons than can be adequately accommodated by existing developed camping areas and sanitary facilities.

2. Septic tank and drainfield sewage disposal systems in Winchester Bay area have been demonstrated to be deficient and have resulted in septic tank effluent on the ground surface, in the ditches and discharging to Winchester Bay.

3. A sewerage system to serve the community of Winchester Bay and the Salmon Harbor development is urgently needed to protect public health and water quality in Winchester Bay.

4. Construction or development of further facilities that would result in attracting more recreationists to the Winchester Bay-Salmon Harbor area should be discouraged or prohibited until adequate sanitary facilities are scheduled for construction.

5. Once firm plans and time schedules for providing an area-wide sewerage system are assured, interim development could be permitted in certain areas where septic tank and drainfield systems might be approvable by the Douglas County Health Department to serve a limited time.

Director's Recommendations

It is recommended that:

1. The Winchester Bay Sanitary District be directed to immediately proceed with financing and construction of sewage collection and treatment facilities with adequate capacity to serve, at least, Winchester Bay and the proposed development of Salmon Harbor. The following time schedule is recommended:

Prior to June 16, 1972	Complete financial arrangements
Prior to September 15, 1972	Complete final engineering plans
Prior to October 31, 1973	Complete construction

2. Douglas County and the Douglas County Health Department be requested to prohibit the construction of further people-attracting facilities in the Winchester Bay area until firm plans and a definite time schedule for providing the needed sewerage facilities have been established and is being implemented.

3. The Department of Environmental Quality encourage, promote and assist the development in the area-wide program of sewerage collection and treatment and request the cooperation of all entities involved including the State Parks Department, the U.S. Coast Guard, Douglas County, and Winchester Bay Sanitary District to provide the needed facilities.

4. If adequate progress is not made by May 1, 1972 on a voluntary, cooperative basis in providing the necessary sewerage facilities, a formal public hearing will be scheduled before the Environmental Quality Commission at their June 1, 1972 meeting in Bend, Oregon to order the implementation of an effective and timely program.

L.B. Day

FMB:3/15/72

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

TOM McCALL
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ARNOLD M. COGAN
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Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. J, EQC Meeting, March 24, 1972

S - Arlington, Sewage Treatment Plant Improvements

Background

The city of Arlington presently operates a primary treatment plant constructed in 1966 and discharge is to the Columbia River. The Implementation and Enforcement Plan which was adopted by the State Sanitary Authority on June 1, 1967, stipulated that the city of Arlington had a five-year period to provide the needed secondary treatment facilities but by no later than July 1972. The city was informed of this requirement by letter in July 1967.

The city was issued a waste discharge permit in May 1968 in which a detailed program and time schedule was requested by July 1969 for providing the necessary facilities. A program and time schedule was submitted by the city's consulting engineer which adequately developed the work to be completed. The next permit was issued to the city in February 1970 and expires July 31, 1972, which outlined the proposed program and time schedule to install the facilities by July 1, 1972. The city made some progress toward providing secondary treatment. They retained a consulting engineer and a preliminary engineering report was completed in June 1970 which proposed several alternatives for providing secondary treatment facilities. At this point the city's program bogged down and since then has never really gotten started again.

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The city has determined that they do not need to hold an election in order to issue up to $100,000 in bonds. This would appear to be adequate to finance the local share of the cost of upgrading the existing primary sewage treatment plant to secondary treatment.

The city has never authorized their consulting engineer to proceed with the final engineering design plans, although this was to be completed by April, 1971. Possibly this was due to the status of the state bonding program or because of the fact that the city changed consulting engineers.

The city council now would also like to consider alternatives other than upgrading facilities at the present plant site.

Last fall the city discussed the need of a supplemental study which would determine the feasibility of withholding all discharge from the river by the construction of a lagoon and irrigation disposal system on the higher land beside the city. As a result of our letter to the city requesting that they appear at this meeting today, and the Department's attendance at the council meeting on March 8, 1972, the city retained a consulting engineering firm to complete the supplemental study.

Evaluations:

1. The city has had sufficient time to proceed in an orderly manner to provide the necessary secondary treatment facilities.

2. Financing apparently is not a problem.

3. The city has not authorized the start of the final engineering plans preparatory to advertising for bids and beginning construction.

4. The city has not met and will not meet the conditions of the existing waste discharge permit and will not be able to provide the required secondary treatment facilities by July 1, 1972, to meet the state's implementation schedule.

Director's Recommendations:

It is recommended that:

1. The city of Arlington be directed to proceed immediately to finally design and construct approved secondary treatment facilities.

The following time schedule is recommended:

Prior to August 1, 1972	Complete final engineering plans.
Prior to September 15, 1972	Start construction.
Prior to August 1, 1973	Complete construction.

2. The city be required to submit the necessary information along with an adopted revised program and time schedule to properly modify their existing waste discharge permit.

3. That the city be required, as a condition of its waste discharge permit to submit monthly progress reports and if the city does not make adequate progress in providing the needed facilities, a public hearing be immediately scheduled before the Environmental Quality Commission to order the city to install the treatment facilities.

L. B. Day

3/15/72

DEPARTMENT OF
ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 10, 1972

Memorandum

To: Environmental Quality Commission
From: Director
Subject: Agenda Item K, March 24, 1972 EQC Meeting

Hearing re: PLAN FOR IMPLEMENTATION AND ENFORCEMENT OF WATER QUALITY AND WASTE TREATMENT STANDARDS FOR THE STATE OF OREGON

BACKGROUND

On June 1, 1967, the Oregon State Sanitary Authority, predecessor of the Department of Environmental Quality, adopted water quality standards for the interstate waters of Oregon. As supplementary material to the standards, the OSSA also adopted an Implementation and Enforcement Plan for the Public Waters of Oregon.

The Water Quality Standards and the Implementation and Enforcement Plan were submitted to the Federal Water Pollution Control Administration for approval as required by the Federal Water Quality Act of 1965. With the exception of the Goose Lake and Klamath River Standards, Oregon's standards were approved by the Secretary of Interior on July 18, 1967, one of the first 3 states to receive such approval. The Goose Lake and Klamath River Standards were not approved initially because California had not yet submitted its standards for these waters, hence compatibility could not be established. These standards were subsequently approved.

Tables 2A through 2H of the Implementation and Enforcement Plan set forth the major or significant sources of waste in the basins involved and enumerated the action that was required on the part of each to insure compliance with the adopted standards.

More than 4 1/2 years have elapsed since the standards and implementation plan were adopted, and many changes have taken place. It is therefore desirable to review the status of water quality in Oregon and the adopted implementation plan and formally make any adjustments that are necessary.

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EVALUATION OF WATER QUALITY IN OREGON

Exhibit A (Table 1) at the end of this report shows an evaluation of water quality for each major drainage basin in Oregon, relative to compliance with established water quality standards. A plus mark (+) in the respective parameter columns denotes general compliance with the standards. A minus symbol (-) indicates substantial partial or fulltime noncompliance.

Only the Tualatin and Klamath River Basins still fail largely to meet established standards. Both of these suffer from extraneous conditions quite beyond the effects of controllable waste sources.

The Klamath Basin is naturally "enriched" and degraded before the infusions of wastes from man's activities. Its flow is fully controlled and regulated for agricultural irrigation and hydroelectric power projects.

The Tualatin River suffers a total loss of flow in its middle and lower reaches each summer due to irrigation withdrawals. Sewage treatment plant effluents often make up a significant volume of the remaining stream flow in its lower reaches, making poor stream quality inevitable until summer streamflows can be augmented.

In the overall evaluation of statewide water quality conditions relative to meeting prescribed standards of purity, there are three major limiting factors which stand out boldly.

First is that water quality of every drainage basin suffers degradation each summer due to the sheer loss of flow to comsumptive water uses. Many major streams and tributaries are reduced to sluggish, warm flows and others are dried up completely.

A number of streams in Oregon have been rated as not complying with temperature standards during the summer months. None of the high temperatures result from heated effluent discharges. In each case, it is solar radiation heating diminished flows.

Second, every major stream is roiled by heavy sediment loads during periods of moderate-to-peak runoff. Some of the sediment is from natural sources.

Others can be traced to poor land management practices. Logging, road building, grazing, mining and urban land developments are the most common sources.

The third quality limiting factor is lack of control over bacterial sources. With few exceptions, every urban community in Oregon has effective sewage treatment and disinfection of effluents. Even so, enteric bacteria levels in many streams remain significantly higher than can be accounted for from sewage sources.

Recent bacterial studies have shown two major sources of enteric bacteria other than from sewage treatment plants. One is from land runoff, especially agricultural and urban storm drainages. The other major source is bacterial growth in the organic solutions from certain industries.

Of these three major limiting factors, the loss of stream flow from consumptive uses is the most detrimental to water quality. The value of a flowing stream needs public recognition and support equal to that given to the protection of water quality through the control of waste discharges.

EVALUATION OF WASTE SOURCE CONTROL REQUIRED UNDER THE 1967 IMPLEMENTATION AND ENFORCEMENT PLAN

Tables 2A through 2H of the May 1967 Implementation and Enforcement Plan have been revised and updated and are attached correspondingly as Tables 2A (1) through 2H (2) of Exhibit B of this report. To facilitate comparison, the "present treatment" and "needed action" for both 1967 and March 1972 are presented.

In summary, the revised tables indicate the following:

A. Sixty-four cities and industries have completed the facilities necessary to comply with the 1967 implementation plan. Within this group, extensions of time from the original deadlines were granted for 32 sources. These extensions were considered by the EQC and incorporated into schedules contained in specific Waste Discharge Permits.

B. Thirty-three cities and industries have not yet completed the facilities needed to comply with the 1967 plan deadlines.

   1. Five of these are on schedule and are expected to meet the 1967 plan deadline of July 1972.

   2. Twenty-eight have not or will not meet the original 1967 plan deadline.

      a. Five of these are industries that are proceeding in accordance with programs contained in specific waste discharge permits issued by the Department.

b. Twenty-three of these are cities that are behind the 1967 plan schedule for a variety of reasons. In most cases, the uncertainty of the status of Federal Construction Grant funds and the lack of availability of sufficient funds during the period from 1967-1970 have caused delays in arranging sufficient financing to proceed with construction. Other reasons for delay include efforts to achieve agreements for regionalization, delays in arranging EDA financial assistance, requirements for revision of engineering plans, and in one case, apparent reluctance to proceed.

The Department proposes by adoption of the revised Tables 2A through 2H to extend the plan compliance deadlines for the 28 cities and industries referred to in B2 above and officially acknowledge the 32 extensions previously granted as referred to in A above. Specific Waste Discharge Permits for those dischargers for which extensions are proposed will require completion of the required facilities at the earliest possible date before the stated revised plan deadline. It is not proposed that any deadline be extended beyond December 1973.

Exhibit C, attached, more fully details the status of the five industries and 23 cities whose facilities are not yet complete and for which time extensions are proposed.

OREGON'S OVERALL PROGRAM FOR WASTE SOURCE CONTROL TO ACHIEVE AND MAINTAIN COMPLIANCE WITH WATER QUALITY AND WASTE TREATMENT STANDARDS

It should be noted that the 1967 Implementation and Enforcement Plan did not include all waste sources within the covered basins. Implementation of the Waste Discharge Permit law which passed in 1967 began in January, 1968. Since that time, all major waste sources have been placed under specific waste discharge permits. Permit applications for many minor sources are pending at this time. A significant number of permit renewal applications are also pending.

The Waste Discharge Permit under Oregon Law and the rules of the Department is the best and most logical vehicle for implementation of Oregon's Water Quality and Waste Treatment Standards. Therefore, the Department proposes to formally establish that its primary implementation plan shall be its Waste Discharge Permits.

To accomplish this, it is proposed to amend OAR Chapter 340, Section 41-022 as indicated specifically in Exhibit D.

In order to keep the Federal Environmental Protection Agency formally advised of Oregon's program, copies of all current permits will be forwarded to EPA. As new permits are issued, and as existing permits are modified or renewed, copies will be forwarded to EPA. In addition, copies of all proposed permit provisions will be forwarded to EPA for review prior to issuance. (EPA currently has copies of all DEQ permits, receives copies of all new permits issued, and is provided copies of all permit proposals for review prior to issuance.)

DIRECTOR'S RECOMMENDATIONS

It is recommended that the Commission adopt the following:

1. The Implementation and Enforcement Plan for the Public Waters of Oregon, May 1967 which is referred to in OAR Chapter 340, Division 4, Subdivision 1, Section 41-075 shall be amended by adoption of Tables 2A (1), 2A (2), 2B, 2C, 2D (1), 2D (2), 2E (1), 2E (2), 2F (1), 2F (2), 2G (1), 2G (2), 2H (1) and 2H (2) contained in Exhibit B to replace Tables 2A, 2B, 2C, 2D, 2E, 2F, 2G, and 2H of the 1967 plan.

2. OAR Chapter 340, Division 4, Subdivision 1, Section 41-022 shall be amended as set forth in Exhibit D.

It is further recommended that this officially adopted program together with copies of all current waste discharge permits be transmitted by the governor to EPA with the request that:

1. Oregon's revised implementation plan including revised Tables 2A through 2H and OAR-340-41-022 as amended be accepted and formally approved as meeting Federal requirements for implementation of Water Quality Standards.

2. Oregon's current and future Waste Discharge Permits be accepted and formally approved as fulfilling the requirements for Federal Discharge Permits in order to avoid the cost and confusion of duplicative State and Federal Permit programs.

3. The State of Oregon be officially notified within 60 days as to EPA's intended actions relative to this request.

L. B. Day

HLS:ak

APPENDIX

EXHIBIT A

Table 1

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATUS OF COMPLIANCE WITH STATEWIDE WATER QUALITY STANDARDS—December 1970

Representative Water Quality: A plus (+) denotes general compliance with standards; a minus (—) indicates substantial partial or full-time non-compliance.

Stream	*Type of Standards	**Temperature	Dissolved Oxygen	Electrical Conductivity	***MPN	Color	Turbidity	Total Solids	Suspended Solids	pH	Remarks
Alsea	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Alsea Bay	S	+	+	+	+	+	+	+	+	+	MPN levels affected by land runoff. High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.
Chetco	G	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Temperature naturally high in late summer.
Clackamas	S	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Flows broadly fluctuated for electrical power generation. MPN levels periodically high near mouth from land runoff. Daily flow fluctuations in the lower river should be leveled out to eliminate the stream debilitating conditions that now occur in the low flow period of the cycle.
Columbia	S	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Temperature naturally reaches 72°F in late summer.
Coos Bay	S	+	+	+	+	+	+	+	+	+	Substandard water quality in dead-end Isthmus and Coalbank Sloughs due to wide spread log dumping, storage, and handling, plus low freshwater inflow and no flushing during summer. High MPN levels in upper bay near cities, industries, and docking areas. MPN levels acceptable elsewhere in bay. Water temperatures naturally high in upper areas through late summer. Needs augmented inflow of fresh water in summer for flushing of upper channels.
Coquille	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows seriously reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Coquille Bay	S	+	+	+	+	+	+	+	+	+	Low D.O. levels and high temperature in sluggish areas at upper bay during summer caused by lack of flushing flows and log storage. MPN high from land runoff. Needs augmented inflow of fresh water in summer. Needs control of log debris in upper reaches.

*S = Special Standards. G = General Standards.

**The effect of solar heat on reduced flows causes most waters in Oregon periodically to warm above the temperature standards adopted for fishery protection.

