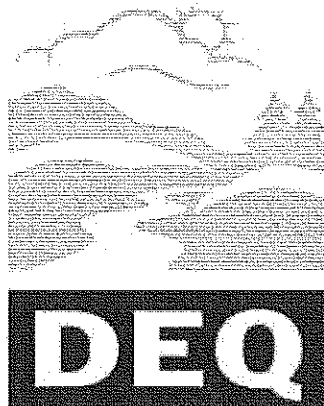


7/27/1972

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



State of Oregon
**Department of
Environmental
Quality**

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AGENDA

Environmental Quality Commission Meeting

July 27, 1972

Auditorium, Portland Water Bureau Bldg.

1800 S.W. 6th Ave., Portland

9:00 a.m.

- (A) Minutes of June 8 and June 9, 1972 Meeting
- (B) Project Plans for May and June, 1972
- (C) City of Portland Traffic Control & Transportation Plan (Status Report)
- (D) Zidell Explorations, Inc. (Staff Report)
- (E) Bernert Bros. Towing, Wilsonville (Staff Report)
- (F) Forest Practices Act Regulations (Commission Approval)
- (G) Oregon CUP Awards Program

1:30 p.m.

- (H) City of Wasco (Formal Hearing)
- (I) City of Astoria Sewerage Program
- (J) Parking Structures (Request for Approval)
 - a) Portland State University
 - b) Terminal Sales Bldg.
- ~~K. -- Ready Mix Sand & Gravel, Milton-Freewater (Staff Report) (Deleted)~~
- (L) Chem-Nuclear Environmental Hazardous Waste Disposal Site Application (Authorization for Hearing)
- (M) Air Quality Permit Regulations (Formal Adoption)
- (N) Proposed Detergent Labeling Regulations (Status Report)
- (O) Proposed Administrative Procedures Regulations (Authorization for Hearing)
- (P) Proposed Performance Bond Approval Procedure (Commission Approval)
- (Q) Pollution Control Bonds (Authorization for Bond Sale)
- (R) Tax Credit Applications
- (S)

MINUTES OF THE THIRTY-SIXTH MEETING
of the
Oregon Environmental Quality Commission
July 27, 1972

The thirty-sixth regular meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9:10 a.m., Thursday, July 27, 1972, in the Portland Water Bureau Building Auditorium, 1800 S.W. 6th Avenue, Portland, Oregon. All members were present and included B.A. McPhillips, Chairman, Arnold M. Cogan, Edward C. Harms, Jr., George A. McMath and Storrs S. Waterman.

Participating staff members were L.B. Day, Director; E.J. Weathersbee and K.H. Spies, Deputy Directors; Warren C. Westgarth, Laboratory Division Director; Harold M. Patterson, Air Quality Control Division Director; Harold L. Sawyer, Water Quality Control Division Director; C. Kent Ashbaker and R.E. Gilbert, District Engineers; S.C. Gilbert, Assistant District Engineer; Patrick D. Curran, Supervising Engineer; P.H. Wicks and M.J. Downs, Associate Engineers; Barbara J. Seymour, Information Director; and A.B. Silver, Legal Counsel.

In opening the meeting, the Chairman made reference to the recent air and water pollution problems experienced at the Boise Cascade pulp mill in Salem. He pointed out that this matter goes back several years. Mr. Harms also commented regarding it and stated that the company has been operating under a time schedule that is at least 4-1/2 years old, that in his opinion the company has had ample time to comply, that the time has now come to meet the deadline, and that the recent actions in this matter by the Director and the Governor have the full support of the Commission.

MINUTES OF JUNE 8 AND 9, 1972 MEETING

It was MOVED by Mr. Waterman, seconded by Mr. Harms and carried that the minutes of the thirty-fifth regular meeting of the Commission held in Bend and Lakeview on June 8 and 9, 1972, respectively, be approved as prepared.

PROJECT PLANS FOR MAY AND JUNE 1972

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that the actions taken by the Department during the months of May and June 1972 as reported by Mr. Weathersbee regarding the following 133 domestic sewerage, 31 air quality control and 6 solid waste disposal projects be approved:

Water Quality Control

Municipal Projects (63)

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------------------------------|-------------------------------------------------------------------|---------------|
| 5-1-72 | Gresham | Riviera Terrace Subd. sewers | Prov. app. |
| 5-1-72 | Eugene | Central Eugene Project, Phase I sewers | Prov. app. |
| 5-1-72 | Sutherlin | East Central Avenue sewer | Prov. app. |
| 5-2-72 | Hillsboro (Rock Creek) | Singing Woods Subdivision sewers | Prov. app. |
| 5-2-72 | Scappoose | Three sewer extensions | Prov. app. |
| 5-2-72 | East Salem Sewage & Drainage Dist. I | MacLeay Road sewers | Prov. app. |
| 5-3-72 | Inverness | Schuyler Park sewer | Prov. app. |
| 5-3-72 | Inverness | Inverness Interceptor, Unit 5A-1 | Prov. app. |
| 5-5-72 | Green San. Dist. | Hanna Street sewer | Prov. app. |
| 5-5-72 | Bandon | West Side sewers | Prov. app. |
| 5-5-72 | USA (Beaverton) | Conifer 307 Dev. sewers | Prov. app. |
| 5-5-72 | Portland | Emanuel Hospital sewer rehabilitation, Phase I | Prov. app. |
| 5-5-72 | Gresham | El Camino No. 5 sewers | Prov. app. |
| 5-5-72 | Gresham | Bull Run Subdivision sewers | Prov. app. |
| 5-5-72 | Dundee | Dundee Terrace Subd. sewers | Prov. app. |
| 5-5-72 | Amity | Sewer lateral extensions | Prov. app. |
| 5-5-72 | North Umpqua Sanitary District | Sewer lateral A-3 | Prov. app. |
| 5-5-72 | Astoria | Irving Street sewer replacement | Prov. app. |
| 5-8-72 | Winston | Sanitary sewer extensions | Prov. app. |
| 5-8-72 | USA (Aloha) | Four Seasons No. 12 sewers | Prov. app. |
| 5-9-72 | USA (Cornelius) | South Alpine Street and Fertile Valley Subd. sewers | Prov. app. |
| 5-11-72 | Bend | Canyon Park Subdivision sewers & pump station | Prov. app. |
| 5-12-72 | USA (Aloha) | Pebblewood Subd. sewers | Prov. app. |
| 5-12-72 | Portland | S.W. Moss Street sewer | Prov. app. |
| 5-12-72 | Salem | Redland Estates sewers | Prov. app. |
| 5-15-72 | USA (Aloha) | Knollwest, Phase II sewers | Prov. app. |
| 5-15-72 | Waldport | Sewage treatment plant additions, 0.18 MGD activated sludge | Prov. app. |
| 5-15-72 | Ashland | Four projects Clay Street relocation | Prov. app. |

Water Quality Control - continued
Municipal Projects (63) - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|--------------------------------------|---------------------------------------------------|---------------|
| | | Hwy 66 sewer | |
| | | Patterson-Phelps Tract sewer | |
| | | Pine Street connection | |
| 5-15-72 | Salem | Hulsey Court, S.E. sewer | Prov. app. |
| 5-15-72 | East Salem Sewage & Drainage Dist. I | Neighborly Addition and Whitesell Subd. sewers | Prov. app. |
| 5-16-72 | Medford | Septic tank truck dumping structure | Approved |
| 5-24-72 | East Salem Sewage & Drainage Dist. I | Glenber Subdivision 1 and 2 sewers | Prov. app. |
| 5-24-72 | Portland | North Portland sewers (2 projects) | Prov. app. |
| 5-24-72 | USA (Progress) | Brightfield Apts. sewers | Prov. app. |
| 5-24-72 | USA (Metzger) | Godwin's Glen Subd. sewers | Prov. app. |
| 5-24-72 | USA (Forest Grove) | Sewer extensions | Prov. app. |
| 5-24-72 | USA (Beaverton) | Still Creek Apts. sewers | Prov. app. |
| 5-24-72 | Gresham | Volos Estates Subdivision sewers | Prov. app. |
| 5-24-72 | Canby | Amrine Addition Subdivision sewers | Prov. app. |
| 5-24-72 | Gresham | Mossytrees Park Subd. sewer | Prov. app. |
| 5-24-72 | Clackamas County | Timothy Lake USFS sewerage system | Approved |
| 5-24-72 | West Linn (Bolton) | West Linn Heights No. 2 Subdivision sewers | Prov. app. |
| 5-24-72 | Ashland | Monte Vista Drive sewers | Prov. app. |
| 5-24-72 | USA (Aloha) | Wedgfield Lane No. 2 Subdivision sewers | Prov. app. |
| 5-24-72 | Inverness | 122nd Avenue sewer extension | Prov. app. |
| 5-24-72 | Hillsboro | Edwards Meadow No. 2 sewers | Prov. app. |
| 5-26-72 | Grants Pass | Sanitary sewers (2 projects) | Prov. app. |
| 5-26-72 | Eugene | Sanitary sewers (6 projects) | Prov. app. |
| 5-26-72 | Astoria | Sanitary sewer interceptors revised for rebidding | Prov. app. |

AIR QUALITY CONTROL

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|------------------|-----------------------------------------------------------------------------------|---------------|
| 4-28-72 | Coos County | Georgia Pacific Corp. Cyclone modifications at hardwood plant | Approved |
| 5-22-72 | Umatilla County | U.S. Gypsum Co. Installation of cyclones, and wood dust firing system for boilers | Approved |
| 5-22-72 | Tillamook County | Miami Shingle & Shake Co. Plans and specifications for WWB modification | Approved |

Air Quality Control - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-------------------|-------------------------------------------------------------------------------------------------------------------|---------------|
| 5-22-72 | Deschutes County | Brooks-Scanlon, Inc. Proposal for hog fuel boiler compliance | Approved |
| 5-22-72 | Malheur County | L.W. Vail Company, Inc. Plans for installation of portable 8,000 lb/hr batch type hot-mix asphalt plant | Approved |
| 5-22-72 | Hood River County | B & D Paving Co., Inc. Proposal to install baghouse controls on stationary hot-mix asphalt plant | Approved |
| 5-23-72 | Coos County | Georgia-Pacific Corp. Plans for replacement of sander dust cyclones with baghouse control at the plywood plant | Approved |
| 5-23-72 | Jackson County | Olson-Lawyer Lumber Co. Installation of pneumatic saw-dust fuel system to char furnace | Approved |
| 5-24-72 | Morrow County | L.W. Vail Company, Inc. Plans for installation of portable 5,000 lb/hr batch type, hot-mix asphalt plant | Approved |
| 5-24-72 | Morrow County | L.W. Vail Company, Inc. Plans for installation of portable 10-12,000 lbs/hr batch type, hot-mix asphalt plant | Approved |
| 5-24-72 | Morrow County | Rogue River Paving Co., Inc. Proposal to install baghouse controls on stationary hot-mix asphalt plant | Approved |
| 5-24-72 | Douglas County | A.F. Saar, Inc. Installation of pneumatic wood waste handling system for boiler fuel feed system | Approved |
| 5-24-72 | Tillamook County | Midway Shake Company Plans and specifications for WWB modification | Approved |
| 5-26-72 | Douglas County | Nordic Plywood Company Plans and specifications for sander dust incineration system | Approved |

Solid Waste Division

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|------------------|-------------------------------------------|---------------|
| 5-4-72 | Port Orford | Rogge Lumber Sales Wood Waste Landfill | Prov. app. |
| 5-18-72 | Plush | Lake Co. Landfill at Plush | Approval |
| 5-18-72 | Christmas Valley | Lake County Landfill at Christmas Valley | Approval |

Solid Waste Division - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------|-------------------------------------------|---------------|
| 5-22-72 | Eugene | Gregory Lumber Co. Wood Waste Landfill | Prov. app. |

Water Pollution Control

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------|----------------|---------------|
|-------------|-----------------|----------------|---------------|

Municipal Projects (79)

| | | | |
|--------|--------------------------------------|----------------------------------------------------------------------------|------------|
| 6-1-72 | USA (Metzger) | Phyllis Ann Subd. sewers | Prov. app. |
| 6-1-72 | Lake Oswego | LID Nos. 137 & 140 sewers | Prov. app. |
| 6-1-72 | Woodburn | Kelowna Subdivision sewers | Prov. app. |
| 6-1-72 | Canby | Green Tree Manor Subd. sewers | Prov. app. |
| 6-1-72 | Prineville | North Main Street sewer | Prov. app. |
| 6-1-72 | USA (Metzger) | Washington Square sewers | Prov. app. |
| 6-1-72 | Hermiston | Hartley Addition sewers | Prov. app. |
| 6-2-72 | Sutherlin | Addendum No. 1, East Central Ave. sewer project | Approved |
| 6-2-72 | Bandon | Addendum No. 1, West Side sewer system project | Approved |
| 6-5-72 | Gold Beach | 0.5 MGD activated sludge sewage treatment plant | Prov. app. |
| 6-5-72 | Tri-City San. Dist. | 1.0 MGD activated sludge sewage treatment plant | Prov. app. |
| 6-6-72 | USA (Aloha) | Ivy Glenn No. 2 sewers | Prov. app. |
| 6-6-72 | Newberg | Hulet Avenue sewer | Prov. app. |
| 6-7-72 | Sundown Sanitary Dist. (Astoria) | 0.06 MGD activated sludge sewage treatment plant, Phillips-Drucker complex | Prov. app. |
| 6-7-72 | Astoria | Clatsop Street sewer ext. | Prov. app. |
| 6-7-72 | Brookings | Revised plans, Tanbark Interceptor | Prov. app. |
| 6-7-72 | Oak Lodge San. Dist. | Robinwood East Subd. sewers | Prov. app. |
| 6-7-72 | Ashland | Sanitary sewer extension | Prov. app. |
| 6-7-72 | USA (Aloha) | Cross Creek Subd., Units 2 and 3 sewers | Prov. app. |
| 6-7-72 | Gresham | Addendum No. 1 - Contract No.2, sewage treatment plant construction | Approved |
| 6-7-72 | Wood Village | Halsey St. sewer extension | Prov. app. |
| 6-7-72 | Gresham | Kay Subdivision sewers | Prov. app. |
| 6-7-72 | Green San. Dist. | Sunny Slopes Addition sewers | Prov. app. |
| 6-7-72 | South Suburban Sanitary District | Sewer lateral A0 | Prov. app. |
| 6-7-72 | West Linn (Will.) | Sherri Park Subd. sewers | Prov. app. |
| 6-7-72 | Green San. Dist. | Stabilization pond modifications - increase to 0.5 MGD | Prov. app. |
| 6-9-72 | East Salem Sewage & Drainage Dist. I | Surfwood Villa Subdivision, Phase 2 sewers | Prov. app. |

Water Pollution Control - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|--------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------|---------------|
| <u>Municipal Projects (79) - continued</u> | | | |
| 6-9-72 | USA (Aloha) | Foothill Trees Subd. sewers | Prov. app. |
| 6-13-72 | North Bend | Pony Creek interceptor | Prov. app. |
| 6-13-72 | Dallas | Denton Avenue sewer | Prov. app. |
| 6-13-72 | Canby | Debbie Acres Subd. sewers | Prov. app. |
| 6-13-72 | Medford | Septic tank sludge receiving facilities | Approved |
| 6-13-72 | USA (Fanno) | Sorrento Road trunk sewer and Hiteon trunk sewer | Prov. app. |
| 6-13-72 | Portland | N.E. 33rd Drive and N.E. Riverside Way sewage pumping station | Prov. app. |
| 6-13-72 | Canby | Amrine Addition sewers | Prov. app. |
| 6-13-72 | Sutherlin | Two sanitary sewer projects | Prov. app. |
| 6-13-72 | Brookings | 0.5 MGD sewage treatment plant expansion to secondary - trickling filter additions | Prov. app. |
| 6-14-72 | Clackamas County Service Dist. I | Crestwood Estates Subd. sewer | Prov. app. |
| 6-14-72 | USA (Aloha) | Conifer View Subd. sewers | Prov. app. |
| 6-14-72 | USA (Aloha) | Greenfield Subd. and Shalimar Subd. sewers | Prov. app. |
| 6-14-72 | USA (Aloha) | Nut Farm Unit I sewers | Prov. app. |
| 6-14-72 | Gresham | Blakely construction property sewer | Prov. app. |
| 6-14-72 | Bear Creek Valley Sanitary Authority | Riprap along interceptors | Prov. app. |
| 6-15-72 | Eugene | Six sanitary sewer projects | Prov. app. |
| 6-16-72 | Gresham | Rowe Terrace Subd. sewers | Prov. app. |
| 6-19-72 | USA (Aloha) | Farmington West Subd. sewers | Prov. app. |
| 6-19-72 | Monmouth | Auxiliary lagoon overflow pipe | Prov. app. |
| 6-20-72 | Sutherlin | Addendum No. 1 sanitary sewer projects | Approved |
| 6-20-72 | Hillsboro | Five sanitary sewer projects | Prov. app. |
| 6-20-72 | La Grande | Two sanitary sewer projects | Prov. app. |
| 6-20-72 | Multnomah County | Inverness sytem Unit 5-C, Portland International Airport | Prov. app. |
| 6-21-72 | USA (Aloha) | Starbright Subd. sewers | Prov. app. |
| 6-21-72 | Hood River | Union Street sewer | Prov. app. |
| 6-21-72 | Troutdale | 257th Street trunk sewer | Prov. app. |
| 6-21-72 | East Salem Sewage & Drainage Dist. I | Pentiction Subd. sewers | Prov. app. |
| 6-21-72 | Canby | Amrine Subd. (revised sewer plans) | Prov. app. |
| 6-26-72 | Umatilla | 0.141 MGD activated sludge secondary sewage treatment plant | Prov. app. |

Water Pollution Control - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|--------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------|---------------|
| <u>Municipal Projects (79) - continued</u> | | | |
| 6-26-72 | USA (Aloha) | Nut Farm II Subd. sewers | Prov. app. |
| 6-26-72 | East Salem Sewage & Drainage Dist. I | Watson Avenue sewer extension | Prov. app. |
| 6-26-72 | East Salem Sewage & Drainage Dist. I | Yeakley's Subd. sewers | Prov. app. |
| 6-26-72 | Lake Oswego | Lakeridge No. 6 sewers, Touchstone Townhouses sewers | Prov. app. |
| 6-29-72 | Marion County | Western Modular Homes - 0.047 MGD activated sludge sewage treatment plant and sewer system | Prov. app. |
| 6-29-72 | East Salem Sewage & Drainage Dist. I | Sleepy Hollow Phase II sewers | Prov. app. |

Air Quality Control

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|------------------|----------------------------------------------------------------------------------------------------------------------|---------------|
| 6-1-72 | Douglas County | Glendale Plywood Company Extension of #3 veneer dryer and reclassification as a new source not to exceed 10% opacity | Approved |
| 6-1-72 | Curry County | Western States Plywood Corp. Plans and specifications for modification of WWB | Approved |
| 6-1-72 | Curry County | Western States Plywood Corp. Proposal to phase-out one (1) WWB | Approved |
| 6-2-72 | Jackson County | Steve Wilson Lumber Co. Plans and specifications for modification of WWB | Approved |
| 6-6-72 | Douglas County | A.F. Saar, Inc. Plans and specifications for sawdust handling and boiler firing system | Approved |
| 6-7-72 | Douglas County | Mt. Baldy Mill, Inc. Plans and specifications for phase out of WWB | Approved |
| 6-7-72 | Douglas County | Smith River Lumber Company Plans and specifications for modification of WWB | Approved |
| 6-8-72 | Linn County | Crown Zellerbach Corp. Proposal for compliance with sulfite mill regulation | Approved |
| 6-8-72 | Multnomah County | U.S. National Bank-Portland Plans to construct parking facility | Approved |

Air Quality Control - continued

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------|
| 6-8-72 | Marion County | Pringle Creek Parking Structure Plans to construct parking facility | Add. inf. requested |
| 6-12-72 | Baker County | Ellingson Lumber Co. Plans and specification for modification of WWB | Approved |
| 6-12-72 | Josephine County | Agnew Timber Products Co. Plans and specifications for modification of WWB | Approved |
| 6-12-72 | Grant County | Western Larch and Wood Products Company Proposal to construct shake and shingle mill | Approved |
| 6-14-72 | Columbia County | Boise Cascade Corp. Proposal to meet 1975 kraft mill emission limits | Additional information requested |
| 6-26-72 | Lincoln County | Georgia Pacific Corp. Proposal to control smelt dissolving tank vent emissions | Approved |
| 6-26-72 | Josephine County | S.H. & W. Lumber Co. Plans and specifications for modification of WWB | Approved |
| 6-26-72 | Douglas County | Drain Plywood Corp. Plans and specifications for sanderdust handling and boiler firing system | Approved |

Solid Waste Disposal

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------|------------------------------------------|---------------|
| 6-28-72 | Medford | Day Creek Sanitary Landfill | Prov. app. |
| 6-28-72 | Gearhart | E.S. Ritter & Co. Demolition Landfill | Prov. app. |

CITY OF PORTLAND TRAFFIC CONTROL AND TRANSPORTATION PLAN

Mr. Downs presented a 22-page staff report dated July 26, 1972 regarding this subject, a copy of which has been made a part of the department's permanent files.