***The MPN bacterial standard is based on fecal sources. The MPN data in records reflect all sources.

Stream	*Type of Standards	**Temperature	Dissolved Oxygen	Electrical Conductivity	***MPN	Color	Turbidity	Total Solids	Suspended Solids	pH	Remarks
Deschutes	S	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN sporadically high from land runoff. Reservoirs suffer from algae blooms. Flows drastically reduced in mid-section by irrigation uses. Needs increased base flows between Bend and Round Butte reservoir.
Goose Lake	S	+	+	+	+	+	+	+	+	+	Naturally turbid all of the time due to wind action on shallow water over heavy silt beds.
Grande Ronde	S	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Summer flow drastically reduced by irrigation uses resulting in sluggish, warm, algae laden waters. MPN levels high from land runoff. Needs low-flow augmentation.
Hood	G	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from glacial silt. MPN levels vary with land runoff.
John Day	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Excessively warm in summer. Flows greatly reduced by irrigation uses. MPN high from land runoff. Needs low-flow augmentation.
Klamath	S	—	—	+	—	—	+	+	—	—	Combination effects of water manipulation for irrigation and hydroelectric power, plus decaying algae sometimes reduce D.O. to substandard levels. Water quality strongly influenced by natural algae blooms. Temperatures naturally high in late summer.
Malheur	G	—	+	+	+	+	—	+	—	+	Turbidity seasonally high from land runoff and irrigation waste water. Flows greatly reduced by irrigation uses result in high summer temperatures. MPN high from land runoff. High nutrient levels contribute to choking algae blooms and poor water quality in reservoirs. Needs low-flow augmentation.
McKenzie	S	+	+	+	+	+	+	+	+	+	Land runoff affects MPN levels. Turbidity seasonally high from land runoff. Temperature naturally above standard in summer.
Molalla	S	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Temperature naturally above standard in summer. Needs low-flow augmentation.
Nehalem	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses resulting in high water temperatures in late summer. Needs summer flow augmentation.

Stream	*Type of Standards	**Temperature	Dissolved Oxygen	Electrical Conductivity	***MPN	Color	Turbidity	Total Solids	Suspended Solids	pH	Remarks
Nehalem Bay	S	+	+	+	–	+	+	+	+	+	MPN affected by land runoff and sewage discharges from Nehalem and Wheeler. High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.
Nestucca	G	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Netarts Bay	S	+	+	+	+	+	+	+	+	+	Netarts Bay has no significant, controllable water quality deficiencies.
Owyhee	G	–	+	+	+	+	–	+	–	+	Much of the flow is irrigation waste water which is excessively warm and algae laden during the summer months. MPN high from land runoff. Flows greatly reduced by irrigation uses. Needs low-flow augmentation.
Powder	G	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Stream bed dried each summer in middle reaches due to irrigation uses. Sluggish and algae laden each summer in lower reaches due to irrigation waste water. Needs low-flow augmentation.
Pudding	G	–	+	+	–	+	+	+	+	+	Turbidity seasonally high from land runoff. Stream bed sometimes dried by irrigation uses. MPN high from land runoff. Needs low-flow augmentation.
Rogue	S	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. Many tributaries drastically reduced or dried by irrigation uses. MPN high from land runoff. Temperatures naturally rise to 80°F in late summer. Needs low-flow augmentation.
Salmon	G	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Sandy	S	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from glacial silt. MPN levels vary with land runoff. Flows broadly fluctuated for electrical power generation. Daily flow fluctuations in lower river should be leveled out to eliminate stream debilitating conditions that now occur in the low cycle periods.
Santiam	S	+	+	+	–	+	+	+	+	+	Flows currently well maintained by reservoir releases. MPN levels above standard in lower South Santiam River due to bacterial regrowth on industrial effluents. Turbidity seasonally high from land runoff.

Stream	*Type of Standards	**Temperature	Dissolved Oxygen	Electrical Conductivity	***MPN	Color	Turbidity	Total Solids	Suspended Solids	pH	Remarks
Siletz	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Siletz Bay	S	+	+	+	+	+	+	+	+	+	High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.
Siuslaw	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low flow augmentation.
Siuslaw Bay	S	+	+	+	+	+	+	+	+	+	Occasional problems from log debris. MPN levels affected by land runoff. High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.
Snake	S	—	+	+	—	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff and regrowth on organic effluents from industries. High nutrient levels contribute to choking algae blooms and poor water quality in reservoirs. Temperatures naturally reach upper range 72 - 74°F in summer.
Sprague	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses, resulting in high water temperatures. Needs low-flow augmentation.
Tillamook Bay	S	+	+	+	—	+	+	+	+	+	High MPNs in upper bay arms principally from livestock during periods of land runoff. MPN in shellfish areas good. High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.
Trask	G	—	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperature high in late summer because of depleted flows. Needs low-flow augmentation.
Tualatin	S	—	—	+	—	—	+	+	—	+	Suffers from drastic flow loss for irrigation uses. High temperature, algae blooms, and large volumes of treated sewage effluents further degrade quality. Turbidity seasonally high from land runoff. Needs low-flow augmentation.

Stream	*Type of Standards	**Temperature	Dissolved Oxygen	Electrical Conductivity	***MPN	Color	Turbidity	Total Solids	Suspended Solids	pH	Remarks
Umatilla	G	–	+	+	+	+	+	+	+	+	Stream dried each summer due to irrigation uses. Turbidity seasonally high from land runoff. MPN high from land runoff. Needs low-flow augmentation.
Umpqua	S	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. South Umpqua flows minimal and warmed in summer. Many tributaries dried by irrigation uses. MPN high from land runoff. Needs low-flow augmentation.
Umpqua Bay	S	+	+	+	+	+	+	+	+	+	Some log debris in Smith River and Scofield Creek arms. 73 - 74°F water temperature in upper estuary regions during summer due to warm fresh water inflow.
Walla Walla	S	–	+	+	+	+	+	+	+	+	Stream bed dried each summer due to irrigation uses. MPN levels high from land runoff. Needs low-flow augmentation.
Willamette	S	–	+	+	–	+	+	+	+	+	Turbidity seasonally high from land runoff. Bacterial levels high due to land runoff and regrowth on organic effluents from industries. Water quality substandard in Scapoose and Columbia Sloughs due to industrial activity and no flushing. Temperatures naturally above standard in summer. Low flows require augmentation to minimum of 6,000 cfs at Salem.
Williamson	G	+	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses.
Wilson	G	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Yaquina	G	–	+	+	+	+	+	+	+	+	Turbidity seasonally high from land runoff. MPN high from land runoff. Flows reduced by irrigation uses. Temperatures high in late summer because of depleted flows. Needs low-flow augmentation.
Yaquina Bay	S	+	+	+	+	+	+	+	+	+	Summertime D.O. levels substandard in upper bay due to low freshwater inflow, poor flushing, and log storage. D.O. levels in lower bay always good. MPN levels sometimes high in upper bay, but always good in shellfish areas. High water temperatures in upper estuary regions during summer. Needs augmented inflow of fresh water in summer for flushing of upper region.

Legend for Tables 2A through 2H

Abbreviations used in tables

OSSA	Oregon State Sanitary Authority
DEQ	Department of Environmental Quality
FWPCA	Federal Water Pollution Control Administration (Now EPA)
EPA	Environmental Protection Agency
ST	Septic tank
DF	Drainfield
CP	Cesspool
AD	Aerobic digestion
AS	Activated Sludge
Cl	Chlorination
TF	Trickling filter
L	Lagoon

Numbers used in tables

Action for Municipalities of the Willamette Basin

(1) Injunctive action filed in Polk County Circuit Court, 12/19/66.

(2) Seven private properties connected to private sewer. Program under way to abate private discharges. No progress by city for providing municiapl sewerage system.

(3) A portion of the area (industrial and domestic) is connected to area storm sewers. Program under way to collect and pump area wastes to Portland sewage treatment plant.

General Treatment, Studies or other Action

(4) Study requested by OSSA of FWPCA Water Laboratory, Corvallis, Oregon, to determine the effects of log storage and handling practices and to recommend possible alternate procedures.

(5) Study in progress by FWPCA Water Laboratory, Corvallis, to recommend methods of treatment or disposal of glue wastes.

(6) Secondary treatment of sewage wastes by July 1972.

(7) Application has been filed for 702 planning funds from HUD. Engineering plans under way for small segment of study area.

(8) Monthly reports needed.

Letters used in Tables

A Facilities deemed adequate at present. Continued surveillance required.

Table 2A (1)

Status of Significant Domestic Waste Sources

Klamath River Basin

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Chiloquin, City of	Williamson	10.0	Domestic	Secondary	Improved operation	Secondary(TF)	Diligent operation	
Klamath Falls, City of	Lake Ewauna	251.0	Domestic	Secondary (TF)	Continued surveillance	Secondary (AS)	A	Expansion and improvement completed 8/71/
Klamath Falls, City of, Airport	Lost R. Diversion Canal	9	Domestic	Secondary (AS)	Expansion of facilities construction started 1967.	Secondary (AS)	A	Expansion and improvement completed 2/69
Malin, City of	Ditch to Tule Lake		Domestic	Primary with sand filter	Secondary by July 1968	Secondary (L)	A	Completed secondary 7/69 in accordance with DEQ Permit cond.
Merrill, City of	Lost R.		Domestic	Intermediate trickling filter	Secondary by July 1968	Secondary (AS)	A	Completed secondary 6/70 in accordance with DEQ permit cond.
S. Suburban San. Dist.	Lake Ewauna	250.0	Domestic	Secondary (L)	Disinfection by 5/69	Secondary (L)	A	Disinfection completed by 5/69.

Table 2A (2)

Status of Significant Industrial Waste Sources

Klamath River Basin

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Klamath Lumber Co. Klamath Falls	Klamath River	248.0	Log storage and handling.	None on industrial. Sanitary ST-DF	Continued surveillance and Study.	Dry storage of logs. Sanitary ST-DF.	A	
Klamath Plywood Klamath Falls	Klamath River	247.5	Log storage, glue wastes and steam vat wastes.	None on industrial. Sanitary ST-DF	Continued surveillance and study.	Recirculation of plywood glue waste. Secondary treatment steam vat wastes. Control of floating log debris. Sanitary ST-DF.	Prior to Jan. '74 construct dry handling facilities for all logs or equivalent.	
Klamath Tallow Co. Klamath Falls	Klamath River	249.5	Rendering wastes.	None on industrial. Sanitary ST-DF.	Secondary treatment May 1968.	Land disposal. Sanitary ST-DF.	A	Complete land disposal installed 5/68 per permit conditions
Modoc Lumber Co. Klamath Falls	Upper Klamath Lake		Log storage and handling.	None on industrial. Sanitary to city.	Continued surveillance.	Control of floating log debris. Sanitary-city.	Prior to June 1974 construct dry handling facilities for 90% of all logs.	
T.P. Packing Co. Klamath Falls	Klamath River	248.0	Slaughterhouse waste.	Land disposal. Sanitary ST-DF.	Continued surveillance.	Anaerobic-aerobic lagoon (secondary treatment)	A	Improved treatment completed 9/70 per permit conditions.
Weyerhaeuser Co. Klamath Falls	Klamath River	246.5	Hardboard mill wastes, log storage. Plywood, particleboard.	Primary treatment (2-cell settling pond). Sanitary ST-DF.	Secondary treatment of sanitary and industrial wastes by May 1968.	Secondary treatment (recently expanded) (aerated pond) Dry handling of logs under phase-in schedule. Sanitary-secondary treatment, disinfection (lagoon). Plywood glue waste recirculation.	A	Secondary treatment of industrial, sanitary installed 6/68 per permit condition. Plant expansion accompanied by IW treatment expansion Fall 1971.

Table 2B

Status of Significant Domestic Waste Sources

Willamette River Basin

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Albany	Willamette River	119	Domestic	Intermediate	Secondary treatment by August 1968.	Secondary treatment. (AS)	A	Completed 11/69 per permit cond.
Banks	Dairy Creek	17	Domestic	Primary	Secondary treatment by July 1967.	Secondary treatment (AS)	A	Completed 7/67 per permit condition.
Canby	Willamette River	34	Domestic	Secondary	Plant expansion by September 1968. Planning of improvements, requested 8/29/66.	Secondary treatment. (AS)	A	New expanded plant completed 2/72. Connections were curtailed until completed.
Cottage Grove	Coast Fork Willamette	21	Domestic	Primary	Secondary treatment by July 1967.	Secondary treatment (TF).	A	Completed 7/67 as scheduled.
Dallas	Rickreall Creek	12	Domestic	Secondary	Plant expansion by September 1968.	Secondary treatment (AS)	A	Completed 7/69 per permit condition.
Fanno Creek	Fanno Creek	7.3	Domestic	Secondary	Plant expansion by January 1968.	Secondary treatment (AS)	A	Plant to be phased out 4/74.
Gladstone	Clackamas River	0.5	Domestic	Pumped to Ore. City STP	Improvements to pump station by Sept. 1967	Pump to Oregon City.	A	Improvements completed 5/68 per permit cond.
Grande Ronde			Domestic	Septic Tank	Secondary treatment by Sept. 1968. (under litigation) (1)	Septic tank-drain field. (No discharge)	A	Completed 4/68.
Harrisburg	Willamette River	161	Domestic	Primary	Secondary treatment by July 1967.	Secondary treatment (TF).	A	Completed 6/67 per permit cond.
Hillsboro(West)	Tualatin River	45	Domestic	Secondary and primary land disposal.	Expansion by January 1969.	Secondary treatment (AS)	A	Completed 3/71 per revised schedule.

Table 2B (continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Hubbard	Mill Creek	5	Domestic	Septic tank	Sewers and secondary treatment by July 1967.	Secondary treatment (TF)	A	Completed 6/67 per revised schedule.
Independence	Willamette River	96	Domestic	Primary	Secondary treatment by July 1967.	Secondary treatment (Lagoon)	A	Completed 9/67 per revised scheduled.
Junction City	Willamette	164.3	Domestic	Primary	Secondary treatment by July 1968.	Secondary treatment (Lagoon)	A	Completed 12/67 per requirements.
Laurelwood Academy	Hill Creek	6	Domestic	Secondary	Plant improvements by July 1967.	Secondary treatment (TF)	A	Completed 8/67 per permit condition.
Mahbrin Gardens	Willamette	86	Domestic	Primary	Connect to Salem system by July 1967.	Connected to City of Salem.	None	Connected to city system 5/68.
McMinnville	S.Fork Yamhill	3	Domestic	Secondary	Continued surveillance.	Secondary treatment (AS)	A	Plant expanded and upgraded 5/71 per permit cond.
Mill City			Domestic	No sewers(2)	Sewers and secondary treatment by September 1968 (2)	Subsurface	None	Treatment by subsurface disposal 7/68.
Monroe	Long Tom River	6.7	Domestic	None	Secondary treatment by July 1968.	Secondary treatment (Lagoon)	A	Completed in May 1968 as required.
Oakridge	Mid-Fk. Willamette	41.5	Domestic	Primary	Secondary treatment by Sept. 1968.	Secondary treatment (AS).	A	Completed 5/69 per revised schedule.
Portland (NW)	Willamette	7	Domestic	(3)	Lateral sewers, interceptors and pump station by Jan. 1968.	Pump station	Complete interceptor and pump station by Dec.'72	Guilds Lake interceptor completed.
Salem (Westside)	Willamette R.	80.5	Domestic	Septic tank	Connect to Salem system by September 1969 (area plan)	Secondary treatment (AS)	A	Completed 10/69.
Sheridan	S.Fork Yamhill	30	Domestic	Intermediate	Secondary treatment by July 1968.	Intermediate (TF)	Secondary treatment by August 1972.	

Table 2B (continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Silverton	Silver Creek	35.3	Domestic	Secondary	Pre-treatment of industrial waste by July 1968.	Secondary treatment (TF)	A	Industrial waste removed from municipal system 10/68.
Uplands Sanitary District	Johnson Creek	4.6	Domestic	Secondary	Plant improvements.	Secondary treatment (AS)	None	Sewer system was connected to master system Jan. 1972.

Table 2C

Status of Significant Industrial Waste Sources

Willamette River Basin

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Air Reduction (Pacific) Co.	Willamette River	7.0	Carbide wastes	Discharge to Doane Lake. Seepage to river. Sanitary ST-DF.	Connect domestic wastes to city sewer when sewer is completed.	Discharge industrial process to Doane Lake. Seepage to river. Sanitary ST-DF.	Connect domestic wastes to city sewer when sewer is completed.	Sewer scheduled for completion October 1972.
Alpenrose Dairy	Fanno Creek	13	Dairy barn wastes, milk and cheese processing wastes.	Extended aeration and aerated lagoon irrigation during summer months. Sanitary to ST and IW system.	Connect to city sewer.	Extended aeration and aerated lagoon irrigation during summer months, city sewer rest of year. Sanitary to city sewer.	A	
Arrow Meat	Council Creek	3	Slaughter-house wastes.	Screening, grease removal, blood removal land disposal low flow. Sanitary to ST-DF.	Continued surveillance.	Closed down.		
Barker-Willamette Lumber Company, Eugene	Amazon Creek		Log pond overflow	Disposal field. Sanitary ST-DF.	(5)	Non-overflow log pond. May-November. Sanitary to city.	A	
Bigger-N-Better Poultry, Milwaukie	Kellogg Creek	4	Floor washing from cut and wrap operations.	Settling and spray irrigation. Sanitary ST-DF	Continued surveillance.	City sewer. Industrial and sanitary.	A	
Bird and Son (formerly Pabco)	Willamette River	7.6	Felt paper wastes	Saveall to river Sanitary ST-DF.	City sewer under construction in area.	Saveall, industrial process to city sewer. Sanitary ST-DF.	A	
Birds Eye Div. General Foods Woodburn	Pudding River	25	Fruit and vegetable processing.	Screens, preaeration oxidation lagoons land disposal. Sanitary to city.	Continued surveillance.	Screens, preaeration, oxidation lagoons. Land disposal of high strength waste. Sanitary to city.	A	
Bohemia Lumber Company	Row R. (Culp Cr.)	16	Glue wastes & log pond overflow.	Wastes through 400 yard settling ditch. Sanitary ST-DF.	(4) (5)	Recirculation of plywood glue waste. Diversion of creek to bypass log pond. Sanitary ST-DF.	Control of log decks sprinkling drainage.	

Table 2C

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Boise Cascade Corp., Salem	Willamette River	85	Sulfite mill wastes	Storage of all SWL during summer months. Sanitary to city.	Primary settling facilities under construction. Chemical recovery and secondary treatment by July 1972.	Storage of all SWL during summer months. Primary settling facilities for white water and bleach plant wastes.	Chemical recovery and secondary treatment or equivalent control by July 1972.	(On schedule)
Butler Farms (formerly Phillips Bros.)	Pudding River	9	Silage waste	Collection ponds and irrigation. Sanitary ST-DF.	Continued surveillance.	Closed down.		
Cargill, Inc.	Willamette River	4.7	Grain wash waters.	Discharge to river. Sanitary to river.	Connect to city sewers as soon facilities are available.	Grain washing stopped. Sanitary to sewer.		
Chevron Asphalt Co.	Willamette River	8.0	Heavy oils and asphalts	Sedimentation tanks (discharge via NW 54th Ave. sewer) Sanitary to city.	Interceptor sewer under construction.	Connected to sewer.		Connection made 9/69.
Crown Zellerbach, Lebanon	South Santiam River	17	Sulfite Pulping and paper mill waste.	Primary sedimentation Evaporation of SWL for burning or by-product recovery. Sanitary to city.	Secondary treatment by 5/68.	Primary sedimentation Evaporation of SWL for burning or by-product recovery. Secondary treatment. Sanitary to city.	A	Secondary completed 4/69 per DEQ permit requirements.
Crown Zellerbach (West Linn)	Willamette River	26	Paper mill wastes	Primary sedimentation year-round, SWL stored in lagoons during low flow months. Sanitary to city.	Chemical recovery and secondary treatment or equivalent control by 6/68.	Primary sedimentation of white water. chemical pulping shut down.	Secondary treatment of total mill wastes by 7/72.	Sulfite pulping terminated 6/68. (On schedule)
Dickinson Co.	Fanno Creek	3	Jam & Jelly process.	Settling pond Sanitary to ST-DF.	Connection to city sewer.	Settling pond, to city sewer. Sanitary ST-DF.	A	
Dreyfus Louis Corp.	Willamette River	12.3	Grain wash water.	Discharge to river. Sanitary ST-DF.	Connection to city sewer by 9/1/67.	Grain washing stopped. Sanitary to ST-DF.		
Dulien Steel Complex (now Broadway Holding Co.)	Willamette River	4.5	Domestic sewage	Discharge to river.	Connect to city sewer 1967-1968.	Connected to city sewer.		Connection made in 1969.

Table 2C

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Evans Products Co., Corvallis	Willamette River	132	Hardboard plant wastes. Battery separator plant waste.	Primary settling pond. Sanitary ST-DF.	Secondary treatment by May 1968.	Primary settling pond, aerated lagoon, secondary settling pond. Hardboard plant Sanitary ST-DF. Separator plant sanitary to city.	A	Secondary treatment installed June 1968.
Forest Fiber Products	Scoggins Creek	4	Hardboard Mill wastes.	Primary settling land disposal during low flow months. Sanitary to ST-DF.	Study to determine adequacy of existing facilities during summer 1967.	Primary settling, aerated lagoon, land disposal during low flow months and recirculation. Sanitary ST-DF.	A	Study conducted. Secondary treatment required and installed Fall 1970.
Georgia Pacific Corporation, Junction City	Willamette River	164	Glue wastes.	Settling channels to Flat Creek. Sanitary ST-DF.	(5)	Plywood glue waste recirculation. Sanitary ST-DF.	A	
Georgia Pacific Corporation Springfield	Willamette River	184	Glue waste and log pond overflow.	Glue wastes and sanitary wastes to city.	(4) (5)	Plywood glue wastes recirculated, log pond debris control. Sanitary to city.	A	
Gunderson Bros. Engineers.	Willamette River	8.6	Aceteylene lime waste.	Lime retention in sump, thence to river. Sanitary to ST-Cesspool.	Connect to city sewer when available.	Aceteylene plant dismantled.		
Hervin Dog Food Co.	Tualatin River	9	Processing of animals for pet food.	Activated sludge plant for industrial waste. Sanitary ST-DF.	Improved plant operation and continued surveillance.	Activated sludge pretreatment plant for industrial wastes. Industrial-sanitary to city sewer.	A	
Hines Lumber Co.	N.Fork of Middle Fork Willamette	2	Glue wastes and log pond in river.	Industrial none. Sanitary ST-DF.	(4) (5)	Sedimentation-DF disposal of glue & dryer wastes, debris collection & removal. Sanitary ST-DF.	Diligent operation of debris control facilities.	
International Paper Co.	Noti Cr. (Long Tom River)	30	Glue wastes steam vat condensate and log pond overflow.	Settling tank to Noti Creek. Sanitary ST-DF.	(4) (5)	Plywood glue waste to settling tanks and evaporation seepage beds. Sanitary ST-DF.	Noti Creek diversion around log pond prior to July 1972.	

Table 2C (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Jefferson Woolen Mills	Morgan Creek	1.5	Dye and wool fibers.	Industrial none. Sanitary ST-DF.	Secondary treatment or equivalent control by May 1968.	ST-DF for industrial and sanitary.	A	ST-DF for industrial installed Nov. 1969 per waste discharge permit condition.
Kummer Meat Co.	Dairy Creek	1	Slaughterhouse wastes.	Screening, grease removal, blood removal, lagoon (non-overflow low flow). Sanitary ST-DF.	Continued Surveillance.	Industrial and sanitary to city of Hillsboro.	A	
Les' Poultry McMinnville	North Yamhill River	5	Poultry slaughterhouse wastes.	Septic tank and inadequate land disposal. Sanitary ST-DF.	Connection to city (industrial)	Connected to city.		Connected to city November 1971.**
Linnton Plywood	Willamette	4.2	Glue wastes, dryer washdown.	Industrial to river. Sanitary ST-river.	Connect sanitary and industrial to city sewer.	Glue waste recirculated. Dryer washdown to river. Sanitary ST to river.	Connect domestic waste and dryer washdown to city sewer when available.	
Logan Egg Farm	Foster Creek (Clackamas)	3	Chicken manure and egg washing.	Lagoon, land disposal. Sanitary ST-DF.	Continued surveillance.	Semi-dry handling and land disposal. Sanitary ST-DF.	A	
McCormick and Baxter	Willamette River	7.2	Creosote	Industrial to river. Sanitary ST-DF.	Connect to sewer when completed.	Evaporation. Sanitary ST-DF.	A	
McGraw Edison (formerly Brown & Co.)	Willamette River	132	Process water from re-pulping of newsprint for production of bituminous pipe.	None for industrial Sanitary ST-DF.	Secondary treatment or equivalent by May 1968.	Recirculation of white water. Skimming of washdown and cooling water. Sanitary ST-DF.	A	Recirculation installed May 1968.
Mobile Oil Co.	Willamette River	4.4	Oily water.	Oil/water separator to storm sewer. Sanitary ST-storm sewer.	Connect sanitary wastes to city sewer when sewer is completed.	Oil/water separator to storm sewer to river. Sanitary ST to river.	Connect domestic to sewer when completed. Upgrade oil separation by 9/72.	Sewer scheduled for completion 3/73.
MP Kirk & Sons	Willamette River	7.0	Battery acid.	Discharge to Doane Lake, seepage to river. Sanitary ST-DF.	Connection of sanitary wastes to city sewer when completed.	Discharge to Doane Lake, seepage to river. Sanitary ST-DF.	Connection of domestic and industrial wastes to city sewer when completed.	Sewer scheduled for completion 10/72.

Table 2C (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Natron Plywood (Now Brand S. Corp.)	Willamette	184	Glue waste	50' x 50' lagoon with discharge to slough 1.5 miles from Willamette.	(5)	Glue recirculation sedimentation and non-overflow lagoon for dryer washdown.	A	
Oregon Metallurgical Co. (Albany)	Oak Creek		Zirconium processing.	pH adjustment. Sanitary ST-DF.	Study to determine needs for proposed expansion.	pH adjustment. Solid waste land disposal. Sanitary ST-DF.	A	
Pacific Carbide and Alloys Co.	Columbia Slough		Scrubber waste water.	Three lagoons to slough. Sanitary ST-CP	(7)	Sedimentation pond partial recirculation, Sanitary ST-CP.	A	
Pacific Meat Co.	Columbia Slough		Slaughterhouse and rendering wastes.	Lagoon for ihdustrial and domestic to slough.	(7)	Pretreatment lagoon industrial and sanitary to city.	A	
Peavey Co. (Grain)	Willamette	12.1	Grain wash wastes.	Discharge to river.	Connect sanitary and industrial to city sewer by 9/1/67.	Grain washing stopped. Connected to sewer.		
Pennwalt Corp. (formerly Pennsalt)	Willamette River	7.4	Some salt waste (Cl^-) in cooling water.	Continuous monitoring. Sanitary ST-DF.	Connect domestic wastes to city sewer when completed.	Continuous monitoring, in-plant control. Sanitary to city.	A	
Permapost Products	Rock Creek	1	Phenols and osmose salts.	Oil separation tank. Lagoon for osmose salts.	Improved in-plant and process control and continued surveillance.	Baffled oil separation tank, lagoon for holding osmose salts. Evaporation. Sanitary ST-DF.	A	
Phillips Petroleum (formerly Tidewater Oil Co.)	Willamette River	4.0	Oily water.	Industrial discharge to river. Sanitary ST-DF.	Connect to city sewer.	Oil waste separation. Discharge to river. Sanitary ST-DF.	Upgrade oil separation facilities prior to Sept. 1972. Sanitary connection to city sewer when sewer becomes available.	Sewer scheduled for completion by 3/73.
Portland Rendering Company	Columbia Slough		General rendering wastes.	Lagoon to Col. Slough Sanitary ST-CP.	(7)	Aerated lagoon to city on industrial. Sanitary ST-CP.	A	

Table 2C (Continued)

Source	Receiving Stream	River Mile	Type Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Publishers Paper Co. Newberg	Willamette River	50	Sulfite pulping and paper mill wastes.	Primary sedimentation year-round and storage of SWL during June-November.	Chemical recovery and secondary treatment by July 1972.	Chemical recovery of pulping liquors. Primary sedimentation and storage of condensate during low flow months. Sanitary to city.	Secondary treatment or equivalent control of total mill wastes by July 1972.	(On schedule)
Publishers Paper Co., Oregon City	Willamette River	26	Sulfite pulping and paper mill wastes.	SWL barged to Columbia River during low flow months. Primary sedimentation facilities under construction. Sanitary to city.	Chemical recovery and secondary treatment by June 1968. No barging to Col. River after 1969.	Chemical recovery of pulping liquor, Primary sedimentation. Sanitary to city.	Secondary treatment or equivalent control of total mill wastes by July 1972.	Waste discharge permit conditions required secondary by July 1972. Barging stopped in 1969. (On schedule)
Reiman and McKenney	Willamette River	8.5	Caustic waste.	Baffled oil sump discharges via Guilds Lake sewer. Sanitary to river.	Interception planned by city by December 1967.	Baffled sump discharges via Guilds Lake sewer. Sanitary to city sewer.	Prior to Sept. 1972 upgrade oil-water separation facilities.	In process of connecting IW to city sewer.
Rhodia, Inc. (formerly Chipman Chemical Co.)	Willamette River	7.0	Chlorophenolic	In-plant control and treatment. Sanitary ST-DF.	Treated effluent and sewage wastes to city sewer when available prior to December 1968.	In-plant control and activated carbon treatment. Sanitary ST-DF.	Treated effluent and sewage wastes to city sewer when available.	Sewer scheduled for completion 10/72.
Richfield Oil Company (ARCO)	Willamette River	4.3	Oily water	Oil/water separator to river (occasional) Sanitary ST to river.	Connect sanitary wastes to city sewer when sewer is completed	Oil/water separator to river. Sanitary ST to river.	Connect domestic to sewer when sewer is completed. Upgrade oil separation by Sept. 1972.	Sewer scheduled for completion 3/73.
Shell Oil Company	Willamette River	7.6	Oil wastes	Oil/water separator to river via Balboa Cr. Sanitary ST-CP.	Interception by sewer.	Undersized oil/water separation thence to river via Balboa Creek. Sanitary ST-DF.	Upgrade oil separation by Sept. 1972. Sanitary waste to city sewer when completed.	Sewer scheduled for completion 10/72.

Table 2C (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Springfield Slaughterhouse Plant	Willamette River	184	Slaughterhouse wastes.	Screening and holding ponds.	Study to determine treatment adequacy.	Screening and non-overflow pond May-November. Sanitary ST-DF.	Diligent control of waste water volume.	
Standard Oil Company	Willamette River	7.7	Oil and caustic wastes.	Sedimentation tank to Willamette River via Doane Ave. sewer. Sanitary to Doane Avenue sewer.	Interception by city sewer.	Oil/water separator. (Discharges to Willamette R. via Doane Avenue. Sanitary to Doane Avenue sewer.	Upgrade oil/water separator prior to Sept. 1972 and connect sanitary waste to city sewer when sewer is completed.	Sewer scheduled for completion 10/72.
Steen Bros. Meat Company	Calapooya River	1	Slaughterhouse wastes	Septic tank and drainfield for industrial and sanitary.	Study to determine adequacy.	Industrial and sanitary to city sewer.	A	
Tektronix Beaverton	Beaverton	5	Metal plating	pH adjustment chemical treatment, settling, oxidation lagoons. Sanitary-secondary treatment.	Continued surveillance.	pH adjustment, chemical treatment, settling and equalization lagoons. Sanitary-secondary treatment.	A	
Teledyne Wah Chang Albany (formerly Wah Chang Corp.)	Willamette River	119	Process water from production of rare earth metals.	pH adjustment, chemical sludge removal. Sanitary ST-DF.	Program to improve control of toxic wastes and chemical sludge handling by October 1967.	pH adjustment and chemical sludge removal. Ammonia removal (fertilizer plant) Sanitary ST-DF.	Further reductions in chemical ions under study.	Significant progress made since 1/68.
Union Carbide Co.	Columbia Slough		Scrubber waste water.	Lagoon, thickener and sludge settling bed.	(7)	Lagoon, thickener and sludge settling bed. Sanitary ST-DF.	A	Planning funds for sewer dropped.
Union Oil Co.	Willamette	7.7	Oil wastes.	Sedimentation tank discharge to river through Doane Ave. sewer. Sanitary ST-DF.	Interception by city sewer.	Oil/water separator (discharges to Willamette R. via Doane Avenue sewer) Sanitary ST-DF.	Sanitary wastes to city sewer when completed. Upgrade oil/water separator by Sept. 1972.	Sewer scheduled for completion 10/72.
Union Pacific Railway	Willamette	11.1	Oily water.	Oil/water flotation unit discharge to river. Sanitary to city.	Continued surveillance.	Oil/water flotation unit, discharge to river. Sanitary to city.	A	
U. S. Plywood Willamina	South Yamhill	43	Glue wastes, log pond.	Industrial-none Sanitary ST-DF.	(5)	Plywood glue waste recirculated. Non-overflow log pond May-November. Sanitary-city.	A	

Table 2C (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
U. S. Plywood Lebanon	South Santiam River	17	Glue wastes and log pond overflow.	Industrial-none. Sanitary ST-Cl_2 to log pond.	(4) (5)	Glue waste recirculated. Non-overflow log pond May-November. Sanitary ST-Cl_2.	Connect sanitary to city sewer.	Sewer connection under construction.
Vancouver Plywood Corp., Albany	Calapooya River	3	Glue wastes	Glue wastes to storm sewer. Sanitary to city.	(5)	City sewer - industrial and sanitary.	A	
Western Kraft Corp., Albany	Willamette River	117	Kraft mill wastes	Primary sedimentation. Sanitary ST-DF.	Secondary treatment or equivalent control by May 1968.	Primary sedimentation, aerated lagoon, seepage beds. Sanitary ST-DF.	Relocate outfall from secondary treatment system.	Seepage beds were provided for total elimination of all wastes May-Nov. 1968. Secondary treatment completed 1969.
Western Veneer Plywood, Lebanon	South Santiam	17	Glue waste	Settling tank to log pond.	(5)	No such plant in existence.		
West Foods Salem	Pudding River	8	Mushroom growing and processing wastes.	Lagoon and land irrigation. Sanitary ST-DF.	Connect to city sewer.	Connected to city sewer.	A	
Weyerhaeuser Co. Lumber & Plywood Cottage Grove	Coast Fk. Willamette River	27	Glue wastes and log pond overflow.	Discharge industrial to log pond Sanitary ST-DF.	(4) (5)	Glue recirculation, log pond debris control. Sanitary to city.	A	
Weyerhaeuser Co. Springfield	McKenzie River	15	Kraft mill wastes and log pond discharge.	Settling ponds, aerated lagoon, land disposal, aerated log pond. Sanitary to city.	Continued surveillance.	Settling ponds, aerated lagoon, land disposal, aerated log pond. Sanitary to city.	A	
Wildish Sand and Gravel Co.	Willamette River	184	Gravel removal and process wash water and scrubber water.	10 acres holding pond for silt removal and gravel removal operations confined inside berm (interim control) Sanitary ST-DF.	Permanent waste control facilities for all waste waters by June 1967.	10-acre holding pond for silt removal and gravel removal operations confined to areas inside berms. Two-day settling basin on asphalt plant scrubber waste water. Sanitary ST-DF.	A	Scrubber waste water facilities installed 1968 per permit conditions.