Mr. Day commented that a great amount of work has been done by the city of Portland, CWAPA and others in developing the preliminary proposal referred to in the staff report.

Mr. Downs said he is concerned that the trends of the past 30 years will continue unabated resulting in eventual disaster for the Portland central business district and much of the city if significant changes are not forthcoming

in the present transportation system and plans. He commented further that implementation of the control strategies presently under development by the city, or some modified form of the plan, will be necessary to achieve the short-term goal of compliance with the national ambient air standards but that due to the long lead time that will necessarily be required it is doubtful that implementation will be soon enough to have a significant impact on air quality by 1975.

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the following recommendations of the Director as read by Mr. Downs be approved and further that the Commission go on record as supporting a strong and healthy downtown Portland and that whether the action is for promoting mass transit or for controlling parking spaces it is all in the direction of both supporting a strong and healthy downtown and controlling air quality: (1) That the Commission re-emphasize the statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070 "Parking Facilities and Highways in Urban Areas" and further declare the public policy of the Commission to be (a) that the mandate for action is clear for an immediate commitment by the Department and other responsible agencies to begin reducing the number of private automobiles in the downtown Portland area, (b) that the mere control of motor vehicle emissions is not the only environmental consequences of the automobile, that continued automobile encroachment of the urban centers, the congestion and environmental impact of additional freeways, parking structures, and the loss of green and open spaces are of equal importance, and (c) that it is the obligation of the Department to work closely with other state agencies, local governments and environmental groups to effect a major change in the planning and action priorities for the future to alleviate this situation, and (2) that the Commission instruct the Director to request the city of Portland to expand the transportation control plan presently under development to include additional control strategies as a means of attaining the goals established by Commission policy and further that the staff be directed to work with the city and other agencies to effect the expansion of the transportation control plan.

ZIDELL EXPLORATIONS, INC., PORTLAND, OREGON

Mr. R.E. Gilbert presented the staff report and showed several colored slides regarding the pollution problems caused by the operation of the Zidell ship dismantling and salvage yard located on the west bank of the Willamette River between the Ross Island and Marquam Bridges in the city of Portland.

Additional evidence regarding the pollution caused by this company's operation was also presented by Captain Richard F. Malm of the U.S. Coast Guard. Captain Malm also showed colored slides of the pollution along the water front in the vicinity of the Zidell operations.

Mr. Clifford B. Alterman, Attorney, was present to represent the company. He said the present salvage yards were established some 52 years ago, that 400 persons are employed at that location and 200 elsewhere, and that the company pays \$210,000 in property taxes to Multnomah County. He said the company recognizes the problem and the need to solve it. He asked that the DEQ staff and the company's consulting engineer, Mr. Bryan M. Johnson get together and eliminate as many differences as possible before a public hearing in the matter is held.

Mr. Bryan M. Johnson, Consulting Engineer, then appeared and said his engineering study of the problem is underway and that he expects to have it completed by September 1, 1972. He asked that the hearing not be held until after the DEQ staff has reviewed his report.

The need to hold the hearing as soon as possible was emphasized by both Mr. Cogan and Mr. Day.

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that the Director be authorized to set a date for a hearing in this matter and that because of its importance to the entire community the hearing be held before the Commission rather than before a hearings officer.

BERNERT BROTHERS TOWING, WILSONVILLE

Mr. S.C. Gilbert presented the staff report regarding the air, water and noise pollution problems caused by the operations of the Joe Bernert Towing Company's rock crushing, washing and retail sand and gravel plant and ready-mix concrete batch plant, both located within the city of Wilsonville and adjacent to the Willamette River. He also read a letter from Mrs. Nutting who lives adjacent to the company's operations and who has been one of the main

complainants about the noise and air and water pollution.

Mr. Bryan M. Johnson, Consulting Engineer, was present to represent the company which he said has been in operation at this site since 1958. He said a gravel washwater recirculation system is being installed to prevent water pollution and should be completed before August 31, 1972. He asked for additional time to study the noise situation and promised to meet with the DEQ staff the following week in regard to this particular problem.

Mr. Jim Bernert of the company was also present and assured the Commission that the company has no intentions of expanding its operations and that it wants additional property solely for the purpose of providing a buffer area around the present plant.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that as recommended by the Director (1) the proposed gravel washwater recirculation system be approved subject to gate valve installations that are necessary to eliminate any washwater discharge to the Willamette River, (2) a waste discharge permit be issued to the company incorporating the proposed program with construction of the facilities to be completed prior to August 31, 1972 and (3) the company be requested to retain a professional engineer experienced in noise control to evaluate the feasibility of providing sound reduction equipment modifications sufficient to limit the operational sound levels to 5 dB above the present ambient levels at adjacent property lines.

FOREST PRACTICE RULES

Mr. Spies presented a brief staff report regarding the new Forest Practice Rules which had been adopted on June 7, 1972 by the State Board of Forestry pursuant to the requirements of ORS 527.710 as enacted by the 1971 Oregon Legislature.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and carried that as recommended by the Director the new Forest Practice Rules be approved by the Environmental Quality Commission.

OREGON CUP AWARD PROGRAM

Mrs. Barbara Seymour presented the recommendations of the Screening Committee for changes or additions to the rules previously adopted by the Commission for the granting of Oregon CUP Awards. The recommended changes or additions pertained to the rules governing Nature of Award, Duration of Industrial

Awards, Preliminary Screening of Nominees, Nominations and Granting of Awards, Requirements for Nominees, and Fraudulent Use of Oregon Cup Award Insignia Prohibited.

It was MOVED by Mr. Waterman, seconded by Mr. Cogan and carried that the recommendations of the Screening Committee for Amendments to the Oregon CUP Awards Program rules be approved and said amendments be adopted. A copy of the amended rules is attached to and made a part of these minutes.

Mrs. Seymour then presented the Screening Committee's first nominations for the receipt of Oregon CUP Awards. They were Publishers Paper Company for its two sulfite pulp mills located at Oregon City and Newberg and American Can Company for its new kraft pulp mill located at Halsey.

Both Mr. Harms and Mr. Day commended the Publishers Paper Company very highly for its efforts at the Oregon City and Newberg mills over the past several years for protection of the environment.

It was MOVED by Mr. Harms (with great pleasure), seconded by Mr. Waterman and unanimously carried that the first Oregon CUP Award be granted to the Publishers Paper Company of Oregon City and Newberg.

Mr. Waterman and Mr. Cogan then commended the American Can Company for the leadership it has shown at its new pulp mill at Halsey in providing maximum protection of both air and water resources of the state.

It was MOVED by Mr. Waterman, seconded by Mr. Cogan and unanimously carried that the second Oregon CUP Award be granted to American Can Company of Halsey.

PROPOSED PERFORMANCE BOND APPROVAL PROCEDURE

Mr. Sawyer discussed the department's proposed procedures for accepting alternative security in place of the surety bond required by ORS 449.400 for construction of domestic sewerage system.

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the Director be authorized to approve substitution of alternative security subject to approval of the Attorney General, ratification by the Commission at its next regularly scheduled meeting, and the following:

1. The approved security shall provide assurance that the principal shall properly operate and maintain the domestic sewerage system in accordance with the rules, regulations, permits, and orders of the Department of Environmental Quality.

2. The approved security shall remain in full force and effect until such time as a responsible city, county, sanitary district or other public body acquires ownership, or assumes full liability and responsibility for operation and maintenance, of the domestic sewerage system or until the domestic sewerage facility is connected to an area wide sewerage system.
3. The principal shall not transfer ownership of the domestic sewerage system without first obtaining the written approval of the Department of Environmental Quality.
4. The principal shall agree to connect the domestic sewerage system to an area wide sewerage system as soon as such area wide sewerage system becomes physically available.

POLLUTION CONTROL BONDS (Authority for Bond Sale)

Mr. Sawyer presented the department's report showing that an additional sale of Pollution Control Bonds is necessary to meet the projected requirements of the Construction Grant and Solid Waste Management Programs.

It was MOVED by Mr. Harms, seconded by Mr. Waterman and Mr. McMath and unanimously carried that the following resolution be adopted authorizing the sale of \$45,000,000 in bonds for the purpose of carrying out the provisions of Article XI-H of the Constitution of the State of Oregon.

RESOLUTION

BE IT RESOLVED by the Environmental Quality Commission, in session regularly assembled, that, of the bonds authorized by Article XI-H of the Constitution, of the State of Oregon and by Chapter 662, 1971 Oregon Laws, FORTY-FIVE MILLION DOLLARS (\$45,000,000) par value, with the approval of the State Treasurer thereof shall be issued and sold October 25, 1972, for the purpose of carrying out the provisions of the said Article of the Constitution and of the said statutes; and

BE IT FURTHER RESOLVED that the principal of and the interest on all of the bonds issued pursuant to this resolution be paid upon the due dates thereof with the approval of the State Treasurer at the fiscal agency of the State of Oregon in the City and State of New York, and that the said bonds be known and designated as "OREGON POLLUTION CONTROL BONDS, SERIES 1972" and be numbered consecutively from one (1) to nine thousand (9,000) inclusive, in denominations of FIVE THOUSAND DOLLARS (\$5,000) each; and

BE IT FURTHER RESOLVED that the said bonds be in coupon form, and bear interest payable semiannually upon May 1, and November 1 of each year during which they are outstanding; and

BE IT FURTHER RESOLVED that the said bonds be issued to bear date of November 1, 1972, and to mature serially in numerical order in principal installments of \$450,000 on November 1, 1975; \$1,350,000 on November 1, 1976; \$1,800,000 on November 1, 1977; \$2,500,000 on November 1, 1978; \$2,500,000 on November 1, 1979; \$2,250,000 on November 1, 1980; \$2,250,000 on November 1, 1981; \$2,700,000 on November 1, 1982; \$2,700,000 on November 1, 1983; \$2,700,000 on November 1, 1984; \$2,700,000 on November 1, 1985; \$2,700,000 on November 1, 1986; \$2,700,000 on November 1, 1987; \$2,700,000 on November 1, 1988; \$3,150,000 on November 1, 1989; \$3,150,000 on November 1, 1990; \$3,600,000 on November 1, 1991; \$3,600,000 on November 1, 1992; and

BE IT FURTHER RESOLVED that the Environmental Quality Commission also reserves the right to redeem said bonds for retirement or refunding on any interest payment date on or after November 1, 1986; and

BE IT FURTHER RESOLVED that, with the approval of the State Treasurer of the State of Oregon, the said bonds be sold at public sale pursuant to publication of notice thereof given not less than ten (10) days prior to proposed sale date, in one issue of the Daily Bond Buyer, a financial newspaper printed and published in the City and State of New York, and in one issue of the Daily Journal of Commerce, a daily newspaper of general circulation printed and published in the City of Portland, Multnomah County, Oregon; and

BE IT FURTHER RESOLVED that, as recommended and approved by the State Treasurer of the State of Oregon, the said bonds be sold at not less than par for each \$100 par value, and accrued interest, if any, to the bidder offering to the state the lowest effective rate of interest upon the bonds not exceeding a net effective rate of seven percent (7%) per annum payable semiannually; that the difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%); and

BE IT FURTHER RESOLVED that the bonds bear interest at such rate or rates, in multiples of 1/4 of 1% or 1/10 of 1%, as shall be designated in the accepted bid for the bonds, and that each maturity of the bonds shall have only one interest rate, and that the bonds shall have but one coupon for the interest due on any interest-paying date; and

BE IT FURTHER RESOLVED that the said notice of sale specify that the Environmental Quality Commission will receive and open bids for the Bonds offered for sale, at the time and place indicated in said public notice, but that the Environmental Quality Commission reserves the right to reject any and all bids for said bonds; and

BE IT FURTHER RESOLVED that, under the terms of the notice of sale of the bonds issued pursuant hereto, each bidder for the bonds be required to deposit with his bid a certified or cashier's check upon a solvent bank, in favor of the Environmental Quality Commission of the State of Oregon, in the sum of \$225,000.00, the deposit not to draw interest but to be forfeited to the State of Oregon as liquidated damages in the event that the bidder, should his bid be accepted fail to complete his purchase of the bonds bid for, in accordance with the terms of the bid; and

BE IT FURTHER RESOLVED that in order to facilitate the ascertainment by the Environmental Quality Commission of the most favorable bid received for the said bonds, each bidder be requested to indicate in his bid the total interest cost upon the bonds to the State of Oregon, computed to the final maturity date of the bonds; and

BE IT FURTHER RESOLVED that in the public sale of the aforesaid bonds, the State of Oregon through the Environmental Quality Commission furnish to the purchaser thereof, without cost to him the written opinion of Rankin, Walsh and Ragen, bond attorneys in the City of Portland, County of Multnomah, State of Oregon certifying to the legality and the validity of the bonds sold, and that said opinion be printed upon each of the said bonds; and

BE IT FURTHER RESOLVED that, subject to such changes as may be necessary to conform to the interest rates offered by bidders, the bonds issued pursuant to this resolution be of uniform tenor, be direct general obligations of the State of Oregon, and be in substantially the following form prepared by the Attorney General of the State of Oregon;

| | | |
|---------|--------------------------------|---------|
| Number | UNITED STATES OF AMERICA | Number |
| | STATE OF OREGON | |
| | OREGON POLLUTION CONTROL BONDS | |
| \$5,000 | SERIES 1972 | \$5,000 |

KNOW ALL MEN BY THESE PRESENTS, that the State of Oregon acknowledges itself to owe and for value received hereby promises to pay to the bearer hereof the principal sum of

FIVE THOUSAND DOLLARS

(\$5,000) on the first day of November, 197__, with interest on said sum from the date hereof until paid, at the rate of PER CENT (%) per annum payable semiannually on the first day of May and on the first day of November in each year, as evidenced by, and upon the presentation and surrender of, the interest coupons hereto annexed, as they severally become due. Both the principal of and the interest upon this bond are payable at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America.

The bonds of the issue of which this bond forms a part, maturing on and after November 1, 1987, may be redeemed at the option of the State of Oregon on and after November 1, 1986, at par and accrued interest, on any interest-paying day or days in regular numerical order or in the entire amount of the issue outstanding at call date, upon notice given by the Treasurer of the State of Oregon at least thirty (30) days prior to the redemption date specified therein, by publication thereof in one issue of a newspaper or financial journal of general circulation printed and published within the City and State of New York, and one issue of a newspaper of general circulation printed and published within the City of Salem, Oregon. From the date of redemption designated in any such notice, interest on the bonds so called for redemption shall cease.

This bond is issued by the State of Oregon in conformance to its Constitution and under and by virtue of and in all respects in full and strict compliance with its laws, and in particular Article XI-H of the Constitution and Chapter 662, 1972 Oregon Laws.

The faith and credit of the State of Oregon hereby irrevocably pledged for the punctual payment of the interest upon and the principal of this bond respectively, as the same become due and payable as aforesaid.

IN TESTIMONY WHEREOF, the State of Oregon has caused this bond to be signed by the Governor and by the Secretary of State with their facsimile signatures, and by the State Treasurer, and sealed with the seal of the State of Oregon, and has caused the annexed interest coupons to be executed with the facsimile signatures of its said officers, all as of the first day of November, 1972.

Governor

(SEAL)

Secretary of State

State Treasurer

FORM OF COUPON

On May 1, 1973

\$ _____

THE STATE OF OREGON

will pay the bearer the amount shown hereon at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which, at the time of payment is legal tender for the payment of public and private debts within the United States of America, for six month's interest then due on Oregon Pollution Control Bonds, Series 1972, No. _____

State Treasurer

Secretary of State

Governor

No. _____

FORM OF COUPON

(for coupons maturing after November 1, 1986)

May 1, 1987

No. _____

unless the bond hereinafter designated shall have been called for previous redemption and due provision made for the payment thereof,

THE STATE OF OREGON

will pay the bearer the amount shown hereon at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which,

at the time of payment is legal tender for the payment of public and private debts within the United States of America; for six month's interest then due on Oregon Pollution Control Bonds, Series 1972, No. _____

State Treasurer

Secretary of State

Governor

No. _____

BE IT FURTHER RESOLVED that the said FORTY-FIVE MILLION DOLLARS (\$45,000,000) in bonds authorized be advertised for sale by the Environmental Quality Commission and that the notice of sale provided for herein shall be given so that bids for said bonds may be opened at a regular meeting of the Environmental Quality Commission to be held

Chairman

Member

Member

Member

Member

ATTEST

Director

PROPOSED DETERGENT LABELING REGULATIONS

Dr. Warren C. Westgarth reviewed the status of the department's actions regarding development of proposed regulations governing the labeling of synthetic cleansing agents as required by ORS 449.137 which was enacted by the 1971 Oregon Legislature.

After a brief discussion of the preliminary proposal it was MOVED by Mr. Waterman, seconded by Mr. Cogan and carried that further study be given this matter before a public hearing is held.

CITY OF HILLSBORO OUTFALL SEWER LOCATION

Mr. Curran discussed the request of the city of Hillsboro for permission to construct an outfall sewer to Rock Creek. After a thorough review of the matter it was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the Director's recommendation be approved as follows:

1. The city of Hillsboro be allowed to construct a treated effluent outfall line to Rock Creek provided an outfall to the Tualatin River will be constructed when:
 - a) The Beaverton-Rock Creek interceptor is constructed as proposed in the Tualatin Basin Water and Sewerage Master Plan adopted for implementation by the Unified Sewerage Agency, or;
 - b) The Rock Creek plant is expanded beyond 3.0 MGD, or;
 - c) The year 1979 is reached,whichever occurs first.
2. A temporary variance from the Special Water Quality and Waste Treatment Standards for the Tualatin River Basin be granted allowing a lesser quality effluent to be discharged to Rock Creek between now and the time that conditions of Number 1 above dictate the construction of an outfall to the Tualatin River.

PROPOSED ADMINISTRATIVE PROCEDURES REGULATIONS

Mr. Sawyer pointed out the need to adopt new administrative rules in order to meet the requirements of the Administrative Procedures Act enacted by the 1971 Legislature and to be consistent with the model rules of practice and procedure recently adopted by the Attorney General.

It was MOVED by Mr. Cogan, seconded by Mr. Harms and carried that the Director be authorized to schedule and hold a public hearing either before himself or a hearings officer for the purpose of considering the adoption of new administrative rules.

The meeting was recessed at noon and reconvened at 1:30 p.m.

CITY OF WASCO PUBLIC HEARING

Proper notice having been given as required by statute and administrative rules the public hearing in the matter of sewage disposal by the city of Wasco was called to order by the Chairman at 1:30 p.m. on Thursday, July 27, 1972, in the Portland Water Bureau Building Auditorium, 1800 S.W. 6th Avenue, Portland, Oregon with all members of the Environmental Quality Commission being present.

Mr. Silver called Mr. Ashbaker as witness for the Department. He testified under oath and read the staff's report in this matter dated July 19, 1972, a copy of which has been made a part of the Department's permanent files.

The formal complaint issued by the Department to the city of Wasco on July 5, 1972 contained the notice of intent by the Commission to require the city to provide secondary treatment in accordance with a specific time table as follows:

- (1) By August 15, 1972 prepare an up-dated construction cost estimate and develop an acceptable fiscal program.
- (2) By October 1, 1972 complete detailed engineering plans and specifications.
- (3) By November 1, 1972 start construction of project.
- (4) By July 1, 1973 complete construction all of which must be in accordance with approved plans.

Mr. Norm W. Pettijohn, Consulting Engineer, who has been retained to design the required facilities was present to represent the city. He said he was concerned about the time schedule set forth in the complaint. He emphasized the point that the project was contingent upon the city's obtaining adequate funding. He suggested the following time schedule:

- (1) November 15, 1972 for development of a fiscal program
- (2) October 15, 1972 for completion of plans and specifications
- (3) March 1, 1973 for start of construction and
- (4) July 1, 1973 for completion of construction.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that an order be entered by the Commission requiring the city of Wasco to develop an acceptable fiscal program and report on it by October 15, 1972, to submit detailed engineering plans and specifications for review and approval by November 1, 1972, to commence construction by March 1, 1973, and to complete construction by July 1, 1973 of approved secondary sewage treatment and disposal facilities.

The hearing was closed by the Chairman at 1:55 p.m.