Table 2C (continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Willamette Industries, Dallas (formerly Willamette Valley Lumber)	Ash Cr. to Rickreall Creek	13	Glue wastes and log pond overflow.	Plywood glue wastes and sanitary wastes to city.	(4) (5)	Glue wastes to city sewer, non-overflow pond June-November Sanitary to city.	A	

Table 2D (1)

Status of Significant Domestic Waste Sources

Columbia River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Arlington, City of	Columbia River	242.0	Domestic sewage	Primary treatment plus chlorination	(6)	Primary treatment plus disinfection	Complete secondary treatment by September 1973.	
Astoria, City of	Columbia River	13.0	Domestic sewage	Sewers--no treatment	Interceptor sewers, secondary treatment or equivalent control by December 1970 (8).	No treatment	Complete secondary treatment by 6/73.	
Boardman, City of	Columbia River	268.5	Domestic sewage	Secondary treatment (single cell non-overflow lagoon plus chlorination)	Continued surveillance (8)	Secondary treatment (L)	A	
Gresham, City of	Columbia River	117.0	Domestic sewage	Primary treatment plus chlorination.	(6)	Primary treatment plus disinfection	Complete secondary treatment by 8/72.	
Hood River, City of	Columbia River	168.0	Domestic sewage	Primary treatment plus chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 12/73.	
Portland, City of	Columbia River	105.5	Domestic sewage	Primary treatment plus chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 12/73.	
Portland International Airport	Columbia River	111.0	Domestic sewage	Primary treatment plus chlorination	(6)	Primary treatment plus disinfection.	Connect to area sewer by 10/72.	
Rainier, City of	Columbia River	67.0	Domestic sewage	Primary treatment plus chlorination	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 7/73.	
St. Helens, City of	Columbia River	86.0	Domestic sewage	Primary treatment plus chlorination.	(6)	Secondary treatment. A(L)	A	Completed 8/71 per permit conditions.
The Dalles, City of	Columbia River	189.5	Domestic sewage	Primary treatment plus chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 10/72.	
Umatilla, City of	Columbia River	289.0	Domestic sewage	Primary treatment plus chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 8/72.	

T 2D (2)

Status of Significant Industrial Waste Sources

Columbia River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Boise Cascade Pulp Mill St. Helens	Columbia River	87.0	Kraft mill wastes	Primary treatment . Sanitary to ST-DF.	Subject to Lower Columbia River Conference requirements.	Cooling water to river. Industrial and sanitary to city of St. Helens.	A	
Crown Zellerbach Corp. Wauna	Columbia River	42.0	Kraft and groundwood.	Primary treatment. Sanitary secondary treatment.	Subject to Lower Columbia River Conference requirements.	Primary treatment for IW, secondary for sanitary .	Secondary treatment for industrial waste prior to Dec. 1975.	
Kaiser Gypsum St. Helens	Scappoose Slough	2.0	Softboard mill.	Primary treatment. Sanitary tp ST-DF.	Closed system or secondary treatment prior to July 1 1967.	Primary and secondary treatment (aerated pond). Sanitary to ST-DF.	A	Secondary completed 9/68 per permit conditions.

Table 2E (1)

Status of Significant Domestic Waste Sources

Grande Ronde River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Elgin, City of	Grande Ronde	98	Domestic sewage	Lagoon plus chlorination	Continued surveillance.	Secondary treatment (Lagoon)	A	
Enterprise, City of	Wallowa River	43	Domestic sewage	Secondary treatment plus chlorination.	Continued surveillance.	Secondary treatment. (TF)	A	
LaGrande, City of	Catherine Creek	37	Domestic sewage	Lagoon	Chlorination of lagoon overflow by May 1969 and continued surveillance (8)	Secondary treatment (Lagoon)	A	Disinfection complete 6/70 per DEQ requirements.
Wallowa, City of	Wallowa23 River	23	Domestic sewage	Community septic tank (only a portion of town on community system).	Secondary treatment and chlorination by May 1969 (Engrg. plans under way. (8)	Community septic tank for portion of town.	Complete secondary treatment by 6/73.	

Table 2E (2)

Status of Significant Industrial Waste Sources

Grande Ronde River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Boise Cascade Particle Board	Grande Ronde	159	Resin and wax from washdown.	Solids sump and effluent discharge to fire protection reservoir. Sanitary ST-DF.	Lagoon to be constructed by January 1968.	Chemical-physical treatment, solids collection and seepage/ evaporation pond.	A	Completed 6/71.
Boise Cascade Plywood Plant Elgin	Phillips Creek	1	Glue wastes, log pond overflow, log deck sprinkling waste water.	Land disposal (flood irrigation). Sanitary ST-DF.	Continued surveillance.	Recirculation of plywood glue waste. Recirculation of log deck sprinkling waste waters. Log pond non-overflow May-November. Steam vat condensate recirculated. Sanitary to city.	A	
Borden Chemical Island City	Grande Ronde	159	Organic residues	Lagoon (non-overflow) Sanitary ST-DF.	Continued surveillance	Chemical-physical treatment, solids collection & seepage/evap. ponds. Sanitary ST-DF.	A	
LaGrande Concrete LaGrande	Grande Ronde	160	Gravel washings	Three settling ponds. Sanitary ST-DF.	Continued surveillance	Three settling ponds and recirculation. Sanitary ST-DF.	A	
Valley Sausage Co., LaGrande	Grande Ronde	162	Slaughterhouse	ST-DF industrial and sanitary.	Continued surveillance.	ST-DF for industrial and sanitary.	A	

Table 2F (1)

Status of Significant Domestic Waste Sources

Walla Walla River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Milton-Freewater, City of	Dry Creek	5	Domestic wastes Seasonal cannery waste.	Secondary treatment (TF,Cl) and land disposal of industrial waste.	Continued surveillance.	Secondary treatment Land disposal of cannery wastes.	A	Land disposal system improved in 1970.
Weston, City of	Pine Creek	23	Domestic sewage	Secondary treatment plus chlorination.	Continued surveillance	Secondary treatment.	A	

Table 2F (2)

Status of Significant Industrial Waste Sources

Walla Walla River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Rogers Canning Co. Milton-Freewater	Walla Walla R. and Dry Cr.	10-5	Cannery wastes.	Land disposal. Sanitary to city.	Continued surveillance.	Land disposal. Sanitary to city.	A	
Smith Frozen Foods Milton-Freewater	Walla Walla R. and Dry Creek.	10-5	Cannery wastes.	Land disposal. Sanitary to city.	Continued surveillance.	Land disposal. Sanitary to city.	A	
Umatilla Canning Co. Milton-Freewater	Walla Walla R. & Dry Cr.	10-5	Cannery wastes.	Land disposal by city. Sanitary to city.	Continued surveillance.	Land disposal by company. Sanitary to city.	A	Began operation of independent land disposal system 1970.
Lamb-Weston Co. Weston	Pine Creek	23	Cannery wastes	Land disposal. Sanitary to city.	Continued surveillance.	Land disposal. Sanitary to city.	A	Improved control of land disposal 1970.

Table 2G (1)

Status of Significant Domestic Waste Sources

Snake River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Adrian School and Adrian Homes	Snake River	402.0	Domestic sewage (16 homes)	Septic tank	Secondary or equivalent treatment or disposal (8)	Septic tank	Secondary treatment or equivalent control.	Efforts being made to incorporate to provide legal entity to solve problem.
Nyssa, City of	Snake River	389.0	Domestic sewage	Primary treatment and chlorination.	Secondary treatment by May 1970.	Secondary treatment. (AS)	A	Completed 4/71.
Ontario, City of	Malheur River	1	Domestic sewage	Secondary treatment (2 cell lagoon)	Chlorination by May 1969,	Secondary treatment. (L)	A	Completed 6/70.
Vale, City of	Malheur River	16	Domestic sewage	Secondary treatment (2 cell lagoon, non-overflow)	Chlorination when overflow occurs.	Secondary treatment. (L)	A	

Table 2G (2)

Status of Significant Industrial Waste Sources

Snake River

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Amalgamated Sugar Co., Nyssa	Snake River	389.0	Sugar beet processing	Screening, Sanitary to city.	Continued surveillance and followup on construction of a completely closed beet fluming system to be completed October 1967.	Screening. Closed beet flume system. Sanitary to city.	Prior to "74-"75 processing season secondary treatment or equivalent control equal to 0.5 #/BOD/ton of beets sliced.	Closed beet fluming system completed October 1967. Extensive in-plant controls installed '70-72
American Fine Foods (formerly Idaho Canning Co.)	Snake River	388.5	Corn processing waste.	Screening. Sanitary ST-DF.	Continued surveillance and followup on plans to construct vibrating screens and land disposal by June 1967.	Screening, land disposal.	A	Land disposal completed June 1967.
Coast Packing Co. (formerly Pioneer Meat Packers)	Snake River	374.0	Slaughterhouse wastes.	Secondary treatment anaerobic, aerobic non-over flow. Sanitary and industrial.	Continued surveillance to determine need for aeration equipment and chlorination if overflow occurs.	Anaerobic pond followed by two aerated ponds and land disposal. Sanitary to industrial.	A	Disinfection capability installed should discharge become necessary.
Hawley Meat Co. Vale	Malheur River	368.5	Slaughterhouse wastes.	ST-DF sanitary and industrial.	Continued surveillance.	ST-DF sanitary and industrial.	A	
Ontario Meat Packing, Ontario	Snake River	370.0	Slaughterhouse wastes.	ST-DF sanitary and industrial.	Continued surveillance.	ST-DF sanitary and industrial.	A	
Ore-Ida Foods, Inc. Ontario.	Snake River	371.0	Potato, corn and onion processing.	Desilting pond and clarification. Sanitary to city.	Continued surveillance and followup on plans to construct secondary system by Oct. 1, 1967.	Desilting pond & clarification of process waters plus aerobic ponds for partial treatment. Sanitary to city.	Secondary treatment or equivalent control prior to September 1973.	Secondary treatment installed Dec. 1969, in accordance with their waste discharge permit Operation difficulties on anaerobic portion call for a new aerobic system to be installed before Sept. 1973. Pilot plant in operation.

Table 2H (1)

Status of Significant Domestic Waste Sources

Marine and Estuarine Waters

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Bandon, City of	Coquille River	0.8	Domestic sewage	None	Interceptor sewers and secondary treatment by Dec. 1968. (Plans being prepared.) (8)	Secondary treatment. (AS)	A	Completed 2/71 per DEQ requirements.
Brookings, City of	Chetco Cove		Domestic sewage	Primary treatment and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 4/73.	
Bullard Beach Bandon	Coquille River	3.5	Domestic sewage	Secondary treatment (Aerobic digestion and chlorination)	Continued surveillance. (8)	Secondary treatment. (AD)	A	
Bunker Hill San. Dist., Coos Bay	Coos Bay		Domestic sewage	Primary and chlorination	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 6/73.	
Cannon Beach, City of	Elk Creek	0.6	Domestic sewage	Secondary treatment (lagoon and chlorination)	Continued surveillance.	Secondary treatment. (L)	A	
Coos Bay, City of	Coos Bay		Domestic sewage	Primary and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 6/73.	
Coos County (USAF) North Bend	Coos Bay		Domestic sewage	Secondary treatment, trickling filter and chlorination.	Continued surveillance. (8)	Secondary treatment. (TF)	A	
Coquille, City of	Coquille River	25	Domestic sewage	Primary and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 7/72.	
Eastside, City of	Coos Bay		Domestic sewage	Primary and chlorination	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 6/73.	
Empire, City of	Coos Bay		Domestic sewage	Primary and chlorination	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 6/73.	

Table 2H (1) (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Florence, City of	Siuslaw River	5	Domestic sewage	Primary and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 7/72.	
Garibaldi, City of	Tillamook Bay		Domestic sewage	Primary and chlorination	Secondary treatment by December 1968. (8)	Primary treatment with disinfection.	Complete secondary treatment by 10/72.	
Gold Beach, City of	Riley Cr. to Pac. Ocean.	0.1	Domestic sewage	Primary treatment and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 4/73.	
Knoxtown San. Dist., Wedderburn	Creek to Ocean	0.4	Domestic sewage	Secondary treatment (Lagoon, non-overflow)	Continued surveillance. (8)	Secondary treatment (L)	A	
Lincoln City,City of,(Oceanlake)	Dee R. to Pac. Ocean	0.3	Domestic sewage	Secondary treatment(trickling filter and chlorination)	Continued surveillance	Connected to Lincoln City (Taft) system.	A	
Lincoln City, City of (Taft)	Schooner Creek	0.6	Domestic sewage	Secondary treatment (lagoon)	Chlorination by May 1969 (8)	Secondary treatment. A(L)	A	Completed 5/70 per DEQ requirements.
Nehalem, City of	Nehalem Bay		Domestic sewage	Sewers, no treatment.	Secondary treatment by December 1969. (8)	No treatment	Provide secondary treatment by 4/73 or equiv.control.	To be served by N. Tillamook Co. San. Auth.
Newport, City of	Pacific Ocean		Domestic sewage	Secondary treatment (trickling filter and chlorination)	Continued surveillance.	Secondary treatment.(TF)	A	
North Bend, City of	Coos Bay		Domestic sewage	Primary and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 7/72.	
Port of Tillamook Industrial Park	Trask River	2.6	Domestic sewage	None	Secondary treatment by Dec. 1967. (plans being prepared) (8)	Secondary treatment (L)	A	Completed 1/68.
Reedsport, City of	Umpqua River	11	Domestic sewage	None	Secondary treatment by Dec. 1968.	Secondary treatment. (AS)	A	Completed 10/70 per DEQ requirements.

Table 2H (1) (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Rockaway, City of	Clear Lake		Domestic sewage	Secondary treatment (trickling filter and lagoon).	Continued surveillance	Secondary treatment (TF)	A	
Salishan Beach	Siletz Bay		Domestic sewage	Secondary treatment (aerobic digestion and chlorination)	Continued surveillance.	Secondary treatment. (AD)	A	
Seaside, City of	Necanicum River	0.5	Domestic sewage	Intermediate trickling filter and chlorination.	(6)	Intermediate treatment with disinfection.	Complete secondary treatment by 12/72.	
Tillamook, City of	Trask River	0.7	Domestic sewage	Intermediate trickling filter and chlorination.	Secondary clarifier and improved chlorination by July 1968. (8)	Secondary treatment (TF)	A	Completed 11/69 per DEQ requirements.
Toledo, City of	Yaquina River	13	Domestic sewage	Primary and chlorination	Secondary treatment by July 1970.	Secondary treatment (AS)	A	Completed 12/70 per DEQ requirements.
Waldport, City of	Alsea Bay		Domestic sewage	Primary and chlorination.	(6)	Primary treatment plus disinfection.	Complete secondary treatment by 4/73.	
Wheeler, City of	Nehalem Bay		Domestic sewage	Sewers -- no treatment.	Secondary treatment by Dec. 1969. (8)	No treatment	Provide secondary treatment by 4/73. or equivalent control	To be served by N. Tillamook Co. Sanitary Auth.

Table 2H (2)

Status of Significant Industrial Waste Sources

Marine and Estuarine Waters

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
Cascadia Lumber Co.	Yaquina River		Log storage and handling	None Sanitary ST-DF.	Continued surveillance.	Sanitary ST-DF. Primarily dry handling of logs.	A	
Coos Head Timber Co., Coos Bay	Isthmus Slough		Plywood glue wastes.	None. Sanitary ST-DF.	(5)	Evaporation of all all plywood glue wastes Sanitary ST-DF.	Minimize debris & leachate generation from storage of logs.	Evaluation of available options (logs) underway
Coos Head Timber Co., Pulp Division, Empire.	Coos Bay		Sulfite liquor wastes, white water, and hydraulic barker fines.	None Sanitary ST.	Secondary treatment or equivalent control of sewage and primary sedimentation of industrial waste solids by May 1968. Study by DEQ to determine highest practicable treatment or control of SWL.	Closed down.		Coos Head Pulp has shut down effective 6/71 and all equipment has been sold.
Davidson Industries, Inc. Mapleton	Siuslaw River	17.0	Log storage and handling.	None Sanitary ST-DF	(4)	Log booms for floating debris. Sanitary ST-DF.	Minimize debris & leachate generation from storage of logs.	Evaluation of available options (logs) underway
Georgia Pacific Corp., Coos Bay	Isthmus Slough		Plywood glue wastes and resin production washdown.	Solids lagoon glue waste to slough. Sanitary to city.	(5)	Recirculation of plywood glue waste. In-plant control eliminates discharge of chemical plant wastes. Sanitary to city.	Minimize debris & leachate generation from storage of logs.	Evaluation of available options (logs) underway
Georgia Pacific Corp. Pulp and Paper, Toledo	Pacific Ocean Yaquina River.	14.0	Kraft pulp & paper mill wastes.	Thermal reduction pond plus deep ocean outfall for strong wastes. None for white water. Sanitary to city.	Primary sedimentation of white water by May 1969.	Thermal reduction pond plus deep ocean outfall for strong pulping wastes. Primary treatment for white water. Sanitary to city.	Effective primary treatment of all waste prior to 7-'73. Engineering feasibility study for secondary treatment or equivalent prior to July 1973.	Primary sedimentation installed March 1969 for whitewater.
International Paper-Pulp & Paper Div., Gardiner	Pacific Ocean		600 ton/day Kraft linerboard.	Settling pond to deep ocean outfall. Sanitary ST-DF.	Continued surveillance.	Pre-settling and deep ocean outfall. Sanitary ST-DF.	Improved primary treatment prior to July 1973. Engineering feasibility study for secondary treatment or equivalent prior to 7/73.	

Table 2H (2) (Continued)

Source	Receiving Stream	River Mile	Type of Waste	1967 Implementation Plan		March 1972		Comments
				Present Treat.	Needed Action	Present Treat.	Needed Action	
International Paper, Plywood Division	Umpqua Bay		Plywood glue waste. Steam vat condensate.	Settling pond to deep ocean outfall.	Continued surveillance.	Sedimentation, mixing with paper mill waste to deep ocean outfall. San. ST-DF.	A	
Menasha Corp. Paperboard Div. North Bend (includes Plywood Div.)	Coos Bay and Pacific Ocean		Semi-chemical pulping & paper mill wastes.	Primary settling plus non-overflow lagoon. Sanitary ST-DF.	Continued surveillance.	Primary settling plus non-overflow lagoon. Sanitary ST-DF.	Deep ocean disposal by 11-15-72. Chemical recovery prior to 7/74 and secondary treatment prior to 7/76 or concurrent with plant expansion.	Plywood Division not in operation.
Tillamook Co. Creamery Assoc. (Includes former Tillamook Cheese and Dairy Plant)	Wilson River	0.7	Cheese and dairy wastes.	None. ST,Cl.	Secondary treatment of industrial and domestic by May 1968.	Whey dehydration. Secondary treatment industrial and sanitary.	Diligent in-plant control and spill prevention.	Secondary treatment installed March 1970, in accordance with waste discharge permit.
U. S. Plywood Corporation Mapleton.	Siuslaw River	21.0	Plywood glue wastes. Veneer dryer wash water. Log storage and handling.	None Sanitary ST-DF.	(4) (5)	Plywood glue wastes reduced through made-up resin delivery. Land disposal of residual glue wash and dryer washdown. Sanitary ST-DF.	Prior to June 1972 phase out land disposal of plywood glue waste and convert to recirculation. Minimize debris & leachate generation from storage of logs.	Evaluation of available options (logs) underway.
Weyerhaeuser Co. North Bend	Coos Bay		Glue wastes, hydraulic barker fines.	City sewer for glue wastes and sanitary. Screens for barker effluent.	Further study by DEQ.	Plywood glue waste to city sewer, Clarification of hydraulic barker effluents. Sanitary to city.	Minimize debris & leachate generation from storage of logs.	Evaluation of available options (logs) underway.

EXHIBIT C

SUMMARY STATUS OF SOURCES REQUIRING DEADLINE EXTENSIONS

SOURCE	REQ'D ACTION	COMPL. DATE 1967 PLAN	COMPL. DATE MARCH 1972	STATUS
Crown Zellerbach West Linn	Chemical recovery and secondary treatment.	6/68	7/72	Permit issued 12/28/67 set 7/72 deadline for compliance. Chemical pulping terminated. Secondary treatment will be provided on schedule.
Publishers Paper Co. Oregon City	Chemical recovery and secondary treatment.	6/68	7/72	Permit issued 12/28/67 set 7/72 deadline for compliance. Has more than met all interim deadlines and will meet deadline for secondary treatment.
Rhodia (formerly Chipman Chemical Company)	Discharge to city sewer when completed prior to 12/68.	12/68	When sewer complete.	City sewer to intercept waste not completed on schedule. Now scheduled for 10/72.
Teledyne Wah Chang Albany	Improved control of toxic waste and chemical sludge handling.	10/67	Continue efforts.	Significant progress has been made. Nature of process and wastes requires trial of new methods, many of which do not perform to full expectation. More improvements are required, however.
Ore-Ida (Ontario)	Secondary treatment	10/67	9/73	Secondary treatment installed in accordance with permit conditions 12/69. Facilities have not performed to expectation. Pilot plant is presently in operation for aerobic facilities to be completed 9/73.
Portland	Interceptor (N.W.)	1/68	12/72	Part of project complete. Linnton Interceptor remains to be completed. Plans are approved. Bid call delayed by confusion regarding Federal grant requirements.

SOURCE	REQ'D ACTION	COMPL. DATE 1967 PLAN	COMPL. DATE MARCH 1972	STATUS
Sheridan	Secondary treatment	7/68	8/72	Plans approved 10/71, financing is arranged, bids have been received. Confusion presently exists regarding requirements to qualify for future Federal reimbursement of State grant.
Arlington	Secondary treatment	7/72	9/73	Has been requested to appear. Engineering not started. Best DEQ estimate for completion if city starts now would be 9/73.
Astoria	Secondary treatment	7/72	6/73	Site question is resolved, detailed plans have just been approved, bid call expected end of March.
Gresham	Secondary treatment	7/72	8/72	Presently under construction.
Hood River	Secondary treatment	7/72	12/73	Problems arranging needed financing through EDA for industrial portion. Bond election set for 3/21/72. Predesign study underway.
Portland	Secondary treatment	7/72	12/73	Construction underway.
Port of Portland	Secondary treatment	7/72	10/72	To be connected to Multnomah County Inverness Plant. Plans being prepared. EPA grant for interceptor expected soon.
Rainier	Secondary treatment	7/72	7/73	Bond election has just been declared valid. Engineer just authorized to proceed with plans.
The Dalles	Secondary treatment	7/72	10/72	Under construction.
Umatilla	Secondary treatment	7/72	8/72	Plans are complete, DEQ review pending.
Wallowa	Secondary treatment	5/69	6/73	Plans have been approved. In process of selling bonds for sewers and treatment to FHA.

SOURCE	REQ'D ACTION	COMPL. DATE 1967 PLAN	COMPL. DATE MARCH 1972	STATUS
Brookings	Secondary treatment	7/72	4/73	Bonds voted, plans being prepared, bid call expected in May.
Bunker Hill S.D. Coos Bay Eastside Empire	Secondary treatment	7/72	6/73	Delayed by attempt to reach agreement for regional approach. Agreement apparently reached 3/8/72. Plans being prepared.
Garibaldi	Secondary treatment	12/68	10/72	Comments made on plans, awaiting design revisions. Bid call near end of March planned. Had difficulties passing local bonds and selecting plant site.
Gold Beach	Secondary treatment	7/72	4/73	Comments made on plans, awaiting design revisions on plant. Total outfall re-design necessary. Should be able to proceed with plant. Bid call by middle of April possible. Outfall to follow later.
Nehalem Wheeler (North Tillamook County S.A.)	Secondary treatment	12/69	4/73	Started individually. Some delay while forming North Tillamook County Sanitary Authority as vehicle for regional system. Contract with Wheeler still required. Plans have been approved.
Seaside	Secondary treatment	7/72	12/72	Plans complete, review pending. Some delay occurred while determining course of action relative to regional approach in Clatsop Plains area.
Waldport	Secondary treatment	7/72	4/73	Plans complete, review pending.

EXHIBIT D

PROPOSED AMENDMENTS TO OAR CHAPTER 340
DIVISION 4, SUBDIVISION 1, SECTION 41-022

OAR 340-41-022 shall be amended to read as follows: (added words underscored)

41-022 IMPLEMENTATION OF TREATMENT REQUIREMENTS AND WATER QUALITY STANDARDS. Waste treatment and control requirements prescribed under 41-010, 41-015 and 41-020 and such other waste treatment and controls as may be necessary to insure compliance with the standards contained in this subdivision shall be provided in accordance with specific permit conditions and 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. In developing treatment requirements and implementation schedules for existing installations, consideration shall be given to the impact upon the overall environmental quality including air, water, land use and aesthetics.

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

TOM McCALL
GOVERNOR

L. B. DAY
Director

ENVIRONMENTAL QUALITY COMMISSION
B. A. McPHILLIPS
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EDWARD C. HARMS, JR.
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STORRS S. WATERMAN
Portland
GEORGE A. McMATH
Portland
ARNOLD M. COGAN
Portland

To: ENVIRONMENTAL QUALITY COMMISSION

From: Director

Subject: Agenda Item L , March 24, 1972 EQC Meeting
Dillard Veneer Co., Wigwam Waste Burner Compliance

Background:

The Dillard Veneer Co., owned by Mr. D. R. Johnson, operates a green veneer plant at Dillard in Douglas County. The emission source under consideration is a wigwam waste burner.

The wigwam waste burner emissions are exceeding the allowable emissions under the provisions of the Oregon Administrative Rules, Chapter 340, Section 21-015 (Visible Air Contaminant Limitations). On March 27, 1971, the Department contacted the company to request a schedule of compliance to meet current emission standards. The company responded on May 6, 1971, indicating the company planned to phase out the use of the wigwam waste burner. Observations by the Department continued to reveal the wigwam waste burner in violation of these visible emission standards. On September 29, 1971, the company requested an extension for the use of the wigwam burner until January 1, 1972. This extension was approved on the following basis:

TELEPHONE: (503) 229-5696

1. When Roseburg Lumber Company has evaluated their fuel requirements, or by no later than January 1, 1972, whichever occurs first, a schedule of compliance either to modify or phase out the wigwam waste burner will be submitted.
2. If modification of the wigwam waste burner is scheduled, the modification will be completed prior to February 1, 1972.
3. Under no conditions will the wigwam waste burner be used without modification after February 1, 1972.
4. No landfill or residue storage arrangement will be made without prior approval of the Department.

The January 1, 1972 date as set by the company passed and no notice was received by the Department, while observations revealed the burner in violation with visible emission standards.

On February 25, 1972, a request was received from the company requesting additional time for the operation of the wigwam waste burner (until June 30, 1972).

Factual Analysis:

1. The Department has attempted for better than twelve (12) months to develop a schedule of compliance.
2. The company has not achieved compliance with current visible emission standards, nor proposed any schedule to achieve compliance.

Conclusions:

1. The Department has been unsuccessful in developing a cooperative schedule of compliance.
2. The wigwam waste burner operated by Dillard Veneer Co. is operating in violation with current emission standards. (OAR Chapter 340, Section 21-015.)

Director's Recommendations:

Since the company has failed to develop any program for the abatement of the excessive wigwam waste burner emissions, it is recommended that a public hearing be authorized for the purpose of requiring the company to show cause why the Environmental Quality Commission should not enter an order requiring the company to submit an orderly program of compliance. It is further suggested that this order set forth a time schedule requiring plans and specifications for any modification to be submitted to the Department within 30 days after adoption of the Order and that construction work be completed within 90 days after adoption of the Order.

L. B. Day
Director

T. M. Phillips

D. R. Johnson Lumber Company

MANUFACTURERS OF
FIR -:- HEMLOCK -:- CEDAR

Box No. 66 Phone 874-2231
RIDDLE, OREGON 97469

February 25, 1972

Ted Phillips
Department of Environmental Quality
1400 S.W. 5th Ave.
Portland, Oregon 97201

Re: Wigwam burner - Dillard Veneer

Dear Ted:

I have been unable to get a definite yes or no answer from Roseburg Lumber about the purchase of Hog Fuel from our Dillard Veneer plant.

It seems they are still having a substantial amount of start-up problems at their new particle board plant, which effects their decision as far as buying our Hog Fuel.

I would, therefore, like to request an extension of time, until June 30, 1972, for our conformance to your request on our burner.

Sincerely,

D. R. Johnson

DRJ:jmy

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

Memorandum

TO : ENVIRONMENTAL QUALITY COMMISSION

FROM : Director

SUBJECT: Agenda Item M, March 24, 1972, EQC Meeting
Jeld-Wen (Metler Bros.) Hearing Officer's Report

At the February 25, 1972 Environmental Quality Commission Meeting the Hearing Officer's report of the January 19, 1972 Public Hearing was presented. The company attorney requested an additional thirty (30) days to review this report. This request was granted.

The Hearing Officer's report is again presented with the recommendation that the findings and order as proposed be approved with a termination date for use of the wigwam waste burner of April 1, 1972, instead of March 1, 1972.

L. B. Day

TMP:3/17/72

TELEPHONE: (503) 229-5696

MANUFACTURERS OF WINDOW AND DOOR FRAMES
P. O. BOX 1329 - KLAMATH FALLS, OREGON - 97601
TELEPHONE 503 - 882-3451

March 21, 1972

Department of Environmental Quality
Terminal Sales Bldg.
1234S.W. Morrison St.
Portland, Oregon 97205

To Members of the Environmental Quality Commission:

As we will not appear at your next meeting on March 24, 1972, I would like you to consider the following information in reaching your decision as to possible shutdown of our Wigwam Burner at METLER BROS. INC.

I would like to answer first some of the statements made in the Hearing Officer's report including Proposed Finding of Fact, Conclusion of Law and Order dated the 14th day of February 1972.

Page 2 Section 4
"An optimistic date for final construction of the new plant is September 1, 1972"

Because of the early break in the weather our contractor expects to start construction within the next two weeks. Our Schedule does call for the new plant being in operation by September 1, 1972 which means that since we will be using some of the Metler equipment we will be shutting down the Metler plant one or two weeks before September 1.

Page 2 Section 6
"This market still exists and the sale of the waste to Weyerhaeuser would not only be profitable to the Company but would remove any reason for operating the burner."