CITY OF ASTORIA SEWERAGE PROGRAM

Mr. Sawyer reviewed the matter of financing for the city of Astoria's interceptor sewer and treatment works project as set forth in the staff's report dated July 20, 1972.

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the Director be authorized to enter into a matching grant agreement with the city of Astoria whereby the Department of Environmental Quality will make a state grant of 25% of the eligible construction costs as soon as necessary documents can be prepared by legal counsel.

PARKING STRUCTURES (Requests for approval)

(a) Proposed Portland State University 160-space Surface Lot

Mr. Downs presented the department's report in this matter dated July 18, 1972, and containing background information, an analysis of the proposed facility, conclusions and recommendations. He concluded that the proposed project would not be in compliance with the EQC policy set forth in OAR, Chapter 340, Sections 20-050 through 20-070 and therefore recommended that it not be approved.

Nancy Stevens of the Coalition for Clean Air appeared and presented a statement opposing construction of the parking structure.

Mr. W. C. Neland of Portland State University presented testimony in favor of the project. He said that 1200 of the 3200 parking spaces in the PSU area are not available to the University, that the ratio of one parking space per 3 full-time students specified under the present Urban Renewal Plan for the PSU area adopted in 1967 is probably questionable, that a ratio of 1 space per 6 full-time students might be more reasonable, and that the park and ride system used by the University is not as fully used now as it was previously. He said that at the Memorial Coliseum about 400 of the reserved 800 spaces are now being used on an average compared to 600 in the past, that the 200 spaces at the zoo are used to capacity and at the West Gate Theater in Beaverton some 200 to 300 of the 500 spaces are being used. He admitted that PSU has no written policy on transportation or parking.

In response to a question by Mr. Cogan, he said that a policy could probably be developed in about 45 days. Mr. Day suggested that they be given 60 days.

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that any action by the Commission to prohibit construction of the proposed parking structure be deferred and that PSU be given 60 days to develop a new parking and transportation policy with special emphasis on ways and means for adequately reducing the number of motor vehicles entering the PSU area daily.

(b) Proposed Terminal Sales Building 152-space Two-level Facility

Mr. Downs presented the department's report and analysis pertaining to this proposed facility. The report concluded that it would not be in accordance with applicable rules and regulations and therefore recommended that the Commission issue an order prohibiting its construction.

The report is dated July 19, 1972 and a copy has been made a part of the department's permanent files in this matter.

Mr. Jay Davis, a tenant of the Terminal Sales Building and representative of Mr. Ralph Schlesinger, building owner, appeared and testified in support of the proposed parking structure.

Mr. Donald Bergstrom, Portland City Traffic Engineer, also testified strongly in favor of the proposed project.

Mr. David B. Charlton, representative of the Portland Chamber of Commerce, read a prepared statement which claimed that the federal standards are much stricter than they need to be in order to protect public health and that consequently they are not reasonable and should be changed.

Mr. Harms pointed out that the proposed project actually would result in an increase of only 82 spaces (152 from the present 70) and therefore would not add materially to air pollution. He said he would favor allowing this facility to be built and that he had been influenced greatly by the testimony of Mr. Don Bergstrom, Portland City Traffic Engineer. He said that the testimony indicated its effect on air quality would be so minimal he doubted it could be measured accurately, that from

a noise standpoint its effect would also be minor, and that from a visual standpoint it would be an improvement. He thought that the adverse recommendation in the staff report based upon the effect on quality of life is speculative and subjective, particularly in view of the fact that this is only a minor project. He said he felt very strongly that this is the wrong approach to trying to solve the problem and he suggested again that this project should in his opinion be approved.

It was MOVED by Mr. McMath, seconded by Mr. Waterman and carried that as recommended by the Director an order be issued by the Commission prohibiting construction of the proposed facility. Mr. Harms voted against the motion.

Mr. McMath then suggested that the Commission's policy statement should be reviewed.

AIR QUALITY PERMIT REGULATIONS

Mr. Day reported that after due notice he had conducted a public hearing on July 18, 1972 in the Second Floor Auditorium of the Public Service Building, 920 S. W. 6th Avenue, Portland, Oregon in the matter of proposed adoption of Air Contaminant Discharge Permit Regulations. He reviewed the hearing officer's report, findings, summary and recommendations and presented a modified or amended draft based on the testimony presented at the hearing. In addition he recommended that based on further conferences with the Regional Air Pollution Authorities an additional subsection to be designated as subsection (3) be added to section J as follows and that the subsequent subsections be renumbered:

"(3) If there is an objection by the department regarding a proposed or revised permit, the department shall present its objection to the Board of the Regional Authority in question prior to issuance of a final permit."

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the Regulations Pertaining to Air Contaminant Discharge Permits with the amendments proposed by Mr. Day be approved and adopted.

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

CHEM-NUCLEAR ENVIRONMENTALLY HAZARDOUS WASTE DISPOSAL SITE

Mr. Wicks reported that pursuant to the requirements of ORS 459.520, adopted by the 1971 Legislature, the Chem-Nuclear Services, Inc. had submitted to the department an application for a license to establish an environmentally hazardous waste disposal facility at a site located approximately 6 miles south of Arlington, Oregon. He said that before action can be taken on the application the law requires that a public hearing be held by the Commission in the county in which the proposed site is located.

It was MOVED by Mr. Cogan, seconded by Mr. Harms and carried that the Director be authorized to issue appropriate notice of a public hearing on the application submitted by Chem-Nuclear Services, Inc. to be held in Arlington, Oregon at a time and date to be selected.

TAX CREDIT APPLICATIONS

Mr. Sawyer presented the staff's evaluations and recommendations regarding the 27 tax credit applications covered by the following motions:

It was MOVED by Mr. Harms, seconded by Mr. Cogan 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 and with the percentages allocated to pollution control as follows:

| <u>Appl. No.</u> | <u>Applicant</u> | <u>Claimed Cost</u> | <u>% Allocable To Poll. Control</u> |
|------------------|---------------------------------|---------------------|-------------------------------------|
| T-171 | Willamette Industries, Albany | \$ 22,711.42 | 80% or more |
| T-217 | Gould, Inc., Salem | 7,632.00 | 80% or more |
| T-218 | Gould, Inc., Salem | 15,576.22 | 80% or more |
| T-302 | Weyerhaeuser Co., Cottage Grove | 290,292.00 | 80% or more |
| T-303 | Weyerhaeuser Co., Cottage Grove | 26,384.00 | 60% or more and less than 80% |
| T-304 | Weyerhaeuser Co., Cottage Grove | 103,880.00 | 80% or more |

| <u>Appl. No.</u> | <u>Applicant</u> | <u>Claimed Cost</u> | <u>% Allocable To Poll. Control</u> |
|----------------------|----------------------------------------|-------------------------|-----------------------------------------|
| T-305 | Weyerhaeuser Co., Springfield | \$ 28,324.00 | 80% or more |
| T-307 | Weyerhaeuser Co., Springfield | 43,435.00 | 80% or more |
| T-321 | Crown Zellerbach Corp., Lebanon | 239,327.00 | 80% or more |
| T-328 | Oregon Portland Cement, Lake Oswego | 4,220.63 | 80% or more |
| T-211 | B. H. Franssen, Coquille | 7,795.92 | 80% or more |
| T-293 | Fred Messerle & Sons, Inc. | 9,987.18 | 80% or more |
| T-309 | Weyerhaeuser Co., Springfield | 2,932.00 | 80% or more |
| T-310 | Weyerhaeuser Co., Springfield | 11,252.00 | 80% or more |
| T-311 | Weyerhaeuser Co., Springfield | 9,746.00 | 40% or more and less than 60% |
| T-312 | Weyerhaeuser Co., Springfield | 47,780.00 | 80% or more |
| T-313 | Weyerhaeuser Co., Springfield | 4,343.00 | 80% or more |
| T-314 | Weyerhaeuser Co., Springfield | 5,781.00 | 80% or more |
| T-334 | James Pitney, Junction City | 7,086.00 | 80% or more |
| T-335 | Stayton Canning, Dayton | 36,400.00 | (1967 Act) |
| T-336 | Stayton Canning, Stayton | 137,923.97 | (1967 Act) |
| T-342 | International Paper, Gardiner | 16,982.29 | 80% or more |
| T-358 | Western Kraft, Albany | 263,118.92 | 80% or more |

It was MOVED by Mr. Harms, seconded by Mr. Cogan and carried that Applications T-308 and T-215 submitted by Weyerhaeuser Co., Springfield and Gould, Inc., Salem, respectively, be denied.

It was MOVED by Mr. Cogan, seconded by Mr. Harms and carried that Pollution Control Facility Certificates Nos. 232 and 243 issued to the Olson Lawyer Lumber Co. and Olson Lawyer Timber Company on April 21, 1972 and June 8, 1972, respectively, be revoked and new certificates be issued pursuant to the stipulated order.

There being no further business the meeting was adjourned by the Chairman at 3:50 p.m.

RULES FOR OREGON CUP
"CLEANING UP POLLUTION"-AWARD

NATURE OF AWARD:

Oregon CUP Awards may be made to any industry, organization, institution, corporation, governmental unit, or individual for outstanding efforts in preventing or cleaning up pollution in Oregon. There is no limit as to the number of awards which may be made to qualified recipients in any time period. Awards to industries shall be made for specified periods of time and shall include separate categories for types of industry, such as production or manufacturing, service (including retailing), and land use; requirements for awards may differ according to the potential for pollution or environmental enhancement applicable to each category and the difficulty of control or prevention. Awards to production industries may include awards for development of products which in themselves contribute significantly to controlling or preventing pollution as well as awards for production methods which exceed state environmental requirements. Awards to individuals or to nonprofit institutions or organizations may be made one time only and without limitation as to duration.

Anti-pollution efforts which, in the judgment of the Screening Committee or the Environmental Quality Commission, do not qualify for the full Oregon CUP Award may be recognized by means of letters of commendation from the Environmental Quality Commission or by a recommendation for a gubernatorial citation.

The Oregon CUP Award shall be accompanied by a letter to the recipient indicating limitations on uses to which the award may be put, and specific rights and privileges granted by the EQC in conjunction with the issuance of the award.

DURATION OF INDUSTRIAL AWARDS:

Initial awards shall be valid for the remainder of the calendar year in which the award is made and for the full calendar year immediately following, but may be revoked by the Environmental Quality Commission during the valid period if after a public hearing the Commission finds that the recipient has become unqualified to retain the award.

PRELIMINARY SCREENING OF NOMINEES:

A screening committee shall be established for preliminary consideration of nominations for the Oregon CUP Award. The committee shall consist of nine members selected by the Environmental Quality Commission: two members shall be selected from a list of names submitted by environmental groups; two members shall be selected from a list of names submitted by industries or industrial organizations; two members shall be selected from a list of names submitted by organized labor; and three members shall be selected to represent the public. Members of the screening committee shall serve two-year overlapping terms and shall not be subject to consecutive reappointment. For initial appointment, names of prospective committee members shall be submitted to the EQC by interested organizations as soon as practicable following adoption of these rules. Four members shall serve until July 1, 1973, and five members shall serve until July 1, 1974, with duration of appointment to be decided by lot among the nine members appointed by the EQC. For all subsequent years, names of prospective committee members shall be submitted to the EQC by interested organizations not later than March 1 of each year for appointment effective the following July 1.

Upon appointment, each screening committee member shall submit a complete statement of his financial interests. No screening committee member shall be eligible to vote on an award nomination involving any company in which he has a personal financial interest.

At its first meeting following appointment of members, the screening committee shall elect a chairman and a secretary and shall be considered an organization for purposes of ORS 649.010 - 649.060.

NOMINATIONS AND GRANTING OF AWARDS:

Any individual or group, including members of the screening committee itself, may submit to the screening committee at any time the name of an industry, corporation, organization, governmental unit, or individual for consideration for the Oregon CUP Award, or application may be made to the screening committee by prospective nominees themselves. Nominations shall be accompanied by information as to the contribution the nominee has made to cleaning up or preventing pollution in Oregon.

The screening committee shall meet as often as necessary but not less than twice a year to consider nominations for initial awards or renewals. Nominations which have been favorably acted upon by the screening committee shall be submitted to the Department of Environmental Quality with the information upon which the screening committee's decision was based. The Director of the Department of Environmental Quality shall forward these nominations to the Environmental Quality Commission along with his recommendation. The Environmental Quality Commission shall make the final decision on the granting or renewal of the Oregon CUP Award, the rights and privileges conferred with the award including specific conditions for its use or display, and on the granting of lesser awards such as letters of commendation or recommendations for gubernatorial citations.

REQUIREMENTS FOR NOMINEES:

Prior to consideration by the screening committee, nominees shall be required to submit a list of all plant operations and subsidiaries located in Oregon.

Following favorable action by the screening committee and prior to final decision by the Environmental Quality Commission, nominees shall be notified that they are under consideration for the Oregon CUP Award and given an opportunity to express their interest in receiving the award. Nominees who wish to receive the award shall agree to display the Oregon CUP insignia only during the period for which the award is valid and in the manner specified, and to notify the Environmental Quality Commission of any change in conditions which might affect their eligibility for retention or renewal of the award.

RENEWAL OF AWARDS:

Recipients wishing to be considered for renewal of Oregon CUP Awards shall submit applications to the screening committee not later than June 30 preceeding expiration of the award. The application shall include an agreement regarding display of the insignia as described under "Requirements for Nominees" along with pertinent information regarding the applicant's activities related to cleaning up pollution or prevention of pollution during the period of the award. The screening committee shall submit recommendations on renewal applications to the DEQ within 45 days following the deadline for renewal of applications and shall be acted upon by the Environmental Quality Commission within 90 days following the deadline for the renewal of applications.

FRADULENT USE OF OREGON CUP AWARD INSIGNIA PROHIBITED:

No person or industry shall display the Oregon CUP Award Insignia or any facsimile thereof on any product or commodity unless entitled to do so by means of selection by the Environmental Quality Commission for the period during which the insignia is displayed; upon expiration or revocation of the award, the recipient shall be allowed 60 days to remove the insignia from products offered for sale.

REGULATIONS PERTAINING TO
AIR CONTAMINANT DISCHARGE PERMITS

Adopted July 28, 1972

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

A. PURPOSE

The purpose of these regulations is to prescribe the requirements and procedures for obtaining Air Contaminant Discharge Permits pursuant to Chapter 406, Oregon Laws 1971 for stationary sources.

B. DEFINITIONS

As used in these regulations unless otherwise required by context:

- (1) "Department" means Department of Environmental Quality.
- (2) "Commission" means Environmental Quality Commission.
- (3) "Person" means the United States Government and agencies thereof, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatever.
- (4) "Permit" or "Air Contaminant Discharge Permit" means a written permit issued by the Department or Regional Authority in accordance with duly adopted procedures, which by its conditions authorizes the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations or prohibitions.
- (5) "Regional Authority" means the Columbia-Willamette Air Pollution Authority, Mid-Willamette Valley Air Pollution Authority, or Lane Regional Air Pollution Authority.

C. NOTICE POLICY

It shall be the policy of the Department of Environmental Quality and the Regional Authorities to issue public notice as to the receipt of an application within 15 days after the application is accepted for filing. The public notice shall allow 30 days for written comment from the public and from interested State and Federal agencies.

D. PERMIT REQUIRED

(1) Air contaminant discharge permits shall be obtained for the air contaminant sources, including those processes and activities directly related or associated thereto which are listed in Table A, appended hereto and incorporated herein by reference, in accordance with the schedules set forth in subsections (2), (3), (4), and (5) of this section.

(2) No person shall construct, install, establish, develop or operate any new air contaminant source listed in Table A appended hereto without first obtaining a permit from the Department or Regional Authority.

(3) After January 1, 1973, no person shall operate any air contaminant source (a) through (l) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

(4) After July 1, 1973, no person shall operate any air contaminant source (m) through (hh) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

(5) After January 1, 1974, no person shall operate any air contaminant source (ii) through (uu) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

E. MULTIPLE-SOURCE PERMIT

When a single site includes more than one of the air contaminant sources listed in Table A, a single permit may be

issued including all sources located at the site. Such permits shall separately identify by subsection each air contaminant source included from Table A. Applications for multiple-source permits will not be received by the Department or Regional Authority for processing without prior written agreement between the permit issuing agency and the applicant concerning the overall merit of issuing a multiple-source permit for the site under consideration.

(1) When a single air contaminant source, which is included in a multiple-source permit, is subject to permit modification, revocation, suspension or denial, such action by the Department or Regional Authority shall only affect that individual source without thereby affecting any other source subject to that permit.

(2) When a multiple-source permit includes air contaminant sources subject to the jurisdiction of the Department and a Regional Authority, the Department may require that it shall be the permit issuing agency. In such cases, the Department and the Regional Authority shall otherwise maintain and exercise all other aspects of their respective jurisdictions over the permittee.

F. FEES

(1) All persons required to obtain a permit shall be subject to a three-part fee consisting of a uniform non-refundable Filing Fee of \$25.00, a variable Application Investigation and Permit Issuing or Denying Fee and a variable Annual Permit Compliance Determination Fee. The amount equal to the Filing Fee and the Application Investigation and Permit Issuing or Denying Fee shall be submitted as a required part of the application. The Annual Permit Compliance Determination Fee shall be paid prior to issuance of the actual permit.

(2) The fee schedule contained in the listing of air contaminant sources listed in Table A appended hereto shall be applied to determine the variable permit fees.

(3) The Filing Fee and Application Investigation and Permit Issuing or Denying Fee shall be submitted with each application for a new permit, modified permit, or renewed permit.

(4) Modifications of existing, unexpired permits which are instituted by the Department or Regional Authority due to

changing conditions or standards, receipts of additional information or any other reason pursuant to applicable statutes and do not require re-filing or review of an application or plans and specifications shall not require submission of the Filing Fee or the Application Investigation and Permit Issuing or Denying Fee.

(5) Applications for multiple-source permits received pursuant to Section E shall be subject to a single \$25.00 Filing Fee. The Application Investigation and Permit Issuing or Denying Fee and Annual Permit Compliance Determination Fee for multiple-source permits shall be equal to the total amounts required by the individual sources involved, as listed in Table A.

(6) At least one Annual Permit Compliance Determination Fee shall be paid prior to final issuance of a permit. Thereafter, the Annual Permit Compliance Determination Fee shall be paid at least 30 days prior to the start of each subsequent permit year. Failure to timely remit the Annual Permit Compliance Determination Fee in accordance with the above shall be considered grounds for not issuing a permit or revoking an existing permit.

(7) If a permit is issued for a period less than one (1) year, the applicable Annual Permit Compliance Determination Fee shall be equal to the full annual fee. If a permit is issued for a period greater than 12 months, the applicable Annual Permit Compliance Determination Fee shall be prorated by multiplying the Annual Permit Compliance Determination Fee by the number of months covered by the permit and dividing by twelve (12).

(8) In no case shall a permit be issued for more than five (5) years.

(9) Upon accepting an application for filing, the Filing Fee shall be considered as non-refundable.

(10) The Application Investigation and Permit Issuing or Denying Fee need not be submitted upon notice in writing by the permit issuing agency or shall be refunded when submitted with applications for modified or renewed permits if the following conditions exist:

- (a) The modified or renewed permit is essentially the same as the previous permit.
- (b) The source or sources included are in compliance with all conditions of the modified or renewed permit.

(11) When an air contaminant source which is in compliance with the rules of a permit issuing agency relocates or proposes to relocate its operation to a site in the jurisdiction of another permit issuing agency having comparable control requirements, application may be made and approval may be given for an exemption of the Application Investigation and Permit Issuing or Denying Fee. The permit application and the request for such fee reduction shall be accompanied by (1) a copy of the permit issued for the previous location, and (2) certification that the permittee proposes to operate with the same equipment, at the same production rate, and under similar conditions at the new or proposed location. Certification by the agency previously having jurisdiction that the source was operated in compliance with all rules and regulations will be acceptable should the previous permit not indicate such compliance.

(12) If a temporary or conditional permit is issued in accordance with adopted procedures, fees submitted with the application for an air contaminant discharge permit shall be retained and be applicable to the regular permit when it is granted or denied.

(13) All fees shall be made payable to the permit issuing agency and shall be deposited in the State Treasury by the Department of Environmental Quality to the credit of the Department of Environmental Quality Air Emission Permit Account which is continuously appropriated for the purpose of funding the air contaminant discharge permit program covered by these regulations.

G. PROCEDURES FOR OBTAINING PERMITS

Submission and processing of applications for permits and issuance, denial, modification, and revocation of permits shall be in accordance with duly adopted procedures of the permit issuing agency.

H. OTHER REQUIREMENTS

(1) No person shall construct, install, establish, modify or enlarge any air contaminant source listed in Table A or facilities for controlling, treating, or otherwise limiting air contaminant emissions from air contaminant sources listed in Table A without notifying the permit issuing agency as required by ORS 449.712 and rules promulgated thereunder.