We develop from six to twelve units of pine sawdust and chips per eight hour shift. We feel we would have to have two trailers to effectively run the plant in a manner that would still be profitable. We would schedule two trailer changes per 24 hour period, one at 3:00 P.M. and another at 6:00 A.M. This should split the accumulation of chips about equally since we are operating the plant on a two shift basis with more operations on the first shift than on the second shift. Obviously under this type of arrangement the trailers will not be filled to their capacity which would be 11 units. The loads could vary from 6 to 10 units. If we take an average load of 8 units, let's look at the supposed profit.

Income:	8 Units @ $2.75	$22.00
Expense:	$25.00 per load	$25.00
(Hauling to Weyerhaeuser)		
	Net Loss per haul	$ 3.00
	Daily Loss	$ 6.00
	Monthly Loss @ 20 wkg. days	$120.00

Page 2 Section 7
"However, the Department Staff has determined a used 11 unit capacity trailer may be purchased for approximately $2,300 with necessary modifications for loading said trailer can be accomplished for approximately $500.00"

We have investigated these trailers and the price quoted to us was $3,000.00 each. I contacted Francis D. Brown Logging Contractors in Klamath Falls. They bought an identical trailer in better condition for $4,000.00 from the same source and spent $1,500.00 to make it operational. They stated that the brake system on these trailers is obsolete and that replacement parts are not available. When the brake parts need replacement, they are going to junk the trailer. They also stated that they would not buy another of these same type of trailers even though they have a standing order with the major trailer suppliers in Oregon for any used 11 unit capacity trailer that becomes available.

I have enclosed pictures of the trailers that the Department said were available. You can see that the trailers are in a state of disrepair. Looking at the cost standpoint:

Cost of each trailer	@	$3,000	$6,000.00
Repairs		$2,000 ea.	$4,000.00
			$10,000.00

From what I have been told by Francis Brown Logging Co., these trailers have a very poor resale record as is indicated by the fact that Putnam has only sold one. But optimistically we might recover $4,000.00 for both trailers leaving us with a net cost over six months of $6,000.00 or $1,000 per month. Also we feel the $500.00 for loading trailers is an unrealistic figure. The department has continually stated that a very minor modification is necessary to our cyclone (which I have enclosed pictures) in order to fill the trailers without moving the trailers during loading. It was stated at the last hearing that blueprints and/or diagrams would be sent to us for our feasibility study. After waiting a week for the information, I telephoned Ted Phillips to follow up. He stated they were either in the mail or would be shortly. What we did receive in the early part of March about a week after my phone conversation, was the letter from Mr. Day dated March 1st, 1972 which did not detail the supposed miracle modifications. I then again called Mr. Phillips about the diagrams. He stated that he and Mr. Day had discussed our need for more detailed information and they decided it wasn't necessary for us to receive such information as we could easily make the modifications ourselves. Our engineers are unable to come up with a workable solution for less than $5,000.00 which would involve raising the cyclone and constructing a mechanized swing spout system. As you can see from the pictures, our present spout is 14' from the ground and the trailer height is 12'6", leaving us 1'6" to work with

Page 2 Section 7 - Cont.
in dispursing the material in a trailer 35 ft. long. Allowing us being half right, we would still have to allow $2500.00 for this modification or a cost which would be completely non-recoverable of $400.00 a month.

Page 3 Section 8
"The sale of wastes to Weyerhaeuser Company would pay for the trailer possibly make a profit and also be available for tax purposes"

An explanation has already been given on the statement of profits in Page 2 Section 6. As far as tax purposes, I would need further details because if there are no profits, how can there be taxes.

"Implementation of this program would require the cutting of a slot or opening in the base of the present flighted chain system conveying the residues to the wigwam waste burner. Suitable windbreak protection should be attached to the slot so as to prevent local particle fallout problems. By proceeding in this manner, the residues will be gravity fed into the trailer located under this opening at an estimated cost of less than $3,000. Income derived from the sale of residues and/or the resale of the trailer after the closure of this facility should off-set any investment and not result in any detrimental financial impact upon the company".

We do not have a flighted chain system. The system is a blow pipe system under low pressure which involves a high volume of air in relationship to the amount of solid particles. From the blow pipe the particles go into a cyclone and from there into the burner or trailer. We would have to develop a method of closing the top of the trailer to prevent the polution of the air by sawdust particles. We could probably use a canvas cover but this would have to be adjusted each time we had to move the trailer.

Another problem we have not discussed is that the material in the trailer must be protected from the elements because if the material gets wet the trailer will not unload because the material becomes sticky.

To conclude my remarks regarding the Hearing Officers report, I would like to recap the following:

Loss per month on material	$ 120.00
Net cost of trailers and modifications considering resale per month	$1,000.00
Minimum cost of modifying cyclone per mo.	$ 400.00
Total Monthly Cost	$1,520.00

We feel this cost is unreasonable in itself and we haven't included other expenses which are also additional factors.

1. Insurance
2. License Fees
3. Manpower necessary for operation and maintenance
4. Protection from elements
5. Maintenance expense

What we are asking does not seem unreasonable: That you allow us to continue operating the burner for a period which should be about six months so that we may move the Metler operation over to our new facilities. We realize that air polution is a very serious problem and we are very definitely an environmentally concerned company but does it seem reasonable to put 42 people out of work because it becomes impractical to operate a business that does not make a profit.

Sincerely,

JELD-WEN, inc.

Kenneth C. Moore
Office Manager

KCM:mc
c/c: Bud Smith
L.B. Day
E.C. Harms, Jr.
S.S. Waterman
G.A. McMath
A.M. Cogan

DEPARTMENT OF
ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. L, February 25, 1972, EQC Meeting

Jeld-Wen (Metler Bros.) Hearings Officer's Report

Background:

Pursuant to notice, a Public Hearing was held on January 19, 1972.

Metler Bros. was purchased by Jeld-Wen on or about December 31, 1970. The Department had contacted representatives of the Metler Bros. and Jeld-Wen regarding the performance of the wigwam waste burner and advised the parties that the emissions from the wigwam waste burner violated Department rules.

The company is constructing a new plant and desired to operate the present facility until the new construction is completed, which is expected sometime after September, 1972. No wigwam waste burner would be constructed at the new location.

A market does exist for the wood residues. The company estimated the cost at approximately $13,500 for facilities to ship

TELEPHONE: (503) 229-5696

residues, whereas the Department estimated this to be on the order of $3000.

Hearings Officer's Summary

The conclusion of law is that the company has violated OAR Chapter 340, Section 21-015 and will continue to violate these rules unless it either modifies the burner or terminates its use.

It is the opinion of the Hearings Officer that alternatives are available to the company.

The Order requires the company to cease the use of its wigwam waste burner in Klamath Falls by not later than May 1, 1972.

L. B. Day

TMP 2/17/72

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY

OF THE STATE OF OREGON

In the Matter of JELD-WEN (METLER BROS.), a corporation Operating a Wigwam Waste Burner	) HEARINGS OFFICER'S REPORT INCLUDING) PROPOSED FINDINGS OF FACT, CONCLUSIONS) OF LAW AND ORDER

TO: Members of the Environmental Quality Commission

Pursuant to notice an administrative hearing was held on January 19, 1972, in Portland, Oregon, in the hearing room of the Department of Environmental Quality. Jeld-Wen was represented by H. F. Smith, attorney at law, Klamath Falls, Oregon, and the Department by Arnold B. Silver, Assistant Attorney General. At the conclusion of the hearing, I requested the Department and the corporation to submit for my consideration statements regarding various alternatives and their costs to the operation of corporation's wigwam waste burner. The statements have been received and made part of the record. From the testimony presented and the evidence offered into evidence at the hearing, together with the requested statements, I have entered the following Findings of Fact:

FINDINGS OF FACT

1. On or about December 31, 1970, Jeld-Wen, a corporation, purchased the Metler Bros. partnership. The partnership was subsequently organized into a corporation as Metler Bros. owned by Jeld-Wen. Jeld-Wen also obtained the liabilities and assets of Metler Bros. and is presently the owner and operator of a wigwam waste burner in Klamath County, Oregon.

2. The staff of the Department of Environmental Quality has contacted representatives of the old Metler Bros. firm and Jeld-Wen regarding the performance of the burner and advised that its emissions violated Department rules.

3. Witnesses testified their observations showed the emissions from the burner were as follows:

Date	Observation
March 4, 1971	No. 2 1/2 50% opacity
July 20, 1971	No. 4 80% opacity
Sept. 22, 1971	No. 4 80% opacity
Nov. 11, 1971	No. 5 100% opacity
Jan. 21, 1972	No. 4 80% opacity

4. The company is constructing a new plant which will render the use of its present wigwam waste burner unnecessary. An optimistic date for final construction of the new plant is September 1, 1972. The company did point out final construction might be later than this date.

5. In essence, the company is requesting a variance under ORS 449.810 to allow it to operate its burner in violation of Department rules until the new plant is constructed.

6. The company has a market with Weyerhaeuser Company for the sale of its production wood waste. This market still exists and the sale of the waste to Weyerhaeuser would not only be profitable to the company but would remove any reasons for operating the burner.

7. The company estimates the cost of a new 18 unit capacity trailer at $12,000 with necessary modifications for loading the trailer between $1,500 to $5,000. A total of approximately $13,500 is the lowest figure.

However, the Department staff has determined a used 11 unit capacity trailer may be purchased for approximately $2,300 with necessary modifications for loading said trailer accomplished for approximately $500. The total estimated cost of approximately $3,000 including labor makes the Department's figures well below $13,500.

8. A trailer would not only move the waste to Weyerhaeuser Company, but it would also serve as a storage bin pending shipment. The sale of the wastes to Weyerhaeuser Company would pay

for the trailer, possibly make a profit and also be available for tax purposes. To elaborate, investigation has indicated the availability and technical feasibility for the company to purchase or lease an 11 unit trailer for use as both a storage bin and as a shipping container for the waste wood residues after a normal eight hour shift.

Implementation of this program would require the cutting of a slot or opening in the base of the present flighted chain system conveying the residues to the wigwam waste burner. Suitable windbreak protection should be attached to the slot so as to prevent local particle fallout problems. By proceeding in this manner, the residues will be gravity fed into the trailer located under this opening at an estimated cost of less than $3,000. Income derived from the sale of residues and/or the resale of the trailer after the closure of this facility should off-set any investment and not result in any detrimental financial impact upon the company.

Based upon the foregoing Findings of Fact, I have entered the following Conclusions of Law:

CONCLUSIONS OF LAW

1. The company has violated OAR, Chapter 340, section 21-015.

2. The company will continue to violate these rules unless it either modifies its burner to achieve compliance with said rules or terminates the use of its burner.

OPINION

From an expenditure standpoint, the company will search for reasons why it should not terminate the use of its burner, while from the Department's viewpoint reasons will be sought why the use can be terminated. The difference in the two views is based solely upon different goals. One is to use the burner

as long as possible, the other to terminate the burner as soon as possible.

The evidence clearly shows a market exists for the sale of the company's wood wastes. The evidence also shows it is unnecessary to expend large amounts of money in order to terminate the burner's use. For example, the company based its costs upon a new 18 unit trailer. The Department based its costs, however, upon the basis of a used 11 unit trailer. The difference in costs is considerable. What is more important is the sale of the waste would more than pay for the trailer. Additionally, a trailer itself would qualify for tax benefits to the company. As a result, I cannot condone the use of a burner violating Department rules for almost another year with the present alternatives available.

Based upon the foregoing, the following order is entered:

ORDER

The company shall cease the use of its wigwam waste burner in Klamath County by March 1, 1972 and said burner shall not thereafter be operated.

Dated this 14 day of February, 1972.

L. B. Day, Hearings Officer

March 1, 1972

Jeld-Wen, Inc.
P. O. Box 1329
Klamath Falls, Oregon 97601

Attn: K. C. Moore
Office Manager

Re: Metler Bros., Klamath Falls

Gentlemen:

At the February 25, 1972 Environmental Quality Commission meeting, the Hearings Officer's report of the January 19, 1972 Public Hearing regarding Metler Bros., Inc. was presented to the Commission.

Mr. H. F. Smith, attorney for Jeld-Wen, Inc., requested and was granted a one month delay to review the report before any action was taken by the Commission.

To assist the company, the Department submits the following information:

1. Mr. Net Putnam, 2742 Homedale Road, Klamath Falls, has indicated that he has several 11 unit trailers for sale that are suitable to haul sawdust. The cost of these trailers was quoted at approximately $2500 each.

2. The present cyclone on the wigwam waste burner is equipped with a diverter gate. The end of the present pipe appears to be about 14 - 16 feet above grade. With a trailer height of 12 feet, a horizontal deflecting spout can be incorporated into the present pipe for loading a trailer. When the velocity of the material from the cyclone discharge is considered, the plant should be able to operate at least one shift without the necessity of repositioning the trailer. The trailer would require a cover to be in place during loading to control dust emissions, and is not considered as a permanent solution but only as an interim measure.

3. Another possible solution that should be considered involves the use of the existing wigwam waste burner as a storage silo. By constructing a plank retaining wall or bulkhead across a section inside of the wigwam waste burner, the sawdust accumulation could be stored until it is convenient to load and transport the waste to the Weyerhaeuser Company mill. Loading could be accomplished by two methods:

   a. By front end loader, in which case access to the pile would be through the clean-out doors.

   b. By a conveyor which would have a loading bin under the accumulated sawdust pile behind the plank bulkhead. Feed control would be by motor start-up and one man to ensure that bridging of the sawdust does not occur. The sawdust would travel on the horizontal portion of the belt or flighted chain conveyor through the bulkhead, then up an inclined portion of the conveyor, through the wigwam waste burner shell, and finally to a discharge elevation sufficient to allow clearance for the trailer.

The above information is provided as possible alternatives for consideration by your company. There are undoubtedly other alternatives possible that are also within the economic capabilities of Jeld-Wen, Inc. None of the alternatives are expected to produce excess revenues, but are offered as possibilities.

The economic impact to a mill for a wigwam burner modification is considered to be about $250.00 per month depreciation; $250 per month fuel cost; one-half of a man or $400 per month; or a total in excess of $900 per month. Any system that has this level of economic impact or less is considered feasible.

At the March 24, 1972 Environmental Quality Commission meeting, the Hearings Officer's report will be presented to the Commission for final action.

If the Department can be of any assistance, or if there are any questions, please do not hesitate to call.

RMP

cc: D. O.

Very truly yours,

Original Signed By
L. B. Day

LBD:TMP:h
cc: H. F. Smith

L. B. Day
Director

MAR 06 1972

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

TOM McCALL
GOVERNOR

L. B. DAY
Director

ENVIRONMENTAL QUALITY COMMISSION
B. A. McPHILLIPS
Chairman, McMinnville
EDWARD C. HARMS, JR.
Springfield
STORRS S. WATERMAN
Portland
GEORGE A. McMATH
Portland
ARNOLD M. COGAN
Portland

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. N, EQC Meeting, March 24, 1972

Sherrod Land Clearing Disposal Site

Background

The John M. King Company currently has a contract with Portland General Electric Company to clear the right-of-way for Portland General Electric's St. Marys - Harborton - Trojan Transmission Line. The right-of-way clearance project is 35 miles in length and basically follows U.S. Highway 30 from PGE's Trojan site to a sub-station just outside the Portland city limits on Multnomah Channel. The Portland General Electric contract provided for the ten (10) miles from the Trojan site toward Portland, the branches, brush and stumps were to be stacked and burned. The contract specified that for the remaining twenty-five (25) miles the clearance debris was to be chipped or disposed of in an approved - acceptable manner (no burning). To date the John M. King Company has cleared, chipped, and broadcast on the premises, all the cleared material for approximately eighteen (18) miles of right-of-way. Of the remaining seven (7) miles, the property owners of 1-1/2 miles of right-of-way do not wish to have the chips broadcast on their premises. In addition, this land is rocky and has a steep side gradient, making it difficult to move the chipper into the clearance area. The John M. King Company, therefore, sought an alternative to disposing of the waste material. Subsequently, they filed an application for a solid waste disposal facility permit

TELEPHONE: (503) 229-5696

requesting approval to deposit this material in a landfill. The proposed location is a 2.4 acre piece of property owned by Mr. Don S. Sherrod, between U.S. Highway 30 and Multnomah Channel, Section 28, T2N, R2W, Willamette Meridian, Tax Lots 11 and 13, Multnomah County, Oregon.

Briefly, John M. King Company proposes to dispose of approximately 1000-2000 loose yards of branches, brush, and stumps in the proposed landfill. The waste material would be placed in 2 - 4 foot lifts and covered with a foot or more of borrowed earth from the site. The final grade would be an earth layer of a minimum two foot compacted depth. The fill area would be utilized as a parking lot for the Bridgeview Moorage, which is also owned by Mr. Sherrod.

Factual Analysis

Our concerns and comments regarding this proposal are divided into two categories: (1) Disposal Site, (2) Clearance Project.

1. Disposal site.
   a. The disposal site is located in the flood plain of Multnomah Channel. Presently this area is completely inundated with water. Regardless of what time of year the fill would be utilized, waste would be deposited in ponded water. It has been our experience that wood products mixed with water cause odor and leachate problems.
   b. Wood residue consisting of stumps, branches, and brush deposited into disposal sites invariably, even with compaction, leave appreciable air voids. These voids together with "green" wood provide conditions for spontaneous combustion. Steam vents rising from these types of fills are a common occurrence.
2. Clearance Project
   a. It is our understanding that the contract with PGE was based on chipping as the method of disposal. While it would take longer than the May 1, 1972 completion date to chip the area of concern, it is a practicable alternative.
   b. While the final disposal of the chips would still be a problem, since the property owners do not want the chips broadcast on their land, other alternatives have not been exhausted.

Examples include: (1) hauling and placement of chips on land already cleared, (2) hauling use of chips as bedding for farms and ranches, and (3) hauling and use of chips for landscaping.

Conclusion:

The department should continue to promote and encourage chipping and utilization of land-clearing debris. Presently, the broadcasting of the chips in the right-of-way, followed up by seeding, the use of chips as bedding for farms and ranches, and landscaping, are existing alternatives for final disposal. In the future, it is hoped that land clearing material will serve as a raw material for the wood products industry.

We believe that the landfilling of this material with its fire potential, odor, and leachate possibilities will have a greater impact from an overall environmental standpoint in comparison with other alternatives.

Director's Recommendation

It is recommended that the proposed solid waste disposal facility permit application be denied.

L. B. Day

REG: 3/15/72

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 13, 1972

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item 0, March 24, 1972 EQC Meeting

FEDERAL-STATE MATCHING GRANTS FOR SEWAGE WORKS CONSTRUCTION - POLICY DETERMINATION

BACKGROUND

During FY 1968 and 1969, the DEQ participated in the 50% Federal - 25% State matching grant program for sewerage works construction projects. Available funds permitted grants to only 18 projects on this basis. During this period the Department had a backlog of 45 projects waiting for grants. It soon became apparent that the failure of the Federal Government to appropriate sufficient funds to provide grants for all projects which were ready to proceed was delaying sewerage works construction in Oregon. Therefore, in 1969, the Oregon Legislature placed a restriction in the appropriation bill for the DEQ which limited grants during the FY 70-71 biennium to either a 30% State grant or a 30% Federal grant unless sufficient Federal Funds were made available to cover all projects with 50% Federal/25% State grants. During FY 1970, 1971, and so far in 1972, grants have been limited to a 30% state or federal grant only.

The Department has attempted to process all projects, however, so as to qualify for reimbursement to the maximum 50/25 grant levels when and if funds become available. Many cities have recently been inquiring about increased grants.

Evaluation

With recently announced increases in Federal Funds and the prospect for further increases, it appears that reimbursement to higher grant levels on a priority basis over a period of years may be possible for projects funded since 1969 at the 30% level.

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EPA has advised the Dept. of the procedures necessary to clear the way for reinstatement of the matching grant program and eventual reimbursement to higher grant levels. These include:

1. A resolution from the EQC that it does wish to reinstate the matching program and retroactively provide increased grants to those eligible for such increase.

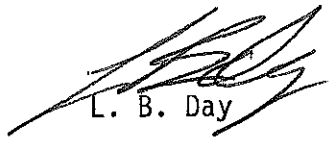
2. An agreement to pay the required state matching grants.

3. A program approved by EPA for phasing retroactive grant increases based on available Federal Funds.

DIRECTOR'S RECOMMENDATION

It is recommended that the Commission adopt a resolution advising EPA that the State of Oregon, acting through the DEQ, does in fact wish to reinstate the matching grant program within the limits of available Federal Funds in order to maximinize grant allocations to the cities in Oregon.

It is further recommended that the Director be authorized to execute the required agreement with EPA on behalf of DEQ as soon as details are worked out relative to availability of funds, and priority for retroactive increases. Such agreement must insure, however, that new construction does not become delayed by lack of sufficient Federal money to fund the higher level grants for all projects ready to proceed in any given year.



L. B. Day

HLS:ak

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 13, 1972

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item 0, March 24, 1972 EQC Meeting

AMENDMENT TO THE CONSTRUCTION GRANT PRIORITY LISTING FOR FISCAL YEAR 1972

BACKGROUND

On July 23, 1971 the Commission approved the Fiscal Year 1972 Priority List for Sewage Treatment Works Construction Grants.

During Fiscal Year 1970, the State of Oregon made 30% grants to nine communities for which Federal funds were not available. These communities proceeded with construction with the understanding that they could be considered eligible for a reimbursible grant. During Fiscal Year 1971, EPA made partial reimbursement to the State for four of these projects.

It is now the intent of EPA to fully reimburse the State for these projects from Fiscal Year 1972 allotment. Two of the nine are presently not complete and are included on the FY 72 List. However, seven of these projects, which had been completed, were not placed on the FY 72 Priority List. Projects must be on the list to qualify for reimbursement. Accordingly, the seven projects are proposed for addition to the FY 72 Priority List.

DIRECTOR'S RECOMMENDATION

It is recommended that the FY 72 Construction Grant Priority List be amended to include the following seven projects:

WPC Ore. No.	Name of Applicant	Points	Grant	Remarks
285	Clackamas Community College	65	15,660	Complete
233	Reedsport	65	19,512	Complete
315	Dufur	63	3,300	Complete
225	Silverton	63	3,620	Complete
303	Burns	62	4,290	Complete
277	La Grande	62	19,505	Complete
264	Toledo	59	71,479	Complete

L. B. Day

LLB:ak

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 13, 1972

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item P, March 24, 1972 EQC Meeting

CERTIFICATION FOR FEDERAL TAX CREDITS (DELEGATION OF AUTHORITY TO REGIONAL AIR QUALITY CONTROL AUTHORITIES)

BACKGROUND

Federal Legislation passed in 1969 provides for accelerated tax write-off of qualifying industrial pollution control facilities. Federal Regulations promulgated in 1971 have set the stage to implement the program. For Oregon industries the Federal program in essence requires the following steps to obtain the Federal Tax write off:

1. The applicant completes multi-page Federal Form and submits one copy to EPA Seattle and two copies to the State certifying agency.

2. The State certifying agency completes a certification that the claimed facility is in conformity with state and local pollution control requirements and forwards a copy of the certification and the application to the EPA Regional office in Seattle.

3. EPA completes an additional certification and forwards to Secretary of Treasury who grants final approval for tax credit.

EVALUATION

This program adds an additional burden on the Dept. staff for making the necessary certification on air and water pollution control facilities.

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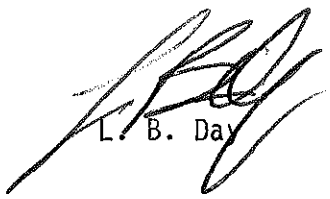
It should be noted that facilities certified for State tax credit will not necessarily qualify for the Federal Tax Credits. For air pollution control facilities within the jurisdiction of regional authorities, state and local manpower involvement would be minimized if the regions were officially authorized to certify conformity with state and local requirements. It is the opinion of legal counsel that ORS 449.855 authorizes the EQC to delegate such certifying authority to the regions.

DIRECTOR'S RECOMMENDATION

It is recommended that the commission approve the attached resolution which authorizes the regional Air Pollution Authorities to certify for Federal Tax Credit purposes that air pollution control facilities within their jurisdiction are in conformity with state and local air pollution control requirements.



L. B. Day

HLS:ak

RESOLUTION OF ENVIRONMENTAL QUALITY COMMISSION

Pursuant to ORS 449.855, the Environmental Quality Commission hereby authorizes each of the regional air quality control authorities in the State of Oregon, namely:

Columbia-Willamette Air Pollution Authority

Lane Regional Air Pollution Authority

Mid-Willamette Valley Air Pollution Authority

to certify, pursuant to section 169 of the Internal Revenue Act of 1954, as amended, and regulations issued thereunder, that any air pollution control facility under the jurisdiction and located within the certifying air quality control region, for which application is made to the Environmental Protection Agency of the United States for certification for amortization deduction under said Section 169, is in conformity with state and local programs and requirements for the control of air pollution, or that any air pollution control facility proposed to be located within the certifying air quality control region, but not yet in operation, if constructed and operated in accordance with the application, will be in conformity with state and local programs and requirements for the control of air pollution.

The Director of the Department of Environmental Quality is hereby authorized and directed to implement this resolution.

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 15, 1972

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Q, March 24, 1972 EQC Meeting

ZIG ZAG VILLAGE PERFORMANCE BOND

BACKGROUND

1. ORS 449.400 requires every person proposing to construct and operate a privately owned sewerage system to file a surety bond of a sum not to exceed $25,000 with the EQC. Such bond is to be forfeited in whole or in part for failure to construct, operate or maintain the system in accordance with Department requirements.

2. ORS 449.400 (2) provides that the EQC may permit the substitution of other security for the bond; however, the Attorney General must approve the form of such security.

3. Zig Zag Properties Inc. and Condominium Vacation Homes Inc. propose to construct a sewerage system to serve 71 residential lots and 14 condominium units adjacent to the Sandy River in Clackamas County. A $25,000 bond is required for this project.

4. A Waste Discharge Permit was issued for this development on August 16, 1971.

5. Plans for the facility have recently been approved.

TELEPHONE: (503) 229-5696

6. The developers have requested that some security other than the normal Corporate Surety Bond be accepted by the Commission.

EVALUATION

1. Financial statements have been submitted to the Department by the principal stockholders of the Developing Corporations:

   Teeples & Thatcher Inc.
   Donald H. & Mary J. Armstrong
   (Owners - Armstrong Buick Inc.)
   William J. Masters, (Attorney)

2. The financial resources appear adequate to justify acceptance of a personal bond from the principals involved (form to be recommended by Department legal counsel).

DIRECTOR'S RECOMMENDATION

It is recommended that the Commission accept a personal bond in a form to be approved by the Attorney General in the amount of $25,000 containing the following conditions:

1. The owners shall be responsible for proper operation and maintenance of the sewerage facilities and the bond shall remain in force until such time as a responsible public entity assumes full liability and responsibility for operation and maintenance of the collection and treatment facilities, or until ownership of the collection and treatment facilities is transferred to a responsible public entity or until the treatment facility is eliminated by connection to an area wide sewerage system.

2. Ownership shall not be otherwise transferred without approval of the Department.

3. Connection to an area wide sewerage system shall be made as soon as such system becomes available.

L. B. Day

HLS:ak

DEPARTMENT OF ENVIRONMENTAL QUALITY

TERMINAL SALES BLDG. • 1234 S.W. MORRISON ST. • PORTLAND, OREGON 97205

March 17, 1972

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item R, March 24, 1972 EQC Meeting

TAX CREDIT APPLICATIONS

Attached are Department reports on 19 Tax Credit Applications. These applications are summarized together with the Director's recommendation on the attached table.

L. B. Day

HLS:mjb

Attachments

TELEPHONE: (503) 229-5696

Appl. No.	Applicant	Claimed Facility	Claimed Cost	Director's Recommendation
T-224	Morse Brothers, Albany	Asphalt Plant Scrubber system	21,452.46	Issue
T-225	Morse Brothers, Corvallis	Asphalt plant scrubber system	30,694.58	Issue
T-226	Morse Brothers, Sweet Home	Asphalt plant scrubber system	4,895.30	Issue
T-252	Concrete Steel Corp., Medford	Asphalt plant scrubber system	11,160.50	Issue
T-254	T P Packing Co., Klamath Falls	Anaerobic-aerobic lagoon system	24,428.91	Issue
T-259	Bauman Lumber Co., Lebanon	Gas/oil fired package boiler (replace hog fuel boiler)	33, 819.50	Issue
T-260	Chaney Lumber, Boring	Hammermill, conveyors, bin to eliminate burner	29,111.05	Issue
T-262	Willamette Industries, Albany	Enclosures for truck dump, other areas	109,574.55	Issue
T-265	Pacific Carbide & Alloys, Portland	Second stage scrubber system	64,536.32	Issue
T-267	Evans Products, Corvallis	Fume incinerator	66,843.95	Issue
T-289	Boise Cascade, La Grande	Wall to prevent wind from blowing shavings	8,570.00	Issue
T-290	Boise Cascade, La Grande	Truck dump enclosure	41,114.00	Issue
T-291	Boise Cascade, Joseph	Wigwam burner modification	19,130.00	Issue
T-292	Boise Cascade, La Grande	Cyclone filter system	44,927.00	Issue
T-318	Cheney Forest Products, Central Point	Wigwam burner modification	36,660.80	Issue
T-297	Reynolds Metals Co., Troutdale	Continuous fluoride monitoring system	9,531.24	Issue
T-298	Reynolds Metals Co., Troutdale	Multiclone system	29,795.33	Issue
T-300	Reynolds Metals Co., Troutdale	Hoods, ducts, shields for pot lines I, II, IV	603,185.71	Issue
T-301	Reynolds Metals Co., Troutdale	Air Pollution Controls for pot line V	1,367,002.26	Defer

Appl T-224

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Morse Brothers, Incorporated
Albany Plant
Post Office Box 7
East Grant Street
Lebanon, Oregon 97355

The applicant operates an asphalt plant in Albany. This application was initially received incomplete on May 3, 1971. Additional information was received on December 17, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to include:

a. Two 90" "standard" twin cyclones.
b. Two "Todd" SC-94 spray chambers.
c. One "Todd" LS-94 air washer.
d. One Carver 1 1/2" type H water pump.

The facility was placed in operation on June 1, 1969.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost: $21,452.46 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to control dust emissions to the atmosphere from the asphaltic concrete production process. The Mid Willamette Valley Air Pollution Authority required the installation of the claimed facility, reviewed and approved the construction plans, and after inspecting the completed facility determined that the construction was done according to the approved plans. In addition, the Regional Authority has source tested the facility and reported that the results were in compliance with dust emission regulations.

It is concluded that the claimed facility operates to reduce dust emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution control Facility Certificate bearing the cost of $21,452.46 be issued for the facility claimed in tax application T-224 with 80% or more of the cost allocable to pollution control.

Appl T-225

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Morse Brothers, Incorporated
Corvallis Plant
Post Office Box 7
East Grant Street
Lebanon, Oregon 97355

The applicant operates an asphalt plant in Corvallis. This application was initially received incomplete on May 3, 1971. Additional information was received on December 17, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to include:

a. One "Todd" DC-90 dust collector.
b. Two "Todd" SC-94 spray chambers.
c. One "Todd" LS-94 air washer.
d. One Carver 1 1/2" type H water pump.

The facility was placed in operation on June 1, 1969.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost: $30,694.58 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to control dust emissions to the atmosphere from the asphaltic concrete production process. The Mid Willamette Valley Air Pollution Authority required the installation of the claimed facility, reviewed and approved the construction plans, and after inspecting the completed facility determined that the construction was done according to the approved plans. In additon, the Regional Authority has source tested the facility and reported that the results were not in compliance with dust emission regulations, but compliance is expected prior to startup for the 1972 production season.

It is concluded that the claimed facility operates to reduce dust emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $30,694.58 be issued for the facility claimed in tax application T-225 with 80% or more of the cost allocable to pollution control.

Appl T-226

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Morse Brothers, Incorporated
Sweet Home Plant
Post Office Box 7
East Grant Street
Lebanon, Oregon 97355

The applicant operates an asphalt plant in Sweet Home. This application was received incomplete on May 3, 1971. Additional information was received on December 17, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to include:

a. Two 90" twin cyclones.
b. One "Todd" SC-94 spray chamber.
c. Two "Madsen" 5' x 15' wet washers.
d. One Carver 1 1/2" type H water pump.