(2) Prior to construction, installation, establishment, modification or enlargement of any air contaminant source listed in Table A or facilities for controlling, treating, or otherwise limiting air contaminant emissions from air contaminant sources listed in Table A, detailed plans and specifications shall be submitted to and approved in writing by the Department or Regional Authority upon request as required by ORS 449.712 and rules promulgated thereunder.

I. REGISTRATION EXEMPTION

Air contaminant sources constructed and operated under a permit issued pursuant to these regulations may be exempted from Registration as required by rules adopted pursuant to ORS 449.707.

J. PERMIT PROGRAMS FOR REGIONAL AIR POLLUTION AUTHORITIES

Subject to the provisions of this section J, the Environmental Quality Commission authorizes each Regional Authority to issue air contaminant discharge permits for air contamination sources within its jurisdiction.

(1) A Regional Authority's permit program, including proposed permits and proposed revised permits, shall be submitted to the Environmental Quality Commission for review and approval prior to final adoption by the Regional Authority. Each permit issued by a Regional Authority shall by its conditions authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations, or prohibitions.

(2) Each permit proposed to be issued or revised by a Regional Authority shall be submitted to the Department of Environmental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) day period, the Department shall give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. If the Department does not make any such objection, the proposed permit or revised permit may be issued by the Regional Authority.

(3) If there is an objection by the Department regarding a proposed or revised permit, the Department shall present

its objection before the Board of the Regional Authority in question prior to the issuance of a final permit.

(4) If as a result of objection by the Department regarding a proposed or revised permit, the Regional Authority is unable to meet the time provisions of either this regulation or those contained in an existing permit, the Regional Authority shall issue a temporary permit for a period not to exceed 90 days.

(5) The Regional Authority shall give written notice to the Department of its intention to deny an application for a permit, not to renew a permit, or to revoke or suspend any existing permit.

(6) A copy of each permit issued or revised by a Regional Authority pursuant to this section shall be promptly submitted to the Department.

(7) The Regional Authority shall prepare and submit to the Department a summary listing of air contaminant sources currently in violation of issued permits. These reports shall be made on a quarterly basis commencing April 1, 1973.

TABLE A - AIR CONTAMINANT SOURCES AND
ASSOCIATED FEE SCHEDULE

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determination Fee</u> |
|----------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------|
| (a) Asphalt Production by distillation | 2951 | 75 | 50 |
| (b) Asphalt blowing plants | 2951 | 100 | 75 |
| (c) Asphaltic concrete paving plants | 2951 | 100 | 100 |
| (d) Asphalt felts and coating | 2952 | 150 | 100 |
| (e) Calcium carbide manufacturing | 2819 | 225 | 150 |
| (f) Alkalies and chlorine manufacturing | 2812 | 225 | 175 |
| (g) Nitric acid manufacturing | 2819 | 100 | 75 |
| (h) Ammonia manufacturing | 2819 | 200 | 125 |
| (i) Secondary lead smelting | 3341 | 225 | 175 |
| (j) Rendering plants | 2094 | 150 | 100 |
| (k) Coffee roasting | 2095 | 100 | 75 |
| (l) Sulfite pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (m) Grain mill products located in Special Control Areas | 2041 2042 | | |
| 10,000 or more T/yr. | | 250 | 150 |
| less than 10,000 T/yr. | | 50 | 50 |

Table A continued

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (n) Grain elevators located in Special Control Areas 20,000 or more T/yr. Less than 20,000 T/yr. | 4221 | 150 50 | 100 50 |
| (o) Redimix concrete | 3273 | 75 | 50 |
| (p) Plywood manufacturing | 2432 | 150 | 100 |
| (q) Veneer manufacturing (not elsewhere included) | 2434 | 75 | 75 |
| (r) Particleboard manufacturing | 2492 | 300 | 150 |
| (s) Hardboard manufacturing | 2493 | 200 | 100 |
| (t) Charcoal manufacturing | 2861 | 200 | 100 |
| (u) Battery separator manu- facturing | 2499 | 75 | 50 |
| (v) Furniture and fixtures 100 or more employees | 2511 | 125 | 100 |
| (w) Glass manufacturing | 3231 | 100 | 75 |
| (x) Cement manufacturing | 3241 | 300 | 150 |
| (y) Lime manufacturing | 3274 | 150 | 100 |
| (z) Gray iron and steel foun- dries 3,500 or more tons per year production Less than 3,500 tons per year production | 3321 3323 | 300 100 | 150 100 |
| (aa) Steel works, rolling and finishing mills | 3312 | 300 | 175 |
| (bb) Incinerators (not else- where included) more than 2,000 lb/hr. capacity | | 100 | 100 |

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determination Fee</u> |
|------|-----------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------|
| (cc) | Fuel burning equipment (not elsewhere included) | 4961 | | |
| | Residual oil 5 million or more btu per hour (heat input) | | 100 | 50 |
| | Wood fired 5 million or more btu per hour (heat input) | | 100 | 50 |
| (dd) | Primary smelting and refining of ferrous and nonferrous metals not elsewhere classified | 3313 3339 | | |
| | 2,000 or more tons per year production | | 300 | 175 |
| | Less than 2,000 tons per year production | | 100 | 75 |
| (ee) | Synthetic resin manufacturing | 2831 | 100 | 100 |
| (ff) | Seed cleaning located in Special Control Areas (not elsewhere included) | 0719 | 0 | 0 |
| (gg) | Kraft pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (hh) | Primary aluminum production | 3334 | 300 | 175 |
| (ii) | Industrial inorganic and organic chemicals manufacturing (not elsewhere included) | 2810 | 250 | 125 |
| (jj) | Sawmill and planing | 2421 | | |
| | 25,000 or more bd.ft/shift | | 75 | 50 |
| | Less than 25,000 bd.ft/shift | | 25 | 25 |
| (kk) | Mill work | 2431 | 75 | 50 |

Table A

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (ll) Furniture and fixtures less than 100 employees | 2511 | 75 | 50 |
| (mm) Minerals, earth, and rock ground or otherwise treated (not elsewhere included) | 3295 | 100 | 75 |
| (nn) Brass and bronze foundries | 3362 | 75 | 50 |
| (oo) Aluminum foundries (not elsewhere included) | 3361 | 75 | 50 |
| (pp) Galvanizing | 3479 | 75 | 50 |
| (qq) Smoke houses | 2013 | 75 | 50 |
| (rr) Herbicide manufacturing | 2879 | 225 | 175 |
| (ss) Building board mills (not elsewhere included) | 2661 | 150 | 100 |
| (tt) Incinerators (not elsewhere included) 2,000 to 4,000 pounds per hour capacity | | 75 | 75 |
| (uu) Fuel burning equipment (not elsewhere included) | 4961 | | |
| Residual oil less than 5 million btu/hr (heat input) | | 25 | 25 |
| Distillate oil 5 million or more btu/hr (heat input) | | 25 | 25 |
| Wood fired less than 5 million btu/hr (heat input) | | 25 | 25 |



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. B, July 27, 1972 EQC Meeting
Project Plans for May, 1972

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

Water Quality Control

1. Sixty-three (63) domestic sewage projects were reviewed:
 - a) Provisional approval was given to:
 - 60 plans for sewer extensions
 - 1 plan for sewage treatment works
 - b) Approval without conditions was given to:
 - 1 sewage treatment works project
 - 1 septic tank truck dumping structure (Medford)

Air Quality Control

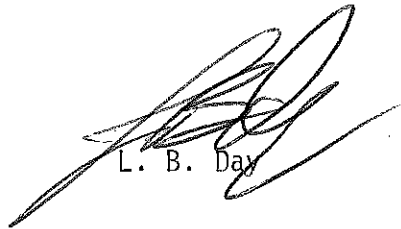
1. Fourteen (14) project plans, reports or proposals were received, reviewed and approved:
 - 5 Hot mix asphalt plant installations
 - 4 Cyclone or sanderdust incineration facilities
 - 2 Wigwam burner modifications
 - 2 Hog fuel boiler compliance schedules
 - 1 Process change - sanderdust cyclone to baghouse control

Solid Waste Disposal

1. Four (4) project plans were reviewed:
 - a) Approval given to:
2 Landfills (Plush and Christmas Valley, Lake Co.)
 - b) Provisional approval given to:
2 Wood Waste Landfills (Eugene and Port Orford)

Director's Recommendation

It is recommended that the Commission give its confirming approval to staff action on project plans for the month of May 1972.



L. B. Day

PROJECT PLANS

Water Quality Division

During the month of May, 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.

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|--------------------------------|-----------------------------------------|---------------------------------------------------|----------------|
| <u>Municipal Projects (63)</u> | | | |
| 5-1-72 | Gresham | Riviera Terrace Subd. sewers | Prov. approval |
| 5-1-72 | Eugene | Central Eugene Project, Phase I sewers | Prov. approval |
| 5-1-72 | Sutherlin | East Central Avenue sewer | Prov. approval |
| 5-2-72 | Hillsboro (Rock Creek) | Singing Woods Subdivision sewers | Prov. approval |
| 5-2-72 | Scappoose | Three sewer extensions | Prov. approval |
| 5-2-72 | East Salem Sewage & Drainage Dist. I | MacLeay Road sewers | Prov. approval |
| 5-3-72 | Inverness | Schuyler Park sewer | Prov. approval |
| 5-3-72 | Inverness | Inverness Interceptor, Unit 5A-1 | Prov. approval |
| 5-5-72 | Green San. Dist. | Hanna Street sewer | Prov. approval |
| 5-5-72 | Bandon | West Side sewers | Prov. approval |
| 5-5-72 | USA (Beaverton) | Conifer 307 Dev. sewers | Prov. approval |
| 5-5-72 | Portland | Emanuel Hospital sewer rehabilitation, Phase I | Prov. approval |
| 5-5-72 | Gresham | El Camino No. 5 sewers | Prov. approval |
| 5-5-72 | Gresham | Bull Run Subdivision sewers | Prov. approval |
| 5-5-72 | Dundee | Dundee Terrace Subd. sewers | Prov. approval |
| 5-5-72 | Amity | Sewer lateral extensions | Prov. approval |

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------|
| 5-5-72 | North Umpqua Sanitary District | Sewer lateral A-3 | Prov. approval |
| 5-5-72 | Astoria | Irving Street sewer replacement | Prov. approval |
| 5-8-72 | Winston | Sanitary sewer extensions | Prov. approval |
| 5-8-72 | USA (Aloha) | Four Seasons No. 12 sewers | Prov. approval |
| 5-9-72 | USA (Cornelius) | South Alpine Street and Fertile Valley Subd. sewers | Prov. approval |
| 5-11-72 | Bend | Canyon Park Subdivision sewers and pump station | Prov. approval |
| 5-12-72 | USA (Aloha) | Pebblewood Subd. sewers | Prov. approval |
| 5-12-72 | Portland | S. W. Moss Street sewer | Prov. approval |
| 5-12-72 | Salem | Redland Estates sewers | Prov. approval |
| 5-15-72 | USA (Aloha) | Knollwest, Phase II sewers | Prov. approval |
| 5-15-72 | Waldport | Sewage treatment plant additions, 0.18 MGD activated sludge | Prov. approval |
| 5-15-72 | Ashland | Four projects Clay Street relocation Hwy. 66 sewer Patterson-Phelps Tract sewer Pine Street connection | Prov. approval |
| 5-15-72 | Salem | Hulsey Court, S.E. sewer | Prov. approval |
| 5-15-72 | East Salem Sewage & Drainage Dist. I | Neighborly Addition and Whitesell Subd. sewers | Prov. approval |
| 5-16-72 | Medford | Septic tank truck dumping structure | Approved |
| 5-24-72 | East Salem Sewage & Drainage Dist. I | Glenber Subdivision 1 and 2 sewers | Prov. approval |
| 5-24-72 | Portland | North Portland sewers (2 projects) | Prov. approval |

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------------|------------------------------------------------------|----------------|
| 5-24-72 | USA (Progress) | Brightfield Apts. sewers | Prov. approval |
| 5-24-72 | USA (Metzger) | Godwin's Glen Subd. sewers | Prov. approval |
| 5-24-72 | USA (Forest Grove) | Sewer extensions | Prov. approval |
| 5-24-72 | USA (Beaverton) | Still Creek Apts. sewers | Prov. approval |
| 5-24-72 | Gresham | Volos Estates Subdivision sewers | Prov. approval |
| 5-24-72 | Canby | Amrine Addition Subdivision sewers | Prov. approval |
| 5-24-72 | Gresham | Mossytree Park Subd. sewer | Prov. approval |
| 5-24-72 | Clackamas County | Timothy Lake USFS sewerage system | Approved |
| 5-24-72 | West Linn (Bolton) | West Linn Heights No. 2 Subdivision sewers | Prov. approval |
| 5-24-72 | Ashland | Monte Vista Drive sewers | Prov. approval |
| 5-24-72 | USA (Aloha) | Wedgfield Lane No. 2 Subdivision sewers | Prov. approval |
| 5-24-72 | Inverness | 122nd Avenue sewer extension | Prov. approval |
| 5-24-72 | Hillsboro | Edwards Meadow No. 2 sewers | Prov. approval |
| 5-26-72 | Grants Pass | Sanitary sewers (2 projects) | Prov. approval |
| 5-26-72 | Eugene | Sanitary sewers (6 projects) | Prov. approval |
| 5-26-72 | Astoria | Sanitary sewer interceptors revised for rebidding | Prov. approval |

AP - 9 PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR
MAY, 1972

| <u>DATE</u> | <u>LOCATION</u> | <u>PROJECT</u> | <u>ACTION</u> |
|-------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Apr. 28 | Coos County | <u>Georgia Pacific Corp.</u> Cyclone modifications at hardwood plant | Approved |
| May 22 | Umatilla County | <u>U.S. Gypsum Co.</u> Installation of cyclones, and wood dust firing sys- tem for boilers | Approved |
| 22 | Tillamook County | <u>Miami Shingle and Shake Co.</u> Plans and specifications for WWB modification | Approved |
| 22 | Deschutes County | <u>Brooks-Scanlon, Inc.</u> Proposal for hog fuel boiler compliance | Approved |
| 22 | Malheur County | <u>L. W. Vail Company, Inc.</u> Plans for installation of portable 8,000 lb/hr batch type hot-mix asphalt plant. | Approved |
| 22 | Hood River County | <u>B & D Paving Co., Inc.</u> Proposal to install bag- house controls on station- ary hot-mix asphalt plant | Approved |
| 23 | Coos County | <u>Georgia-Pacific Corp.</u> Plans for replacement of sander dust cyclones with baghouse control at the plywood plant | Approved |
| 23 | Jackson County | <u>Olson-Lawyer Lumber Co.</u> Installation of pneumatic sawdust fuel system to char furnace | Approved |
| 24 | Morrow County | <u>L. W. Vail Company, Inc.</u> Plans for installation of portable 5,000 lb/hr batch type, hot-mix as- phalt plant | Approved |
| 24 | Morrow County | <u>L. W. Vail Company, Inc.</u> Plans for installation of portable 10-12,000 lbs/hr batch type, hot-mix as- phalt plant | Approved |

AP - 9 PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR
MAY, 1972 (cont.)

| <u>DATE</u> | <u>LOCATION</u> | <u>PROJECT</u> | <u>ACTION</u> |
|-------------|------------------|----------------------------------------------------------------------------------------------------------------------------|---------------|
| 24 | Morrow County | <u>Rogue River Paving Co., Inc.</u> Proposal to install bag- house controls on station- ary hot-mix asphalt plant | Approved |
| 24 | Douglas County | <u>A. F. Saar, Inc.</u> Installation of pneumatic wood waste handling system for boiler fuel feed system | Approved |
| 24 | Tillamook County | <u>Midway Shake Company</u> Plans and specifications for WWB modification | Approved |
| 26 | Douglas County | <u>Nordic Plywood Company</u> Plans and specifications for sander dust incinera- tion system | Approved |

PROJECT PLANS

SOLID WASTE MANAGEMENT DIVISION

During the month of May, 1972, the following project plans and specifications and/or reports were reviewed by the staff. The disposition of each project is shown, pending confirmation by the Environmental Quality Commission.

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|------------------|---------------------------------------------|----------------|
| 4 | Port Orford | Rogge Lumber Sales Wood Waste Landfill | Prov. approval |
| 18 | Plush | Lake Co. Landfill at Plush | Approval |
| 18 | Christmas Valley | Lake County Landfill at Christmas Valley | Approval |
| 22 | Eugene | Gregory Lumber Co. Wood Waste Landfill | Prov. approval |



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

Memorandum

L. B. DAY
Director

To: Environmental Quality Commission

ENVIRONMENTAL QUALITY
COMMISSION

From: Director

B. A. McPHILLIPS
Chairman, McMinnville

Subject: Agenda Item No. B, July 27, 1972 EQC Meeting

EDWARD C. HARMS, JR.
Springfield

Project Plans for June 1972

STORRS S. WATERMAN
Portland

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

GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

Water Quality Control

1. Seventy-eight (78) domestic sewage projects were reviewed:
 - a) Provisional approval was given to:
 - 66 plans for sewer extensions
 - 6 plans for sewage treatment works
 - 1 plan for a sewage lift station
 - 1 contract modification
 - b) Approval without conditions was given to:
 - 4 contract modifications

Air Quality Control

1. Seventeen (17) project plans, reports or proposals were received and reviewed:
 - a) Approval was given to:
 - 8 Wigwam Burner modification or phase-out proposals
 - 2 Sawdust handling facilities
 - 5 Miscellaneous items (1 schedule of compliance with sulfite mill regs, 1 new shake and shingle mill, 1 smelt dissolving tank emission control system, 1 parking facility and 1 veneer dryer)

Air Quality Control (continued)

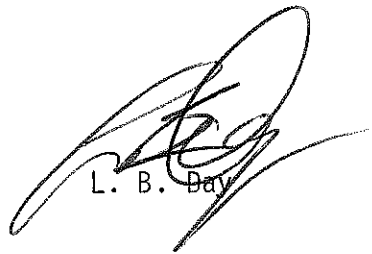
- b) Additional information was requested for:
 - 1 parking facility (Pringle Creek, Marion Co.)
 - 1 Kraft mill emission control proposal (Boise Cascade, St. Helens)

Solid Waste Disposal

- 1. Two (2) project plans were reviewed:
 - a) Provisional approval was given to:
 - 1 Sanitary Landfill (Medford)
 - 1 Demolition Landfill (Gearhart)

Director's Recommendation

It is recommended that the Commission give its confirming approval to staff action on project plans for the month of June, 1972.


L. B. Day

PROJECT PLANS

Water Quality Division

During the month of June, 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.

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|--------------------------------|----------------------------------|----------------------------------------------------------------------------|----------------|
| <u>Municipal Projects (79)</u> | | | |
| 6-1-72 | USA (Metzger) | Phyllis Ann Subd. sewers | Prov. approval |
| 6-1-72 | Lake Oswego | LID Nos. 137 and 140 sewers | Prov. approval |
| 6-1-72 | Woodburn | Kelowna Subdivision sewers | Prov. approval |
| 6-1-72 | Canby | Green Tree Manor Subd. sewers | Prov. approval |
| 6-1-72 | Prineville | North Main Street sewer | Prov. approval |
| 6-1-72 | USA (Metzger) | Washington Square sewers | Prov. approval |
| 6-1-72 | Hermiston | Hartley Addition sewers | Prov. approval |
| 6-2-72 | Sutherlin | Addendum No. 1, East Central Ave. sewer project | Approved |
| 6-2-72 | Bandon | Addendum No. 1, West Side sewer system project | Approved |
| 6-5-72 | Gold Beach | 0.5 MGD activated sludge sewage treatment plant | Prov. approval |
| 6-5-72 | Tri-City San. Dist. | 1.0 MGD activated sludge sewage treatment plant | Prov. approval |
| 6-6-72 | USA (Aloha) | Ivy Glenn No. 2 sewers | Prov. approval |
| 6-6-72 | Newberg | Hulet Avenue sewer | Prov. approval |
| 6-7-72 | Sundown Sanitary Dist. (Astoria) | 0.06 MGD activated sludge sewage treatment plant, Phillips-Drucker complex | Prov. approval |
| 6-7-72 | Astoria | Clatsop Street sewer ext. | Prov. approval |
| 6-7-72 | Brookings | Revised plans, Tanbark Interceptor | Prov. approval |

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|--------------------------------------|----------------------------------------------------------------------|----------------|
| 6-7-72 | Oak Lodge San. Dist. | Robinwood East Subd. sewers | Prov. approval |
| 6-7-72 | Ashland | Sanitary sewer extension | Prov. approval |
| 6-7-72 | USA (Aloha) | Cross Creek Subd., Units 2 and 3 sewers | Prov. approval |
| 6-7-72 | Gresham | Addendum No. 1 - Contract No. 2, sewage treatment plant construction | Approved |
| 6-7-72 | Wood Village | Halsey St. sewer extension | Prov. approval |
| 6-7-72 | Gresham | Kay Subdivision sewers | Prov. approval |
| 6-7-72 | Green Sanitary Dist. | Sunny Slopes Addition sewers | Prov. approval |
| 6-7-72 | South Suburban Sanitary District | Sewer lateral AO | Prov. approval |
| 6-7-72 | West Linn (Will.) | Sherri Park Subd. sewers | Prov. approval |
| 6-7-72 | Green San. Dist. | Stabilization pond modifications - increase to 0.5 MGD | Prov. approval |
| 6-9-72 | East Salem Sewage & Drainage Dist. I | Surfwood Villa Subdivision, Phase 2 sewers | Prov. approval |
| 6-9-72 | USA (Aloha) | Foothill Trees Subd. sewers | Prov. approval |
| 6-13-72 | North Bend | Pony Creek interceptor | Prov. approval |
| 6-13-72 | Dallas | Denton Avenue sewer | Prov. approval |
| 6-13-72 | Canby | Debbie Acres Subd. sewers | Prov. approval |
| 6-13-72 | Medford | Septic tank sludge receiving facilities (<i>modifications</i>) | Approved |
| 6-13-72 | USA (Fanno) | Sorrento Road trunk sewer and Hiteon trunk sewer | Prov. approval |
| 6-13-72 | Portland | N.E. 33rd Drive and N.E. Riverside Way sewage pumping station | Prov. approval |
| 6-13-72 | Canby | Amrine Addition sewers | Prov. approval |
| 6-13-72 | Sutherlin | Two sanitary sewer projects | Prov. approval |

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|--------------------------------------|------------------------------------------------------------------------------------|----------------|
| 6-13-72 | Brookings | 0.5 MGD sewage treatment plant expansion to secondary - trickling filter additions | Prov. approval |
| 6-14-72 | Clackamas County Service Dist. I | Crestwood Estates Subd. sewer | Prov. approval |
| 6-14-72 | USA (Aloha) | Conifer View Subd. sewers | Prov. approval |
| 6-14-72 | USA (Aloha) | Greenfield Subd. and Shalimar Subd. sewers | Prov. approval |
| 6-14-72 | USA (Aloha) | Nut Farm Unit I sewers | Prov. approval |
| 6-14-72 | Gresham | Blakely construction property sewer | Prov. approval |
| 6-14-72 | Bear Creek Valley Sanitary Authority | Riprap along interceptors | Prov. approval |
| 6-15-72 | Eugene | Six sanitary sewer projects | Prov. approval |
| 6-16-72 | Gresham | Rowe Terrace Subd. sewers | Prov. approval |
| 6-19-72 | USA (Aloha) | Farmington West Subd. sewers | Prov. approval |
| 6-19-72 | Monmouth | Auxiliary lagoon overflow pipe | Prov. approval |
| 6-20-72 | Sutherlin | Addendum No. 1 sanitary sewer projects | Approved |
| 6-20-72 | Hillsboro | Five sanitary sewer projects | Prov. approval |
| 6-20-72 | La Grande | Two sanitary sewer projects | Prov. approval |
| 6-20-72 | Multnomah County | Inverness system Unit 5-C, Portland International Airport | Prov. approval |
| 6-21-72 | USA (Aloha) | Starbright Subd. sewers | Prov. approval |
| 6-21-72 | Hood River | Union Street sewer | Prov. approval |
| 6-21-72 | Troutdale | 257th Street trunk sewer | Prov. approval |
| 6-21-72 | East Salem Sewage & Drainage Dist. I | Penticton Subd. sewers | Prov. approval |
| 6-21-72 | Canby | Amrine Subd. (revised sewer plans) | Prov. approval |

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|--------------------------------------|--------------------------------------------------------------------------------------------|----------------|
| 6-26-72 | Umatilla | 0.141 MGD activated sludge secondary sewage treatment plant | Prov. approval |
| 6-26-72 | USA (Aloha) | Nut Farm II Subd. sewers | Prov. approval |
| 6-26-72 | East Salem Sewage & Drainage Dist. I | Watson Avenue sewer extension | Prov. approval |
| 6-26-72 | East Salem Sewage & Drainage Dist. I | Yeakley's Subd. sewers | Prov. approval |
| 6-26-72 | Lake Oswego | Lakeridge No. 6 sewers, Touchstone Townhouses sewers | Prov. approval |
| 6-29-72 | Marion County | Western Modular Homes - 0.047 MGD activated sludge sewage treatment plant and sewer system | Prov. approval |
| 6-29-72 | East Salem Sewage & Drainage Dist. I | Sleepy Hollow Phase II sewers | Prov. approval |

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR JUNE, 1972

| <u>DATE</u> | <u>LOCATION</u> | <u>PROJECT</u> | <u>ACTION</u> |
|-------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| June 1 | Douglas | <u>Glendale Plywood Company</u> Extension of #3 veneer dryer and reclassification as a new source not to exceed 10% opacity | Approved |
| 1 | Curry | <u>Western States Plywood Corp.</u> Plans and specifications for modification of WWB. | Approved |
| 1 | Curry | <u>Western States Plywood Corp.</u> Proposal to phase-out one (1) WWB | Approved |
| 2 | Jackson | <u>Steve Wilson Lumber Co.</u> Plans and specifications for modification of WWB. | Approved |
| 6 | Douglas | <u>A. F. Saar, Inc.</u> Plans and specifications for sawdust handling and boiler firing system | Approved |
| 7 | Douglas | <u>Mt. Baldy Mill, Inc.</u> Plans and specifications for modification of WWB | Approved |
| | Douglas | <u>Smith River Lumber Co.</u> Plans and specifications for modification of WWB | Approved |
| 8 | Linn | <u>Crown Zellerbach Corp.</u> Proposal for compliance with Sulfite Mill Regulation | Approved |
| 8 | Multnomah | <u>U. S. National Bank-Portland</u> Plans to construct parking facility | Approved |
| 8 | Marion | <u>Pringle Creek Parking Structure</u> Plans to construct parking facility | Additional information Requested |
| 12 | Baker | <u>Ellingson Lumber Co.</u> Plans and specifications for modification of WWB | Approved |

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR
JUNE, 1972 (cont.)

| <u>DATE</u> | <u>LOCATION</u> | <u>PROJECT</u> | <u>ACTION</u> |
|-------------|-----------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 12 | Josephine | <u>Agnew Timber Products Co.</u> Plans and specifications for modification of WWB | Approved |
| 12 | Grant | <u>Western Larch and Wood Products Company</u> Proposal to construct shake and shingle mill | Approved |
| 14 | Columbia | <u>Boise Cascade Corp.</u> Proposal to meet 1975 Kraft Mill emission limits | Additional Information Requested |
| 26 | Lincoln | <u>Georgia Pacific Corp.</u> Proposal to control smelt dissolving tank vent emissions | Approved |
| 26 | Josephine | <u>S. H. & W. Lumber Co.</u> Plans and specifications for modification of WWB | Approved |
| 26 | Douglas | <u>Drain Plywood Corp.</u> Plans and specifications for sanderdust handling and boiler firing system | Approved |

PROJECT PLANS

SOLID WASTE MANAGEMENT DIVISION

During the month of June, 1972, the following project plans and specifications and/or reports were reviewed by the staff. The disposition of each project is shown, pending confirmation by the Environmental Quality Commission.

| <u>Date</u> | <u>Location</u> | <u>Project</u> | <u>Action</u> |
|-------------|-----------------|---------------------------------------|----------------|
| 28 | Medford | Day Creek Sanitary Landfill | Prov. approval |
| 28 | Gearhart | E.S. Ritter & Co. Demolition Landfill | Prov. approval |



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

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MEMORANDUM

TO: ENVIRONMENTAL QUALITY COMMISSION

FROM: Director

SUBJECT: Agenda Item No. C, July 27, 1972, EQC Meeting
Development of Transportation Control Strategies for Portland

Background:

On January 24, 1972, the Environmental Quality Commission adopted the Clean Air Act Implementation Plan for Oregon. The Plan delineates the means by which the State of Oregon intends to attain compliance with Federal ambient air standards by May, 1975.

The control strategy for motor vehicle related contaminants (carbon monoxide, nitrogen oxides, hydrocarbons, and photochemical oxidants) was outlined in the Plan in general terms with the commitment that the details of the strategies would be developed and presented to the Environmental Quality Commission and EPA by September 1, 1972. This delay in composition of the final control strategy was deemed necessary to provide the agencies involved enough lead time to develop an effective strategy.

On May 31, 1972, the Administrator of EPA approved the Oregon Implementation Plan with the requirement that the Governor of Oregon submit to the Administrator:

"(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Oregon portion of the Portland Interstate Region by May, 1975. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by May, 1975.

(2) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative."

The control strategies outlined in the Implementation Plan consist of three measures which, together with the Federal Motor Vehicle Control Program, are expected to result in attainment of national standards by May, 1975.

Briefly, these control strategies are:

1. Motor Vehicle Inspection Program - The Department proposes to develop, consistent with the policies and programs of EPA, a system of mandatory inspection and maintenance for motor vehicles in

those parts of the state in which additional motor vehicle emission control requirements are deemed to be necessary in order to achieve ambient air standards by 1975. The details of this proposal are presently being worked out by the Department with a technical advisory committee and other interested agencies and organizations. A staff report will be prepared for presentation to the Commission in August, 1972, giving details of the proposal.

2. Parking Facilities and Highways Regulation - this regulation requires Department approval of proposed parking facilities, freeways and expressways in the Portland, Salem and Eugene metropolitan areas:

a. To assure that parking facilities and major highways which are constructed do not interfere with attaining and maintaining acceptable air quality, noise levels and quality of life in metropolitan areas.

b. To promote the development of environmentally sound comprehensive transportation plans in metropolitan areas, and specifically to promote the development of mass transit systems wherever feasible.

3. Transportation Control Strategies - The Department proposes to work with the City of Portland and other State and local agencies to develop a specific program and compliance schedule to effect a substantial reduction of motor vehicle emissions in the downtown Portland area.

Among the measures to be closely evaluated with respect to cost, benefits and feasibility, are the following:

- a. Enhanced mass transit.
- b. Establishment of peripheral parking facilities, and/or improved neighborhood feeder bus service, in conjunction with express bus service.
- c. Core area fringe parking.
- d. Traffic circulation improvements.
- e. Establishment of a parking tax or other incentives to induce persons entering the central business district to use mass transit or car pools.
- f. Removal of on-street parking.

The required reduction in carbon monoxide emissions for the City of Portland is a 43% reduction in projected 1975 emissions in addition to the reductions expected from the Federal Motor Vehicle Control Program. The most optimistic estimates of the reduction in carbon monoxide emissions that can be achieved by 1975 due to the implementation of a mandatory motor vehicle inspection and maintenance program is 20%. This leaves an additional 23% reduction to be attained by implementation of various transportation control strategies.

The City of Portland, in Resolution No. 30962 adopted September 23, 1971, expressed its willingness and intent to "extend all necessary planning efforts and cooperation with the Department of Environmental Quality, the Columbia-Willamette Air Pollution Authority, and the Tri-County Metropolitan Transportation District to assure development of a balanced multi-mode transportation system and completion of the State's Clean Air Act Implementation Plan.....".

The Board of County Commissioners of Multnomah County, informed the Department in a Resolution dated November 4, 1971 of its willingness and intention to assist in formulation of the Plan and "...extend its efforts to assure development of a balanced multi-mode transportation system and to discourage reliance on the automobile as a means of conveyance in greater metropolitan areas."

On February 10, 1972, at a meeting with staff members of DEQ and CWAPA, the City assumed the major burden of responsibility for the development and implementation of the transportation control strategies. Since that time they have been working with CWAPA and CRAG in developing and analyzing various alternate control strategies.

As of this date, the City has developed a preliminary plan delineating a series of control strategies which have been reviewed informally by the City Council and are under review by several interested citizen's groups. The City has emphasized that the present plan is not final and is subject to revision.

On July 24, 1972, the Department and CWAPA met with the City to discuss further development of the plan and consideration of additional control strategies as a means of addressing the long range transportation and environmental goals of the Environmental Quality Commission set forth in the Clean Air Act Implementation Plan for Oregon.

The remainder of this staff report will attempt to describe the scope of transportation related environmental problems in the Portland metropolitan area and to relate the present city plan and additional proposed control strategies as a necessary first step in their solution.

Analysis of Transportation Control Strategies:

A. Historical Resume of Transportation Related Environmental Impacts in the Portland Metropolitan Area 1945-1972:

A brief resume of the recent history of transportation systems in Portland and some of the resulting impacts will serve as a basis to analyze possible solutions to present transportation related environmental problems.

As shown in Figure 1, there has been a continuing and rapid increase in automobile ownership in the Portland metropolitan area during the past thirty (30) years with the upward trend predicted to continue unabated through 1990.

During the same period, as illustrated in Figure 2, there has been a steady and dramatic decline in mass transit patronage in the Portland metropolitan area with the downward trend predicted to continue through 1990, but at a slower pace.

In 1945 approximately 90 million passengers were carried annually on streetcars, electric trolley buses, gas powered buses and an inter-urban rail service to Boring, Gresham and Oregon City. By 1970 transit ridership was down to 15 million annual passengers carried on 287 diesel and gasoline powered buses.

In 1950 approximately 53% of the people entering the CBD daily rode transit. Today 15% of the people entering the CBD ride transit.

Portland has digressed from a fairly well balanced multi-modal transportation system to the present uni-modal transportation system involving automobiles as the only significant movers of people in a transportation system comprised almost entirely of highways. To date, the response to Portland's growing transportation problems has been simply, more freeways. While the automobile may be unparalleled for moving people over wide areas with relative freedom and privacy it is not necessarily the best means for moving large numbers of people into and out of a highly concentrated area like the Portland CBD.

Figure 3 shows a comparison in the trends in population growth for the City of Portland and the metropolitan area. The City of Portland is a below average population density city with comparatively high automobile ownership and usage. And as can be seen from Figure 3, the growth in the population of the city has nearly stagnated while the metropolitan area is rapidly developing. It seems obvious that much of the incentive for the continuing trend in urban sprawl is the relative availability of the auto, the further construction of freeways which increase the convenience of living in the suburbs and commuting to work in the city, and the lack of viable alternative modes of transportation.

Another important factor to be considered in containing further urban sprawl, if this is what is desired, is effective comprehensive land use planning, or the lack of it. However, the question of whether land use planning induces changes in a transportation network, or whether a transportation network will induce changes in land use

planning is academic. Of more importance is how to maintain a high density vital central city without being overrun by freeways and automobiles.

The economic impacts upon retail trade in the Portland CBD and metropolitan area due to the trend in urban sprawl are shown in Figures 4 and 5. During the same period that the automobile was taking over as the only mode of transportation in Portland, annual sales in retail trade slumped badly in the CBD while they increased steadily in the metropolitan area.

The impact upon air quality in the CBD is shown in Figure 6. During the first full year of monitoring carbon monoxide emissions at 718 W. Burnside, there were 162 violations of the present federal 8-hour standard. In 1971 there were 124 days for which the federal standard was violated and the first six months of 1972 shows 63 violations. Beginning in 1975, federal and state law allows only one (1) violation per year of the 8-hour carbon monoxide standard.

B. Types and Effectiveness of Control Strategies:

There are basically four types of transportation control strategies into which most alternative measures can be grouped:

1. Measures to re-route traffic away from high emission density areas.
In effect, this amounts to dilution of emission concentrations.
2. Measures intended to increase the average speed of traffic flow.
This is based upon the premise that free flowing traffic emits less carbon monoxide than stop-and-go traffic.
3. Measures to reduce the number of autos in use in a region with

corresponding increased use of alternative modes of transportation and/or more effective use of the auto. This will result in reductions in carbon monoxide emissions in direct proportion to the number of autos retired from use in the area of concern.

4. Combinations of any or all of the above three types of measures.

The major benefit, from a traffic engineer's point of view, of the first two types of measures listed above are that they are relatively easy to implement, the least costly and involve measures that have been tested in the past and well documented (e.g. changes in signalization timing to increase speeds and removal of curb parking to off-street areas to improve flow and speeds).

The major disadvantages of strategy types 1 and 2 listed above are:

1. They are of necessity short-term solutions that do not address the broader long-term goals of developing a balanced multi-modal transportation system for Portland and the metropolitan area.
2. Measures intended to increase average speeds of traffic flow do not result in decreased volumes of traffic or propensity to drive autos into the areas of concern. A recent study published by EPA indicates that improvements in traffic flow will significantly effect emission reductions for one or two years, after which the reductions experienced will deteriorate due to increases in traffic volumes induced by improved circulation.

3. The studies which form the basis of the predicted emission reduction ratios are based upon tests performed on vehicles having early technology emission control devices. The validity of applying the same ratios to later model vehicles with advanced technology emission control devices is questionable.

The major benefits of type 3 strategies listed previously are:

(1) reductions in the number of autos entering the area of concern result in a reduction of auto emissions that is directly proportional to the number of autos left home in favor of transit by other means, and (2) the long-term benefits that accrue from the resulting development of a balanced multi-modal transportation system.

The Department considers reductions in the use of the automobile to be a very desirable means of assuring the required emission reductions will be met. However, it is of the utmost importance to also assure that whatever disincentives to use of the auto are implemented will be accompanied by equal incentives to use transit.

Important disadvantages of strategies to reduce use of the auto include high cost, longer lead time to implement and lack of documented case histories showing success with specific alternatives. In addition, care must be taken to avoid the introduction of alternative modes of transit that might possibly lead in the long-term to more severe pollution problems than those caused by the auto.

After weighing the relative advantages and disadvantages of the various types of transportation control measures, the Department has decided that the development of a practical and effective transportation

control strategy must include a wide variety of measures and combinations of measures which will result in the achievement of both short-term and long-term air quality, transportation and quality of life goals set forth in the Clean Air Act Implementation Plan and the Portland Downtown Plan.

C. Control Strategies Under Development by the City of Portland:

Due to the fact that the transportation control strategy being developed by the City has not taken its final form and most of the details are yet to be worked out, this discussion will be limited to the general concepts involved. According to information available to the Department, the basic elements of the present plan are measures designed to re-route traffic away from high emission density areas and measures intended to increase the average speed of traffic flow. From a traffic engineer's point of view, the plan will probably represent the best effort that can be achieved from consideration of alternatives limited to improvements in traffic circulation.

The basic premise of the City plan is the development of those strategies which will result in the attainment of the short-term goal of compliance with ambient air standards by 1975 as required by law. Given the relatively short time available for the implementation of measures required to meet the standards by 1975, the City emphasized improvements in traffic circulation as the most practical means to achieve this goal. The Columbia-Willamette Air Pollution Authority, which has worked closely with the City in the development of the control strategies, has assured the Department that the City plan has

the potential to attain the standards by 1975 for most of the area of concern shown in Figure 7.

However, consideration of measures designed to reduce the number of vehicles entering the area of concern have for the most part been limited, for the present, to minor improvements in the 1975 Bus Improvement Plan and incentives designed to encourage a shift from autos to buses. Unfortunately, none of the proposals mentioned make any significant contributions to increasing the budget of Tri-Met such that they might respond to a greater demand for service with more buses, shorter headway, neighborhood feeder lines, downtown mini-buses, etc.

D. 1975 Bus Improvement Plan:

The 1975 Bus Improvement Plan includes measures intended to improve service, equipment, fares, and advertising. The improved service plans include the addition of seven (7) park-and-ride stations in appropriate places in the metropolitan area, additional express buses and exclusive bus lanes on certain streets, modifications in existing bus lines to provide better service and frequency of service, a Fifth-Sixth Street transit mall in downtown Portland, construction of bus shelters, etc.

Even with the fairly aggressive bus improvement plan, ridership to downtown Portland is expected to increase by only 5,000 passengers daily in 1975 which would result in a carbon monoxide emission reduction of only 1.6%. It is inconceivable that further minor adjustments to the plan would result in more than a 2% reduction by 1975.

Thus, if any significant reductions in the number of autos is to be realized by 1975 or later, a much more aggressive approach will have to be developed to result in the desired shift to a balanced multi-modal transportation system.

E. Analysis of Measures Designed to Reduce Auto Usage in Downtown Portland:

As the basis of this analysis, it will be assumed that improvements in traffic circulation will result in a reduction in carbon monoxide emissions of 18% by 1975 and that the remaining 5% reduction in emissions must be obtained by transportation control measures that will reduce the number of autos daily traversing the area of concern (shown in Figure 7) by 5% in 1975.