The facility was placed in operation on June 1, 1969.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost: $4,895.30 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to control dust emissions to the atmosphere from the asphaltic concrete production process. The Mid Willamette Valley Air Pollution Authority required the installation of the claimed facility, reviewed and approved the construction plans, and after inspecting the completed facility determined that the construction was done according to the approved plans. In addition, the Regional Authority has source tested the facility and reported that the results were in compliance with dust emission regulations.

It is concluded that the claimed facility operates to reduce dust emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $4,895.30 be issued for the facility claimed in tax application T-226 with 80% or more of the cost allocable to pollution control.

Appl T-252

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Concrete Steel Corporation
Tru-Mix Asphalt Division
Post Office Box 1588
Medford, Oregon 97501

The applicant operates an asphalt plant near Central Point. This application was initially received incomplete on November 3, 1971. Additional information was received on February 11, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described to include:

a. One cyclone.
b. One triple-drum scrubber.
c. One fan and related electric motor.
d. One 95' horizontal stack.
e. Associated water pump, motor, piping and fittings.

Construction of the claimed facility was started on February 12, 1967. The facility was completed on June 14, 1967 and operation began July 1, 1967.

Certification is claimed under the 1967 Act.

Facility cost: $11,160.50 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to control dust emissions to the atmosphere from the asphaltic concrete production process. Observations made by the Department indicate that the facility operates efficiently.

It is concluded that the principal purpose for installing the claimed facility was to reduce atmospheric emissions and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $11,160.50 be issued for the facility claimed in tax application T-252 with 80% or more of the cost allocable to pollution control.

Appl T-254

Date 3-15-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

T. P. Packing Co.
2330 Union Ave.
Klamath Falls, Oregon 97601

The applicant owns and operates a cattle slaughtering and packing plant at the above address in Klamath County.

2. Description of Claimed Facility

Waste water collection, treatment and disposal system consisting of an anaerobic lagoon followed in series by an aerobic lagoon.

The claimed facility was placed in operation in September 1970.

Certification is claimed under the 1969 Act with 100% of the cost allocated to pollution control.

Facility Cost: $24,428.91 (Accountant's Certification was provided.)

3. Evaluation of Application

Installation of the claimed facility was required by the Department of Environmental Quality (Permit Requirement). Prior to installation, wastes were discharged essentially untreated to a drainage ditch which eventually empties into the Lost River. With the claimed Facility, no discharge occurs during summer months. During winter months, approximately 8,000 gpd are discharged to the drainage ditch after treatment. Some odor problems have been experienced as a result of the anaerobic lagoon. The company has been cooperative in working to reduce the odors by masking until a natural skum blanket forms on the pond.

The facility is performing as expected and is meeting present requirements of the Department.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-254, such certificate to bear the actual cost of $24,428.91 with 80% or more of the cost allocable to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

Appl. T-259
Date 3/13/72

1. Applicant

Bauman Lumber Company
P. O. Box 188
Lebanon, Oregon 97355

The applicant operates a lumber re-manufacturing plant on Highway 20 between Sweet Home and Lebanon.

This application was received on December 1, 1971. The report from Mid-Willamette Valley Air Pollution Authority was received February 1, 1972, concurring with the installation.

2. Description of Claimed Facility

The facility claimed in this application is described to be a complete gas/oil fired package boiler.

The facility was completed on May 22, 1970.

Certification was not claimed by the company under either Act. However, certification must be made under the 1969 Act due to the 1970 starting date. The percentage claimed for pollution control is 100%.

Facility Cost: $33,819.50. (Accountant's certification is attached.)

3. Evaluation of Application

The claimed facility was installed to replace an old hog-fuel boiler. The new boiler serves to reduce atmospheric emissions previously escaping into the atmosphere.

It is concluded that the facility operates to reduce particulate emissions to the atmosphere and that the cost allocable to pollution control should be 80% or more.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $33,819.50 with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-259.

Appl T-260

Date 2/18/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant:

Chaney Lumber and Remanufacturing Co.
P. O. Box 127
Boring, Oregon 97009

The applicant operates a sawmill and planing mill in Boring. This application was received on December 7, 1971. A report was received from Columbia-Willamette Air Pollution Authority on February 1, 1972.

2. Description of Claimed Facility:

The claimed facility is described to include:

a) An apache hammermill
b) A Salem Equipment Revolving Screen
c) A 30 unit Peerless Bin
d) 146 feet of conveyors
e) A fan and blow pipe
f) Necessary motors, electrical controls, foundations, etc.

The facility was completed on March 30, 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $29,111.05. (Accountants Certification is attached.)

3. Evaluation of Application:

The claimed facility was installed to replace a wigwam waste burner. The Columbia-Willamette Air Pollution Authority has reviewed the claimed installation and has stated that it is in compliance with CWAPA rules. The company received a "Good Citizen Award" from the Columbia-Willamette Air Pollution Authority for the facility.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no net return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $29,111.05 be issued for the facility claimed in Tax Application T-260, with more than 80% of the cost allocated to pollution control.

Appl T-262
Date 2/4/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Willamette Industries, Inc.
Albany Division (Duraflake)
1002 Executive Building
Portland, Oregon 97204

The applicant operates a particleboard plant in Albany. This application was received on December 15, 1971. A report was received from the Mid-Willamette Valley Air Pollution Authority on February 1, 1972.

2. Description of Claimed Facility

The claimed facility is described to be enclosures over:

a) The truck dump area
b) The area between two (2) storage buildings
c) At the wall area of the plywood trim storage building.

The facility was completed in June, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%. Facility Cost $109,574.55 (Accountant's Certification is Attached).

3. Evaluation of Application

The claimed facility was installed to prevent dust from being released into the atmosphere. The Mid-Willamette Valley Air Pollution Authority reviewed and approved plans and specifications for this facility and advised the Department that the system operates satisfactorily.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $109,574.55 be issued for the facility claimed in Tax Application T-262, with more than 80% of the cost allocated to pollution control.

Appl T-265

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Pacific Carbide and Alloys Company
9901 North Hurst
Post Office Box 17008
Portland, Oregon 97217

The applicant produces calcium carbide in an arc furnace operation. This application was received on January 4, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described to be a second-stage dynamic scrubber consisting of a Y-valve, ducting, radial fan, motor, coupling, foundations, separator, conical section, 50' stack, electric lighting and service, safety switch, water lines and sumps, painting and paving in the immediate area.

The facility was completed on November 10, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost: $64,536.32 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed as an addition to a venturi scrubber system in order to reduce fume emissions and eliminate shutdowns for cleaning the fan. Although the Columbia-Willamette Air Pollution Authority did not require installation of the facility, that agency was encouraging the company to reduce emergency breakdowns which resulted in shutdown of fume controls. The Regional Authority did review and approve the construction plans and reports that the construction was done according to the approved plans. That agency also reports that since the claimed facility was installed, fume controls have not been bypassed.

It is concluded that the claimed facility operates to reduce emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $64,536.32 be issued for the facility claimed in tax application T-265 with 80% or more of the cost allocable to pollution control.

Appl T-267

Date 3-2-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Evans Products Company
Fibre Products Division
1120 S.E. Crystal Lake Drive
Corvallis, Oregon 97330

The applicant manufactures hardboard and battery separators. The application was received January 11, 1972. A report was received from Mid-Willamette Valley Air Pollution Authority on February 15, 1972.

2. Description of Claimed Facility

The claimed facility is described to be a particle-board-drier fume incinerator.

The facility was completed in August, 1971.

Certification is claimed under the 1967 Act. However, due to the dates construction was started and completed, Certification must be claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $66,843.95 (Accountant's Certification was provided.)

3. Evaluation of Application

The claimed facility was installed to abate the malodorous gases being discharged into the atmosphere.

The Mid-Willamette Valley Air Pollution Authority required the installation of this facility and reviewed and approved plans and specifications prior to installation. The operation of the facility has been marked with various failures. It is anticipated by Mid-Willamette Air Pollution Authority that once the stand-by fuel problem is resolved, the plant will operate in accordance with the emission standards of the Authority.

It is concluded that the facility operates to reduce odors to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $66,843.95 be issued for the facility claimed in Tax Application T-267, with more than 80% of the cost allocated to pollution control.

Appl T-289
Date 3/10/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Boise Cascade Corporation
P. O. Box 610
La Grande, Oregon 97850

The applicant operates a particleboard plant in La Grande. This application was received January 24, 1972.

2. Description of Claimed Facility

The claimed facility is described to be a large wall constructed on the north side of the conveyor hopper.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $8,570. (Accountant's certification was provided)

3. Evaluation of Application

The claimed facility was installed to prevent the wind from blowing planer shavings and dust into the atmosphere.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $8,570, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-289.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Appl. T-291
Date 3/13/72

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Joseph Sawmill
P. O. Box 610
La Grande, Oregon 97850

The applicant operates a sawmill in Joseph. This application was received on January 24, 1972.

2. Description of Claimed Facility

The claimed facility is described to include the following modifications and repairs to the wigwam waste burner:

a) Repairs to burner shell.
b) Automatically controlled damper.
c) Independent mechanical temperature sensor.
d) Three (3) auxiliary diesel oil-fired burners.
e) Underfire forced draft system including necessary motors, fans and foundations.
f) Overfire draft system including necessary motors and fans.
g) Automatic controlling recording system.

The facility was completed April 22, 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $19,130. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to reduce visible emissions from the wigwam waste burner.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $19,130, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-291.

Appl. T-290
Date 3/13/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Boise Cascade Corporation
P. O. Box 610
La Grande, Oregon 97850

The applicant operates a particleboard plant in La Grande. This application was received on January 24, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described to be a steel enclosure over the second truck dump area.

The facility was completed in November, 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $41,114. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to prevent dust from being emitted into the atmosphere.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $41,114, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-290.

Appl. T-292
Date 3/13/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Boise Cascade Corporation
P. O. Box 610
La Grande, Oregon 97850

The applicant operates a particleboard plant in La Grande. This application was received on January 24, 1972.

2. Description of Claimed Facility

The claimed facility is described to be a cyclone filter system: (RADER Pneumatic WF Filter System).

The facility was completed in January, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $44,927. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility collects dust particles previously escaping into the atmosphere from the sanderdust cyclones.

It is concluded that the facility operates to reduce particulate emissions to the atmosphere and that the cost allocable to pollution control should be 80% or more.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $44,927, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-292.

Appl T-297

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Reynolds Metals Company
Troutdale Plant
Sundial Road
Troutdale, Oregon 97060

The applicant operates a primary aluminum reduction plant. This application was received on February 10, 1972. (This aluminum plant was shutdown in November of 1971 due to poor market conditions.)

2. Description of Facility

The facility claimed in this application is described to consist of five (5) ambient air sampling stations for monitoring gaseous fluorides on a continuous basis. (The gaseous fluorides are collected on bicarbonate-coated glass tubes.) Also included in this facility are two (2) high volume samplers for collecting suspended particulates.

The facility was placed in operation in May 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost equals $9,531.24. (Accountant's certification was provided.)

3. Evaluation of Application

Installation and operation of the claimed facility was required by the Department of Environmental Quality as a part of its Primary Aluminum Plant Regulation (OAR Ch. 340, Division 2, Sections 25 - 225 through 25 - 290). Data from the claimed facility was furnished to the Department during 1970 and 1971. The aluminum plant was shut down in November of 1971 and operation of the claimed facility likewise ceased.

Although the claimed facility did not reduce emissions directly, its purpose was to determine the effectiveness of existing and future generations of control systems. Thus it was an integral part of the air pollution control program.

It is concluded that the claimed facility was installed to assist in the control of emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $9,531.24 be issued for the facility claimed in tax application T-297, with 80% or more of the cost allocable to pollution control.

Appl T-298

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Reynolds Metals Company
Troutdale Plant
Sundial Road
Troutdale, Oregon 97060

The applicant operates a primary aluminum reduction plant. This application was received on February 10, 1972. (This aluminum plant was shutdown in November of 1971 due to poor market conditions.)

2. Description of Facility

The facility claimed in the application is described to include a multiclone, booster fan, screw conveyor, and associated ductwork which serves as a pre-cleaner to an existing electrostatic precipitator in the carbon plant. (The precipitator is not claimed.)

The facility was placed in opration in April 1970.

Certification is claimed under the 1969 Act. The percentage claimed for Pollutio n Control is 100%.

Facility cost equals $29,795.33 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to eliminate visible emissions which occurred during the precipitator cleaning cycle. The Department requested that the company solve this problem since numerous complaints regarding this distinct emission had been received. Installation of the claimed facility eliminated both the emission and the resulting complaints.

It is concluded that the claimed facility was installed to reduce emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $29,795.33 be issued for the facility claimed in Tax Application T-298, with 80% of the cost allocable to pollution control.

Appl T-300

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Reynolds Metals Company
Troutdale Plant
Sundial Road
Troutdale, Oregon 97060

The applicant operates a primary aluminum reduction plant. This application was received on February 10, 1972. (This aluminum plant was shutdown in November of 1971 due to poor market conditions.)

2. Description of Facility

The facility claimed in this application is described to include individual pot hoods, ducts and side shields on three potlines of reduction cells (420 pots, Lines I, II and IV, Potroom Bldg. No.'s 4, 6, 8, 10, 16 and 18) which collect and carry exhaust gases to a main header inside each building. (The main headers are not claimed.)

The facility was completed on Line I in January 1971, Line II in November 1971 and Line IV in April 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost equals $603,185.71. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed as a portion of a program to improve potroom air pollution controls. This program was approved by the Department of Environmental Quality. The purpose of the claimed facility was to improve contaminant collection at the pots and thereby direct a greater percentage to the primary system (courtyard) scrubbers which are more efficient than the secondary system (rooftop) scrubbers. The Department has inspected the claimed facility and determined that it was constructed in accordance with the approved proposal. The facility was in operation prior to plant shutdown.

It is concluded that the facility operates to reduce atmospheric emissions and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $603,185.71 be issued for the facility claimed in tax application T-300 with 80% or more of the cost allocable to pollution control.

Appl T-301

Date 3-13-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

Reynolds Metals Company
Troutdale Plant
Sundial Road
Troutdale, Oregon 97060

The applicant operates a primary aluminum reduction plant. This application was received on February 10, 1972. (This aluminum plant was shutdown in November 1971 due to poor market conditions.)

2. Description of Facility

The facility claimed in this application is described to include individual ducts, dual main headers, a single header, a concrete plenum, eight (8) fans, four (4) wet venturi scrubbers, eight (8) wet cyclones, and four (4) 100 ft. high stacks for treating and exhausting the emissions from Line No. V.

The facility was completed in November 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility cost equals $1,367,002.26. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed as the air pollution controls on the fifth potline during its construction. Both the expansion and the claimed facility were approved by the Department of Environmental Quality. Upon completion of the expansion, market conditions were such that the claimed facility and Line No. V were not placed in opration. The Department has inspected the claimed facility and determined that it was constructed in accordnace with the approved proposal. The company has tested the facility and determined that it is operational.

Fluoride values collected by the facility would be recovered by an existing cryolite plant. However, this does not make the claimed facility economical since the estimated annual operating expenses ($243,515.00) would exceed the estimated value of recovered fluorides ($107,300.00).

It is concluded that although the facility has not been placed in operation, it was installed to reduce emissions to the atmosphere and the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

Since the claimed facility has not yet been placed in operation, and since it has been the policy of the Department to recommend certification only after the claimed facility has been placed in operation and demonstrated effective, it is recommended that final action on this application be deferred until such time as the facility is placed in effective operation.

Appl. T-318
Date 3/13/72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Cheney Forest Products
P. O. Box 3695
Central Point, Oregon 97501

The applicant operates a sawmill in Central Point. This application was received on February 18, 1972.

2. Description of Claimed Facility

The claimed facility is described to include the following modifications to the wigwam waste burner:

a) Automatic RM Vari-Damper.
b) Three (3) RM Jet-Fire auxiliary fuel system.
c) RM underfire forced draft system.
d) RM whirlwind overfire recirculating forced draft system.
e) RM electromatic controller.
f) All necessary fans, motors and foundations.

The facility was completed on November 15, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $36,660.80. (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to reduce visible emissions from the wigwam waste burner.

It is concluded that the facility operates to reduce emissions to the atmosphere and yields no return to the company. Consequently, that portion of the cost allocable to pollution control should be more than 80%.

4. Directors Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $36,660.80, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-318.