Due to the lack of reliable estimates of 1975 traffic volumes, the analysis will be based upon 1970-71 traffic data available from the Portland Bureau of Traffic Engineering and the Oregon State Highway Division.

Table 1 below illustrates the number of daily auto trips which traverse the Portland Central Business District (CBD) at some point in the total trip regardless of origin or destination. The total number of CBD oriented trips daily in 1970 was approximately 460,000. Thus, a 5% reduction in daily CBD trips would require a reduction of 23,000 in the number of autos traversing the CBD daily. In terms of additional daily bus riders to and from the CBD, this would result in approximately 31,000 bus riders daily. At the present time Tri-Met carries approximately 50,000 passengers daily to and from the CBD. Thus, if Tri-Met were to provide the only alternative mode of transportation, it

would have to increase passenger carrying capacity by a factor of 1 2/3.

TABLE 1

Total Portland CBD Related Auto Trips Daily, 1970
(trips which have some CBD travel regardless of origin or destination)

| Origin | Destination | No. Vehicles Daily | Percent of Total Vehicles Daily |
|---------------|---------------|--------------------|---------------------------------|
| Outlying Area | CBD | 105,000 | 23% |
| CBD | Outlying Area | 105,000 | 23% |
| Outlying Area | Outlying Area | 227,000 | 50% |
| CBD | CBD | 20,000 | 4% |
| Total | | 457,000 | 100% |

Table 1 also shows that approximately 50% of the autos that traverse the CBD daily are never parked. That is, they are merely passing through the CBD on city streets or the freeway loop as a means of getting from one point to another. With the present bus system oriented almost totally to serving people who are CBD destined, the chances of attracting this large group of people making through trips is practically nil.

In addition, Table 1 shows that approximately 4% of all the auto trips traversing the CBD never leave the CBD and are probably mainly trips related to business calls. Again, the present bus system is not oriented to attracting these kinds of trips.

Table 2 below shows the relationship of CBD trip purpose to numbers of vehicles daily entering the CBD for auto trips originating outside the CBD with a CBD destination. Most of the vehicles are parked daily in the CBD.

TABLE 2

Total Portland CBD Destined Auto Trips by Trip Purpose
(trips originating outside the CBD with CBD as destination)

| Trip Purpose | No. Vehicles Daily | Percent of total CBD destined vehicles daily | Percent CBD destined vehicles of total vehicles |
|--------------------------|--------------------|----------------------------------------------|-------------------------------------------------|
| Work (to work from Home) | 32,900 | 31% | 14.4% |
| Business calls | 25,900 | 25% | 11.3% |
| Shopping | 11,550 | 11% | 5.1% |
| Personal Business | 12,600 | 12% | 5.5% |
| Doctor/Dentist | 3,150 | 3% | 1.4% |
| Social/Rec. | 4,200 | 4% | 1.8% |
| Eat Meal | 2,100 | 2% | 0.9% |
| Other | 12,600 | 12% | 5.5% |
| Total | 105,000 | 100% | 46% |

It can be seen from Table 2 that a bus system oriented to serving the commuter will fail to attract large numbers of other people who come to the CBD for other purposes at other times of the day.

Unfortunately, at the present time Tri-Met is unable to attract many non-commuters.

It seems obvious from the data presented thus far that if alternative modes of transportation are to play an effective role in the transportation control strategy, then some major improvements to the present bus system must be made by 1975.

Several proposed improvements to the present bus system in addition to the 1975 Bus Improvement Plan are listed below for further consideration:

1. Development of additional park-and-ride stations located in appropriate areas where it is known large numbers of downtown commuters reside. A study done for the Portland Traffic Bureau indicates that as much as one-third of downtown traffic comes from less than one-fourth of the Metropolitan area.

To keep capital costs and construction time at a minimum it is suggested that existing parking facilities at large shopping centers, drive-in theaters, etc. be rented. An example of a successful experiment in this type of activity in Portland is the PSU park-and-ride program. PSU rents parking spaces at Memorial Coliseum, OMSI, Eastgate Theater and Westgate Theater and provides shuttle buses to the campus. Unfortunately, in recent months the experiment has lost momentum due in part to increased availability in parking on the campus.

2. Development of a downtown mini-bus system to attract riders from the large number of business calls made within the CBD daily. As mentioned above, approximately 20,000 auto trips daily are made within the CBD.

A significant portion of these trips might be attracted to a convenient mini-bus system. Also persons who normally bring their cars downtown because they must make business calls during the day in the CBD might be induced to leave their cars at home thus reducing both commuter and business auto trips. It is further suggested that the investigation of a mini-bus system include so-called demand-actuated bus systems that can provide rapid service through an automatic vehicle locator and dispatch system tied to call boxes located in appropriate positions

throughout the CBD.

3. Development of neighborhood feeder bus systems which provide buses circulating through neighborhoods and transferring riders to main bus lines or express bus lines to the CBD.
4. Development of cross-town bus lines that do not terminate in the CBD as nearly all of the present bus lines do. This system could attract a significant portion of the auto trips that are presently passing through and around the periphery of the CBD. As mentioned above these auto trips presently account for one-half of the total auto trips traversing the CBD.
5. Development of a computerized car pool information service that would locate commuters by neighborhood, place of employment and commuting hours and provide information to commuters about other commuters with similar transportation needs.
6. Subsidy of Tri-Met in amounts necessary to significantly reduce or abolish fares between the hours of 10:00 a.m. and 3:00 p.m. daily. This would have the effect of attracting persons making shopping trips, business calls, or personal business trips in the CBD to the present off-peak bus occupancy hours.
7. Develop guidelines for the amount, type and location of new parking spaces in the CBD. The present supply of parking in downtown Portland is approximately 39,000 spaces with a surplus of available spaces over peak-period demand of approximately 3200 spaces. However, many of the spaces are not located where they would be most convenient or have the least environmental impact.

In addition, as the number of autos entering the CBD is reduced

through inducements to shift to alternative modes of transportation, the demand for parking spaces in the CBD will correspondingly be diminished. As this condition develops, it will be imperative that the number of available spaces be reduced to assure that surplus spaces do not act as an incentive to shift back to auto usage.

It is readily apparent that most of the measures listed above would require large amounts of money for capital outlay, operating expenses, etc. and if the money is not available then none of the measures would be practical or feasible. It is suggested that each of the potential resources listed below be given serious consideration:

1. The Federal Urban Mass Transportation Administration will provide grants for urban mass transit projects. In addition 2/3 Federal funding is available for purchase of new buses and construction of bus terminals.
2. The creation of a city-wide parking tax and an agency to administer the revenues which would be ear-marked for development and maintenance of alternate modes of transportation.

The major attractive feature of the creation of a parking tax or a similar measure is the dual role it plays in providing both a disincentive to use of the auto and the money necessary to make significant improvements to alternative modes of transportation with the resulting incentive to use alternate modes.

3. Creation of a freeway metering and toll system. The addition of automatic toll gates on selected on-ramps in the Portland freeway

system would have the following benefits:

- a. Create revenues that could be used to develop and improve alternate modes of transportation.
 - b. Create an additional disincentive to use of the auto.
 - c. Insure free-flowing traffic on freeways during peak traffic flow periods thus further reducing emissions by increasing the average speeds.
4. Seek additional funds from the State Highway Division to help defer the cost of additional park-and-ride sites or other appropriate projects.

According to information available to the Department, the Highway Division is presently planning to construct a major park-and-ride station at the junction of I-205 and S. E. Powell Blvd. They would be encouraged to provide other such sites at appropriate locations near other existing freeways.

Conclusions:

1. The Department is seriously concerned that the trends of the past thirty years will continue unabated resulting in eventual disaster for the Portland CBD and much of the city if significant changes are not forthcoming in the present transportation system and plans.

The recent development of a Portland Downtown Plan has shown that the City is committed to maintaining and enhancing downtown Portland. The Department fully supports the goals of the emerging Downtown Plan and intends to cooperate to the full extent of its powers to ensure that these goals are implemented. However, we submit that the development and maintenance of a vital and liveable central city cannot be undertaken successfully while the development of land use

patterns and transportation systems in the remainder of the city and metropolitan area are ignored. The development of additional "Lloyd Centers" at ever increasing distances from the central city, with their attendant impacts upon the CBD, will not await the implementation of a 1990 downtown plan as evidenced by the center presently under construction at Progress, Oregon.

With the development of the Downtown Plan nearing completion and the required development of transportation control strategies rapidly coalescing, it seems evident that now is an opportune time to begin the process of grasping control of the transportation and land use processes in the City and metropolitan area to ensure that future development in the area is in harmony with the goals of the community.

The Department is urgently advocating that the City and other responsible agencies join with the Department in making a strong commitment to the development of a well balanced and environmentally sound multi-modal transportation system and comprehensive land use plan for the City of Portland and surrounding metropolitan area, and further proposes that the transportation control strategies presently under development be used to crystallize this commitment into a plan of action that will begin the necessary first step towards implementation of a comprehensive change in the existing transportation system.

2. The implementation of the control strategies presently under development by the city, or some modified form of the plan, will be necessary to achieve the short-term goal of compliance with national standards by 1975. Due to the relatively long lead time necessary to implement

significant improvements to alternative modes of transportation, these proposals probably cannot be implemented soon enough to have a significant impact on air quality in 1975.

3. In order to ensure that compliance with the national air quality standards is maintained after 1975 and to begin making the desired changes in Portland's transportation system such that long term air quality, transportation and quality of life goals set forth in the Clean Air Act Implementation Plan and Portland Downtown Plan are achieved, the alternate control strategies described in this report must be developed and implemented as soon as practical.
4. The supply of available parking in downtown Portland must be carefully controlled, as regards amount, location and type of spaces, if the necessary incentive to shifting from the auto to alternate modes of transportation is to be effected.

Recommendations:

I recommend that the Commission re-emphasize the statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070 "Parking Facilities and Highways in Urban Areas" and further declare the public policy of the Commission to be:

- a. That the mandate for action is clear for an immediate commitment by the Department and other responsible agencies to begin reducing the number of private automobiles in the downtown Portland area.
- b. That the mere control of motor vehicle emissions is not the only environmental consequence of the automobile; continued automobile encroachment of the urban centers, the congestion and environmental impact of additional freeways, parking structures, and the loss of

green and open spaces are of equal importance.

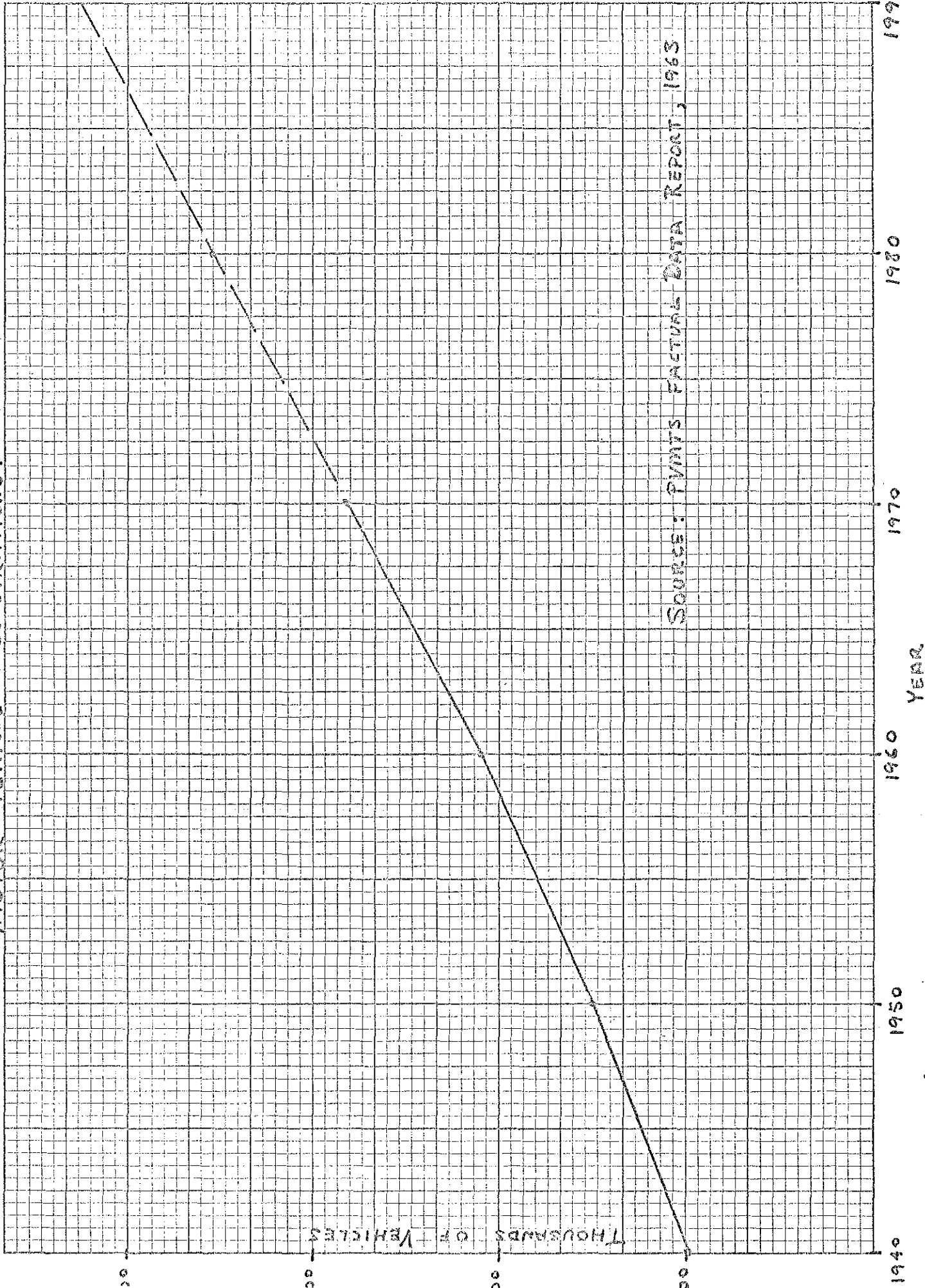
- c. It is the obligation of the Department to work closely with other state agencies, local governments, and environmental groups to effect a major change in the planning and action priorities for the future to alleviate this situation.

I recommend that the Commission direct me to request the City of Portland to expand the transportation control plan presently under development to include additional control strategies as a means of attaining the goals established by Commission policy and further direct the staff to work with the City and other agencies to effect the expansion of the transportation control plan..

L. B. Day
L. B. Day

FIGURE 1

MOTOR VEHICLE REGISTRATIONS: SMSA



SOURCE: TWINTS FACTUAL DATA REPORT, 1963

FIGURE 2

PERSON TRIPS BY MASS TRANSIT : SMSA

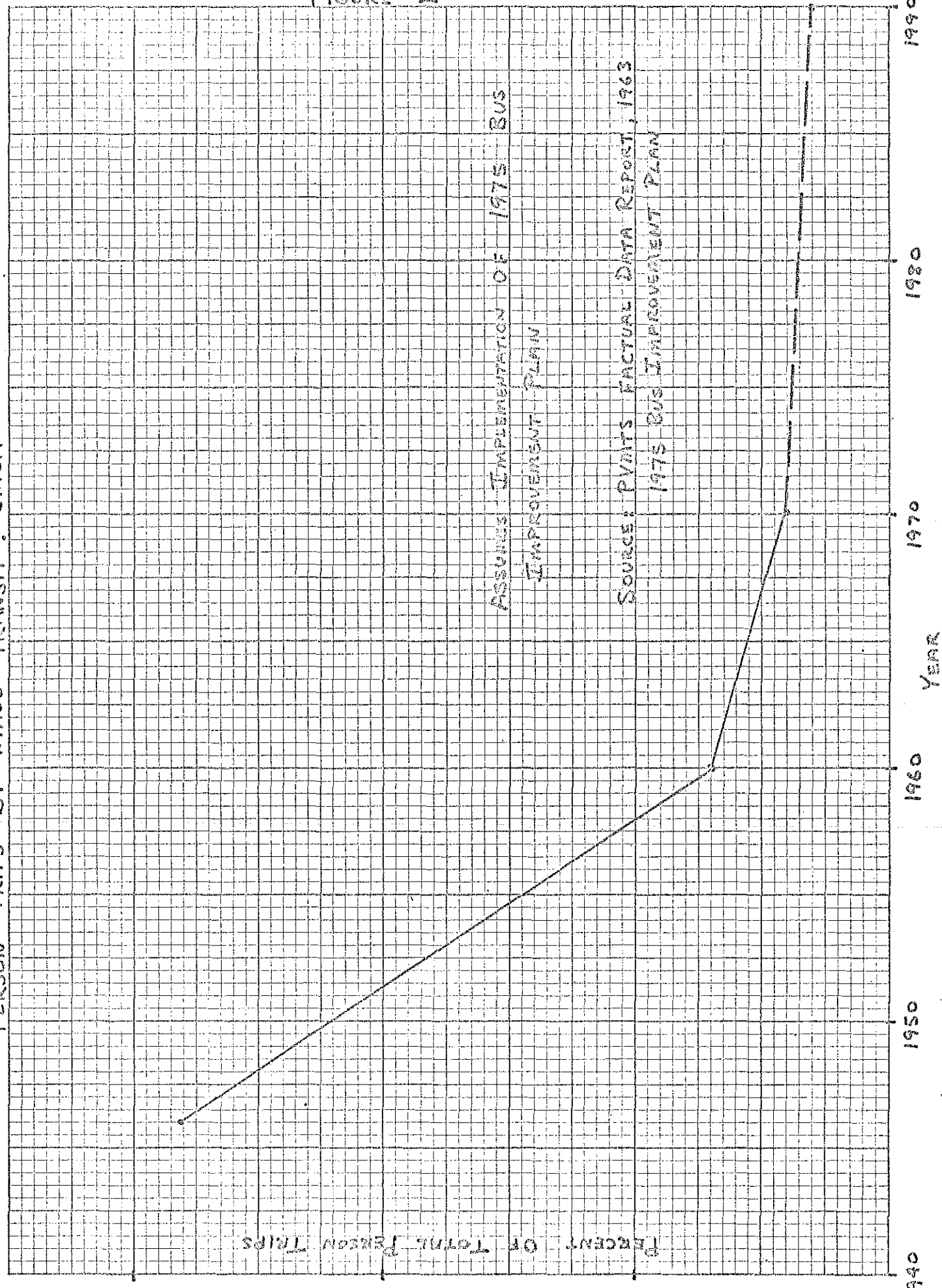
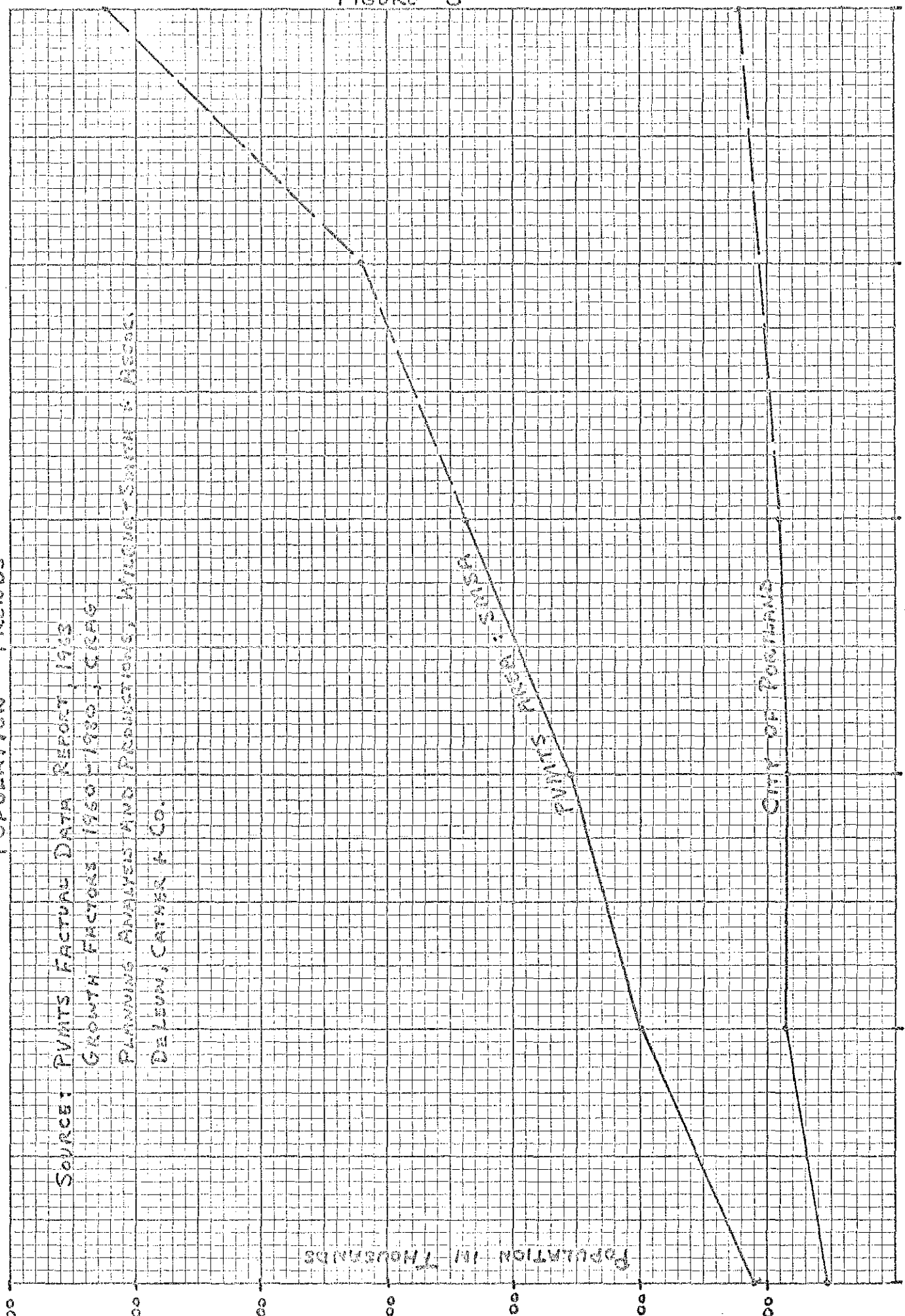


FIGURE 3

POPULATION TRENDS

SOURCE: PIVITS FACTUAL DATA REPORT, 1943
GROWTH FACTORS 1950-1980, 1989
PLANNING ANALYSIS AND PROJECTIONS, WILSON+SMITH & BECKETT
DELEW, CATHER & CO.

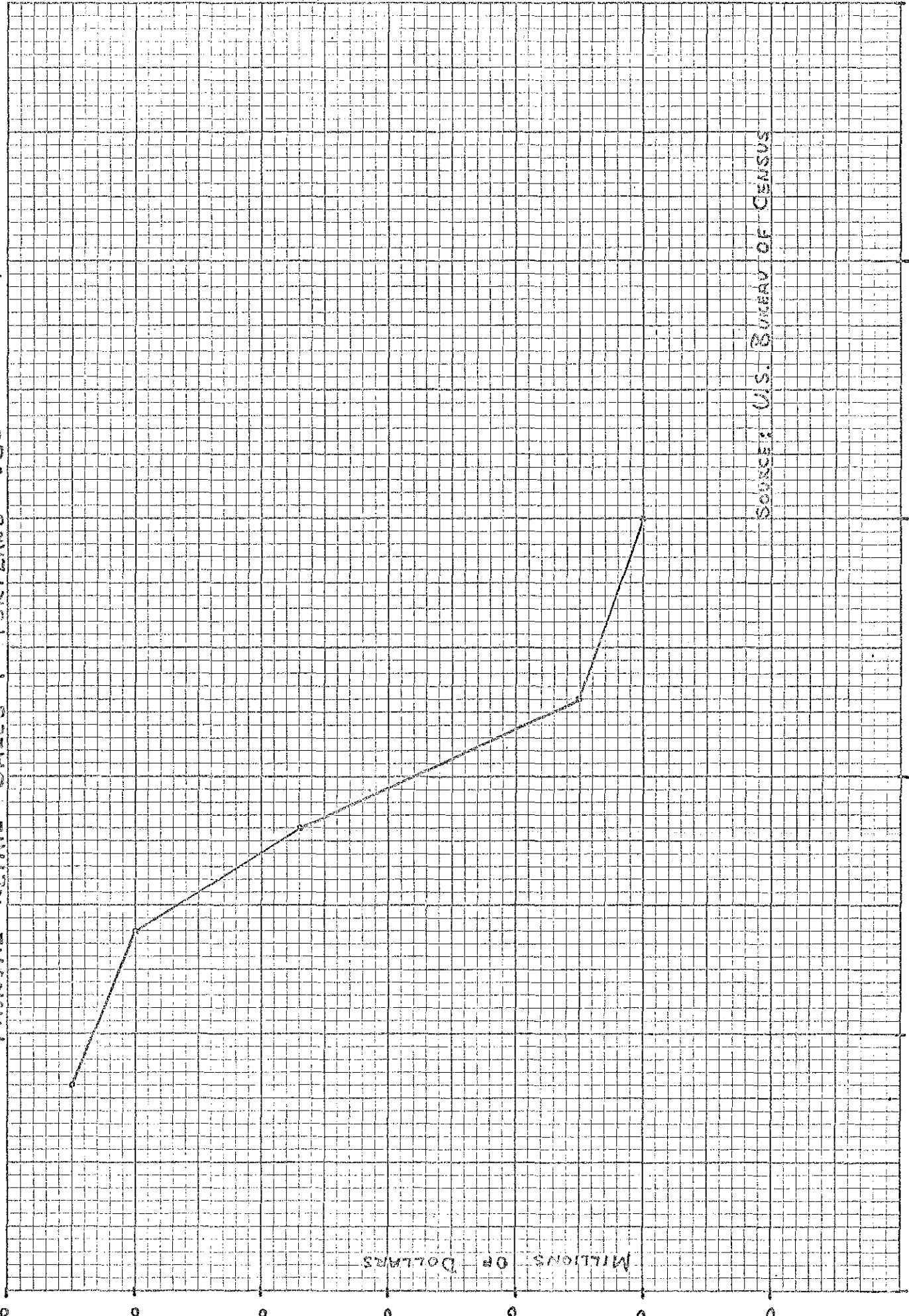


1940 1950 1960 1970 1980 1990

K&E 10 X 10 TO THE INCH 46 0782
7 X 10 INCHES
MADE IN U.S.A.
KEUFFEL & ESSER CO.

FIGURE 4

ANNUAL RETAIL SALES : PORTLAND CBD



SOURCE: U.S. BUREAU OF CENSUS

1940 1950 1960 1970 1980 1990

Figure 5

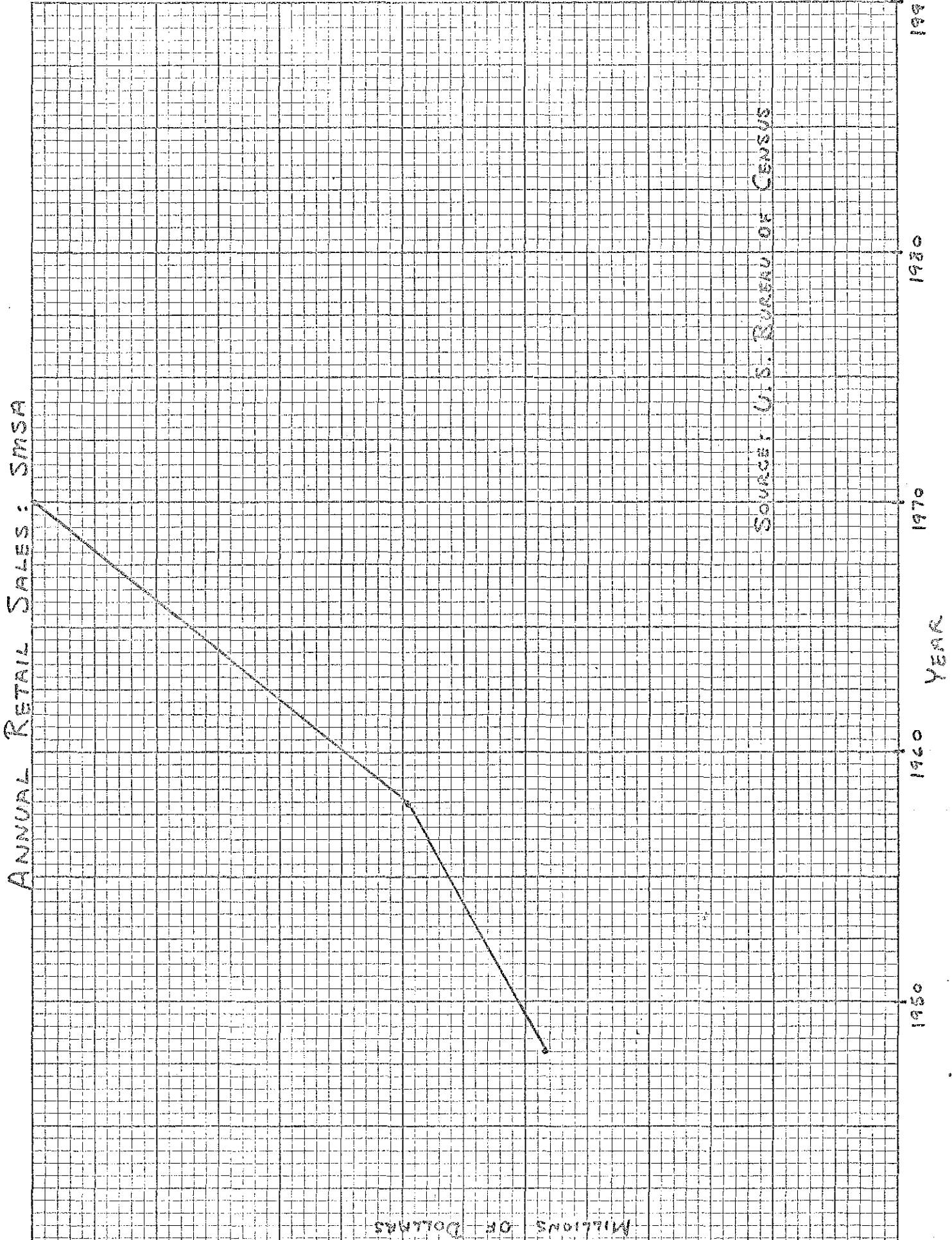
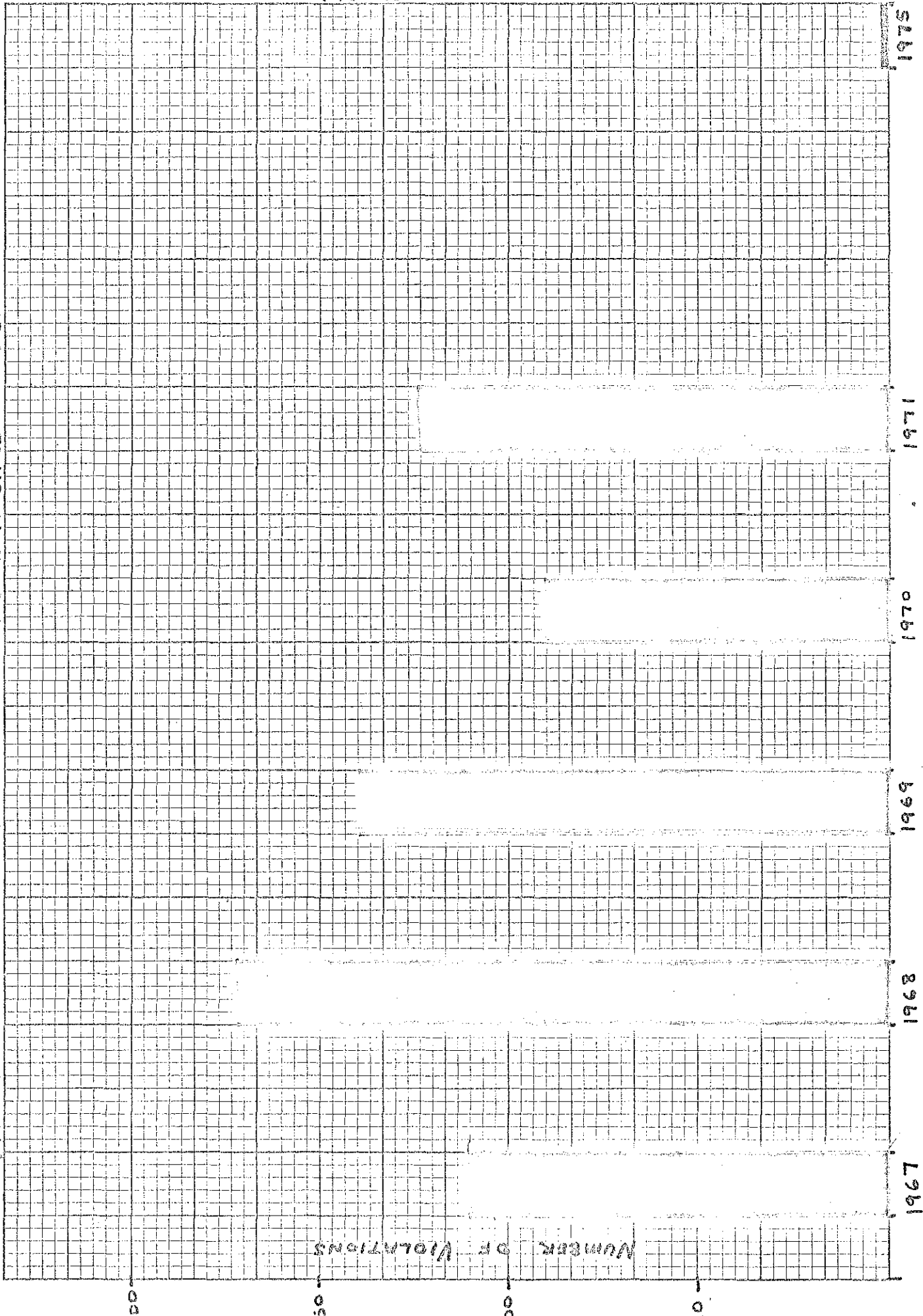


FIGURE 6

VIOLATIONS OF 8-HR CARBON MONOXIDE STANDARD AT CAMS



1975

1971

1970

1969

1968

1967

YEAR

NUMBER OF VIOLATIONS

100

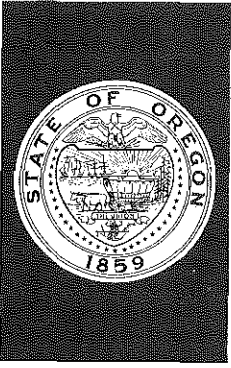
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FIGURE 7
STUDY AREA GRID SYSTEM





DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

MEMORANDUM

L. B. DAY
Director

To: Environmental Quality Commission

ENVIRONMENTAL QUALITY
COMMISSION

From: Director

B. A. McPHILLIPS
Chairman, McMinnville

Subject: Agenda Item No. D., July 27, 1972, EQC Meeting

EDWARD C. HARMS, JR.
Springfield

STORRS S. WATERMAN
Portland

Zidell Explorations, Inc., Portland, Oregon

GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

Background

1. Zidell Explorations, Incorporated operates a ship dismantling and salvage yard on the Willamette River located between the Ross Island and Marquam (I-5) Bridges. This operation and other subordinate activities include:
 - a. Dismantling and scrapping of ships with the scrap metal and salvaged equipment stored in the open and in warehouses throughout the yard.
 - b. Resale of used ship fittings.
 - c. Sale of scrap materials both ferrous and non-ferrous metals for recycling and reuse.
 - d. Construction of barges.
 - e. Fabrication of tube forgings, welded fittings, and steel flanges.

2. Dismantling operations are conducted in the active flowing stream and along a dock which is approximately 1500 feet in length. Ships may be moored at the dock three abreast permitting metal cutting operations on more than one ship at a time. The ships are cut into sections while afloat with the scrapping of the superstructure and upper hull being a relative simple operation. By ballasting the lower hull is raised clear of the water to permit cutting below the waterline down to keel level. Prior to final separation of the lowest hull sections, the limbers are plugged and the final cutting is made as close to the bulkhead as practicable. During this separation, the cut section is held in suspension by crane ready for final lift onto the dock area.
3. The dismantling process entails the handling of oil and oil-contaminated water with the grade of oil varying from Bunker C to the light lubricating and hydraulic oils.
4. The present methods for handling bilge oil include:
 - a. The placement of a portable storage tank onto a ship that is being dismantled.
 - b. Using a flexible hose/pumping system contaminated water is pumped into the portable storage tanks which have about 7,000 gal. capacity. The tanks have an opening in the top (no cover) and a bottom outlet valve.

- c. When the tank is full, it is transferred by crane from the ship approximately 200 feet away from the dock to the shore.
 - d. The bottom valve of the tank is then opened and the water is allowed to drain onto the ground. Once the petroleum product is visible the valve is shut off.
 - e. The oil tank is then transferred to the deck of a bulk oil storage hull alongside the dock. The petroleum product in the portable tank is then allowed to drain into the hull.
 - f. On the bottom of the ships tanks there is a heavy black oil that must be shoveled by hand. For this purpose small portable pans (approx. 6' x 6' x 1 1/2') are used. These pans are transferred to a larger tank with heating coils. This material is sold for road oiling.
 - g. The lower hull is cut into large pieces hauled onto land where the lower section is hosed free of oil and debris, prior to being cut into easily handled sizes. The water also drains onto the ground.
5. Various ships are towed to Zidell's in water ballast. This ballast water is either discharged directly into the Willamette River or if contaminated, pumped onto the yard area.

6. A substantial amount of residue material such as insulation, cable, etc., has been deposited down the river bank. The bank has been filled in approximately 100 feet from the bank line existing 20-30 years ago.

7. The records of the DEQ with regard to Zidell's WDP indicate the following:

- a. On August 12, 1968 an application for a waste discharge permit was sent to Zidell's. This application was received October 10, 1968.
- b. A WDP was issued to Zidell Explorations, Inc. on December 13, 1968 which specifically required that:

"Prior to March 1, 1969, the permittee shall submit detailed plans of the bilge oil separator unit (sludge barge) for review and approval. The following documents shall also be submitted to supplement the plans:

- 1.) A detailed process flow diagram of the separator unit.
- 2.) A complete description of the operating procedures for the separator unit.
- 3.) A record of actual operating data which indicates the frequency of use of the separator unit and the associated waste flow rates.
- 4.) A record of operating data which indicates the location and method of disposal of the collected oil sludges."

- c. On June 2, 1969 the company submitted a WDP renewal application and letter indicating that it was proceeding with providing the requested information.
- d. On August 8, 1969 a letter was sent from the Department to Zidell's requesting that the plans and documents be submitted by August 18, 1969.
- e. On August 23, 1969 the company submitted plans and a letter.
- f. On September 16, 1969 a letter from the Department disapproved the plans submitted for providing a floating oil separator.
- g. On October 3, 1969 a second waste discharge permit was issued which required that:
 - "Prior to January 15, 1970, the permittee shall submit detailed plans and a time schedule for providing, by not later than June 1, 1970, approved oil separation facilities."
- h. No plans were received. However, on July 1, 1970 the company submitted a WDP renewal application and cover letter indicating that the company was proceeding to convert to their present tank transfer system which they felt would eliminate all discharge of oily water.
- i. Since July 1, 1970 Zidell's operations have been under observation and evaluation by the staff. Actual field inspections of the waterfront area and/or property include:

August 20, 1970

October 8, 1970

January 4, 1971

March 7, 1972

May 10, 1972

July 5, 1972

8. Our records indicate that numerous oil spills as a result of Zidell's operations have been reported and investigated by the U.S. Coast Guard and Portland Harbor Patrol. A partial list includes:

Incidents Involving Zidell
Actual and/or Implied Oil Pollution

| <u>Date of Occurrence</u> | <u>What Happened</u> | <u>Action</u> |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Feb. 2, 1968 | Oil spilled from Ex USS <u>Fisk</u> | (FRA) U.S. Attorney demand for \$2500 settled for <u>?</u> |
| Feb. 7-8, 1968 | Major oil discharge. Barge sank - Bunker C Port of Portland cleaned up Zidell paid \$5,000 cost. Spill extended 1 mile down- stream as far as Broadway Bridge. Zidell used disper- sants and solvents. Corps advised U.S. Attorney. "Your attention is also invited to the fact Zidell has been involved in previous instances of actual or suspected oil pollution violation". | (FRA) U.S. Attorney demanded \$2500 and settled for \$2000. |
| Feb. 2, 1969 | Ex SS <u>China Mail</u> While heating oil so it could be pumped it expanded beyond limits of the tank. | (FRA) Settled for \$500 |
| Feb. 2, 1970 | Oil slick at Zidell | No citation. |

| <u>Date of Occurrence</u> | <u>What Happened</u> | <u>Action</u> |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Feb. 16, 1970 | Ex-USS <u>Weden</u> Heavy oil observed at Zidell Zidell attorney advised U.S. attorney by letter "" (This was in reference to disposal of decommissioned Navy ships). | (FRA) Demand for \$2500, settled for \$500 (CITY) - trial fined \$50. |
| July 18, 1970 | Oil concentrated at the Zidell dock. No samples taken. | No citation. |
| Sept. 25, 1970 | Oil slick at Zidell. Oil came from a barge as it was hoisted out of the water. Zidell sprayed dispersants. | No citation. |
| Oct. 8, 1970 | Harbor Patrol traced heavy oil from Marquam Bridge upriver to Zidell. Probably Bunker C. | No citation. |
| Sept. 1, 1971 | Zidell discharged oil and dispersants into river. Zidell failed to report occurrence to federal authorities as required by federal law. | (ORS) indicated by Multnomah County, case pending |
| Dec. 15-16, 1971 | Harbor Patrol reports grey oily discharge source, small drain - not city sewer. | No citation. DA asked DEQ investigate. |
| February 9, 1972 | Sewer at north end of dock, thin oil film. | Sample, no further action. |
| June 24, 1972 | Found substantial amount of Bunker oil in river at Zidell dock. | Pending investigation. |
| July 5, 1972 | Found oil just downstream from Ross Island Bridge adjacent to vessel. | Pending investigation. |

NOTE:

FRA - Federal Refuse Act
ORS - Indictment State Law
CITY - City Ordinance

Evaluation

1. Zidell's past and present practices for dismantling ships and handling of waste oils, oily waters, and oily machinery are not adequate to protect the Willamette River against oil discharges and spills.
2. Waste and/or contaminated sources of prime concern include:
 - a. Bilge oil
 - b. Ballast water - (Sodium Dichromate is commonly used as a rust inhibitor in ship ballast)
 - c. Storm sewers (three-in-one storm sewers)

| <u>Diameter of Storm Sewer</u> | <u>Drainage Source</u> |
|--------------------------------|-------------------------------------------------------------------------------------|
| 1.) 18" | barge construction area |
| 2.) 12" | barge repair facility, Tube Forgings of America, Inc., truck maintenance shop |
| 3.) 10" | Mid section of property |

3. The practice of draining bilge oil waters and/or ballast waters onto the yard area is unacceptable. Petroleum products will seep out into the river from this type of activity.
4. The deposition of insulation, cable, etc., on the river bank is unacceptable. A program to rehabilitate the bank is a necessity.

5. Based on the above considerations, the Department completed its evaluation of Zidell Explorations, Inc. operation and issued proposed permit provisions on April 3, 1972.
6. On April 18, 1972 and May 30, 1972 the company submitted comments regarding these proposed permit conditions. On May 10, 1972 the company provided a preliminary copy of Zidell Explorations, Inc. - Oil Handling Procedures. In addition, several meetings and other correspondence transpired during April and May 1972.
7. In our judgement, the information obtained and submitted did not really acknowledge recognition of the problem and was not an acceptable water pollution control program. Therefore, on June 7, 1972 the Department issued the attached permit which requires that:
 - "1. Prior to September 1, 1972, the permittee shall submit to the Department of Environmental Quality detailed plans and specifications for constructing and installing by not later than May 1, 1973, such facilities as are necessary to achieve the following with an assured factor of safety:
 - a. All liquid discharges from the permittee's operation including but not limited to storm water, yard drainage, tank draw waters, bilge waters and ballast waters shall be collected and treated to meet the following standards prior to discharge to public waters:

| | |
|----------------------|-------------------------|
| Oil (ether solubles) | Shall not exceed 10 ppm |
| BOD | Shall not exceed 20 ppm |
| Suspended solids | Shall not exceed 50 ppm |
| pH | Within range 6.5 to 8.5 |

Facilities shall also be provided for flow metering and collection of composite samples.

- b. Dockside operations including but not limited to ship dismantling and scrapping shall be performed in a dry dock or isolated slip with a positive barrier between the slip and the river (confined area) so as to provide positive capture, removal and disposal capability for any oil, scrap or debris that may be spilled or lost overboard during operations.
- c. Facilities shall be provided for handling, transporting, storing and loading of waste oils in a manner so as to meet all fire and safety codes and so as to provide positive containment of spills.
- d. River bank areas adjacent to operations shall be restored to an aesthetically acceptable condition. Deposited debris and waste materials shall be removed and disposed of in an approved manner.

Plans for the above required facilities shall be prepared by a professional engineer licensed to practice engineering in Oregon. Plans shall be approved by the Department of Environmental Quality

prior to start of construction as required
by ORS 449.395."

Conditions 1 and 2 were revised from the proposed provisions of April 3, 1972 in order to more clearly state the water quality objectives for Zidell's operation.

8. On June 22, 1972 we received a letter from Zidell Explorations, Inc. legal representative Mr. Clifford B. Alterman, Attorney at Law, requesting a hearing in approximately 90 days before the Environmental Quality Commission. The 90-day extension was requested as Zidell's had engaged the services of Bryan M. Johnson & Associates, Environmental Engineers, to conduct studies and comment on the recently issued WDP.
9. On June 26, 1972 the Department responded to the June 22, 1972 letter stating:

"In view of the fact that this Department has been trying to establish a permit and program to effectively control pollutional discharges and activities at Zidell Explorations, Inc., since April 3, 1972, it is the desire of the Department to bring this matter to a hearing without waiting an additional 90 days.

Accordingly this matter is scheduled for a hearing before the EQC at its next regularly scheduled meeting to be held at 10 a.m., Thursday, July 27, 1972, in the Auditorium of the Portland Water Bureau Building, 1800 S.W. Sixth Avenue, Portland."

10. Further discussions with Zidell's legal representative Mr. Clifford B. Alterman revealed that Zidell desired to call at least 15 witnesses to testify in their behalf.
11. On July 7, 1972 the Department responded to this request indicating that a staff report including a review and analysis of the present situation at Zidell Explorations, Inc. would be presented to the Environmental Quality Commission, at which time, the Commission would be requested to authorize a hearing at a later date before a hearings officer. The hearings officer who hears the matter would then submit a proposed order to the Commission for final adoption. In addition to participating in the hearing, Zidell would be allowed to submit exceptions and offer argument to the Commission regarding the proposed order at the time it is considered. The reason for following this procedure was based upon Zidell's view that considerable time to offer evidence and call witnesses was needed.

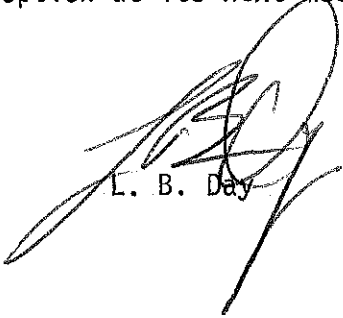
Conclusions

1. The nature of the operations and the uncertainties of occurrences of oils and other contaminated materials makes it essentially impossible to avoid some accidental releases. Our experience and the number of spillage incidents verifies this fact.
2. Zidell Explorations, Inc. has consistently utilized a piecemeal approach to a continuing and persistent pollution problem that needs a complete and comprehensive evaluation and solution.

3. The WDP, as issued, is consistent with the water quality standards with regard to quantity and quality limitations on oil (ether solubles), BOD, suspended solids, and pH. Condition 1 (b) requiring either a dry dock or an isolated slip for ship dismantling and scrapping, in our judgement, is necessary in order to provide adequate and positive protection against spillage and pollution discharges.

Director's Recommendation

It is the recommendation of the Director that the Environmental Quality Commission authorize a hearing before a hearings officer to receive testimony regarding Zidell Explorations, Inc. WDP. In order to resolve this matter as expeditiously as possible, it is requested that the hearing be set for August 17, 1972 in Portland, Oregon, and that the hearings officer submit his findings and a proposed order to the Environmental Quality Commission for final adoption at its next meeting, August 31, 1972 in Salem, Oregon.



L. B. Day

REG:drh

July 20, 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. E, July 27, 1972, EQC Meeting

Joe Bernert Towing Co., Inc., Clackamas County

Introduction

This subject is being presented to the EQC due to the numerous complaints which have been issued against Joe Bernert Towing Company, Inc. regarding air pollution, water pollution and noise problems. It was felt that local concern and staff activities related to the operation should be brought to the attention of the EQC for its information and guidance.

Background

1. Joe Bernert Towing Co., Inc. owns and operates a rock crushing, washing and retail sand and gravel plant located within the city of Wilsonville. In conjunction with Wilsonville Concrete Products they also operate a ready-mix concrete batch plant at the same site. In addition the company operates material removal and barging operations on the Willamette River.
2. The rock crushing and washing plant is located directly adjacent to the Willamette River bank. While the concrete batch plant is on a bluff approximately 1000 feet from the river bank area.

3. Aggregate for the rock crushing plant is obtained from rock removal and barging operations on the Willamette River. Raw gravel is removed from 3000 feet upstream from Rock Island (River Mile 31) to 250 feet below the highway bridge at Spring Brook (River Mile 49). The raw gravel material is then barged to the plant area.
4. Joe Bernert Towing Co., Inc. submitted an application for a waste discharge permit on November 27, 1967. Since this time the company has been operating under a temporary permit issued by this Department.
5. The plant site is located within a RAI Resident-Agricultural 1-acre limit zoned area; however, the plant operations began prior to the 1971 Wilsonville zoning. Adjacent property is used for single family residences and agriculture.
6. Numerous complaints have been received on this industry from adjacent residents, regarding noise problems and water pollution.
7. Actual and potential pollution sources for the operation include:
 - a) Waste waters from the gravel processing plant.
 - b) Waste waters from the concrete truck washdown area.
 - c) Waste waters from tug boat bilge pumping operations.
 - d) Dust from the gravel processing plant.
 - e) Cement dust from the concrete batch plant.
 - f) Road dust from the entrance road.
 - g) Exhaust emissions from hauling vehicles.
 - h) Noise emitted by the gravel processing plant, concrete batch plant, and hauling vehicles.

Evaluation

Water Pollution Control

1. Presently all gravel wash waters are discharged to settling basins which subsequently discharge to the Willamette River. This system is unacceptable because it does not adequately control turbid washwaters.

2. Joe Bernert Towing Co., Inc. has retained a professional engineer who has developed a program for eliminating gravel washwater discharges to the river. This program proposes construction of settling basins and pumping installations to provide total recirculation of gravel processing waters during gravel crushing.
3. The company has initiated construction of part of the facilities and completion would be scheduled for fifteen days after Department approval of the program.
4. This program as submitted is approvable provided two gate valves are installed to insure against direct washwater discharges to the river.
5. Concrete truck washwaters are discharged to a series of settling basins which discharge to a nearby drainage ditch only by means of seepage. No problems have been observed in this drainage ditch.
6. Waste waters from the tug boat bilge pump are piped to adjacent land where adequate oil-water separation is maintained.

Air Pollution Control

1. Columbia Willamette Air Pollution Authority made a plant inspection on July 5, 1972 relative to air emission control. A copy of an inter-office memo regarding observations at this time is included with this report and the following facts are noted:
 - a) No visible emissions were observed from the rock crushing plant.
 - b) The cement silos for the concrete batch plant are capped with WISCO bag filters.
 - c) Visible road dust from the road bed in the plant area is emitted during heavy traffic use. This is a very localized problem.

2. Staff evaluation of the concrete batch plant during operation indicates that dust emissions are very localized on the plant site and constitute no apparent problem.
3. No visible emissions from the vehicle traffic at the plant site have been observed.

Noise Problems

1. As a result of numerous complaints and a subsequent Department request, Joe Bernert Towing Co., Inc., developed a program of noise abatement. This program included equipment modification, partial equipment enclosures and construction of sound barriers. A company consultant completed an evaluation on April 4, 1972 which indicated a reduction in maximum outdoor sound levels at adjacent property from 88 dB to 66 dB due to the completed modifications.
2. On June 9, 1972 the staff conducted a sound level survey of the area adjacent to company property. Levels of 58 to 67 dBA were recorded on the neighbors' property closest to the plant. Chicago regulations limit maximum sound levels from heavy industry to residential property lines at 61 dB.
3. The noise abatement program as developed by the company outlines additional modifications which remain to be completed; however, these modifications are not expected to obtain reductions of maximum sound levels acceptable to adjacent residential properties.

Land Use Problems

Basic disagreements between adjacent property owners and the company stem from a land use conflict. Arrangements are being made for the company to purchase additional land adjacent to the property site which would provide an additional buffer strip between the operations and residents. This buffer strip should lessen the impact of this industry on surrounding property.

Conclusions

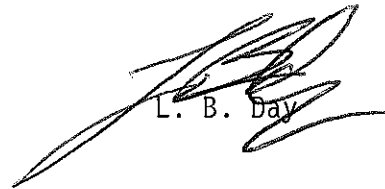
1. The current discharge of gravel washwater to the Willamette River is unacceptable to the Department. However, the washwaters can be adequately controlled by the program as submitted subject to additional gate valve installations.
2. The concrete truck washwater system and tugboat bilge water system are adequate at present.
3. Air pollution control devices on the concrete batch plant are adequate to meet present regulations. No emission problems exist from other plant sources.
4. Sound levels produced by the company are considered excessive for residential land use and additional noise reductions are needed to insure maximum sound levels compatible with the area. At present standards regarding maximum sound levels in industrial and residential areas have not been established by this Department. However, these standards are now being formulated.
5. It is recognized that the operation is not compatible with the increasing use of adjacent areas for recreational and residential purposes. The DEQ has no jurisdiction with regard to land use except to insure that the operation complies with current air and water standards, nuisance abatement regulations and future noise level standards. The acquisition of additional adjacent plant site land by Joe Bernert Towing Company, Inc. would, however, be beneficial in providing maximum buffer strips between the operation and residences.

Director's Recommendations

It is the recommendation of the Director that:

1. The proposed gravel washwater recirculation system be approved subject to gate valve installations as necessary to eliminate any washwater discharge to the Willamette River.

2. A waste discharge permit be issued which incorporates the proposed program with construction of the facilities to be completed prior to August 15, 1972.
3. The company be requested to retain a professional engineer experienced in noise control to evaluate the feasibility of providing sound reduction equipment modifications sufficient to limit the operational sound levels to 5 dB above the present ambient levels at adjacent property lines.



L. B. Day

SCG:vt
7/20/72

COLUMBIA-WILLAMETTE AIR POLLUTION AUTHORITY
1010 N.E. Couch Street, Portland, Oregon 97232

MEMORANDUM

18 July 1972

TO: Tom Bispham, Chief of Field Services

SUBJECT: Wilsonville Concrete Products, Wilsonville, Oregon

FROM: Bob Harris, Air Pollution Specialist

On 5 July 1972, I made a plant inspection of the Wilsonville Concrete Products plant at Wilsonville, Oregon to determine status as to compliance with the Rules of this Authority.

This company has a permit to dredge rock in a 24 mile stretch of the Tualatin River. The river rock is barged to the plant and unloaded by a clam shell crane onto conveyor belts and sent to sizing screens. Material larger than 1½" is diverted to a crusher. This amounts to 20% of the river rock which is dredged. The balance of rock, 80%, goes through the sizing screens and is stock piled.

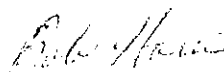
The rock is wet coming off the barge and water is continuously run on the belts to keep sand washed from the belts. As a result, no emissions are visible from the screens, transfer points or crushers (one cone, one roll crusher).

Two cement silo's are utilized at the batch operation. Silo's are capped with WISCO bag filters. I did not observe concrete being mixed in the trucks so could not determine if this is a source of emissions. The driveway to the plant is asphalt, approximately ¼ mile long before entering the stock pile area.

The road bed in the stock pile area is 3/4 minus rock and sand giving off slight dust when disturbed by truck traffic.

From my observation, the only area of dust is the inner plant road from the river to the asphalt driveway (about 250 yards). This cannot be a nuisance source as all property for 1500' ft from this road is owned by Wilsonville Concrete Products.

Wilsonville Concrete Products indicated a willingness to surface coat this portion of the road with an oil. I mentioned that certain types of coating may not be acceptable to D.E.Q. water people, but didn't know for sure.



Bob Harris

BH:sm



DEPARTMENT OF ENVIRONMENTAL QUALITY

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Memorandum:

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. F, July 27, 1972, EQC Meeting

Forest Practice Rules

Background

As part of the new Forest Practices Act adopted by the 1971 Legislative Assembly, ORS 527.710 requires that the State Board of Forestry promulgate rules establishing minimum standards for forest practices on a regional basis relating to the following:

- (a) Reforestation of forest land economically suitable therefor;
- (b) Road construction and maintenance operations on forest land;
- (c) Harvesting of forest tree species;
- (d) Application of chemicals on forest land; and
- (e) Disposal of slashing on forest land.

ORS 527.710 requires further that such rules be administered by the State Forester. By statute they are to take effect on July 1, 1972.

ORS 527.720 requires that the above rules be designed to meet the objectives of the rules and regulations of other agencies insofar as they pertain to forest land. This same section of the law specifies

that an operation performed in compliance with rules of the board designed to meet such objectives and when said rules have been reviewed and approved by other agencies shall be presumed to have complied with the rules and regulations of the other agencies.

The attached Forest Practice Rules were drafted, submitted for public and agency review, and on June 7, 1972 were approved and promulgated by the Board of Forestry pursuant to the provisions of ORS Chapters 183 and 527.

Section 24-106 of said rules requires that any commercial activity relating to the growing, harvesting or processing of forest trees shall be conducted in full compliance with the rules and regulations of DEQ relating to solid waste management and to air, water and noise pollution control. In addition, it specifies that any violation thereof is subject to all remedies and sanctions available by law, rule or regulation to DEQ.

The public policy of the new Forest Practices Act as expressed in ORS 527.630, among other things, is to protect the soil, air and water resources, including streams, lakes and estuaries.

Evaluation

The attached rules as promulgated by the Board of Forestry contain minimum standards for the conduct of commercial forestry operations which should be of real assistance in protecting the quality of Oregon's soil, air and water resources. They represent a major step toward improving timber harvesting practices for the benefit of the environment.

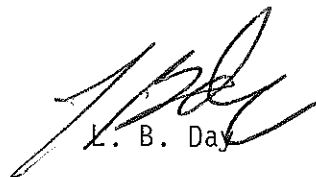
To insure effective enforcement of these rules an interagency communication plan has been developed by the State Forestry Department, Fish and Game Commissions and DEQ.

Section 24-106 of the rules fully protects and preserves the authority of EQC and DEQ with regard to air, water and noise pollution control and solid waste management.

Recommendation

It is the recommendation of the Director that the Forest Practice Rules adopted on June 7, 1972 by the State Board of Forestry be approved by the Environmental Quality Commission.

Attached
KHS:vt
7/12/72


L. B. Day

OREGON
FOREST PRACTICE RULES - ALL REGIONS
Effective date July 1, 1972

GENERAL

24-101 Definitions. As used in these rules, unless otherwise required by context:

- (1) "Established seedling" means a seedling of acceptable forest tree species which has survived two years in the site.
- (2) "Class I streams" means waters which are valuable for domestic use, are important for angling or other recreation and/or used by significant numbers of fish for spawning, rearing or migration routes. Stream flows may be either perennial or intermittent during parts of the year.
- (3) "Class II streams" means any headwater streams or minor drainages that generally have limited or no direct value for angling or other recreation. They are used by only a few, if any, fish for spawning or rearing. Their principal value lies in their influence on water quality or quantity downstream in Class I waters. Stream flow may be either perennial or intermittent.
- (4) "Sapling" means live trees of commercial species, less than 11" DBH, of good form and vigor.
- (5) "Forest land" means land for which a primary use is the growing and harvesting of forest tree species.
- (6) "Relief culvert" means a structure to relieve surface runoff from roadside ditches to prevent excessive buildup in volume and velocity.
- (7) "Buffer strip" means a protective area adjacent to an area requiring special attention or protection.
- (8) "Water bar" means a diversion ditch and/or hump in a trail or road for the purpose of carrying surface water runoff into the vegetation and duff so that it does not gain the volume and velocity which causes soil movement and erosion.
- (9) "Critical soils" means unstable soils subject to damage by activity as defined by Soil Conservation Service, Corps of Engineers, private company, or other suitable classification.
- (10) "Chemicals" means and includes herbicides, insecticides, rodenticides and fertilizers.
- (11) "Herbicides" means any substances used to destroy, repel or mitigate any weed or to prevent or retard any undesirable plant growth.
- (12) "Insecticides" means any substances used to destroy, repel or mitigate any insect.
- (13) "Rodenticides" means any substance used to destroy small mammals.
- (14) "Fertilizers" means any substance or any combination or mixture of substances designed for use principally as a source of plant food.
- (15) "Contaminate" means the presence in the atmosphere, soil or water of sufficient quantities of chemicals as may be injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural or recreational uses, or to livestock, wildlife, fish or other aquatic life.

24-102 Compliance. Practices contained within a rule shall be complied with where applicable or necessary to accomplish the purpose to which the rule is related, unless the operator or landowner has secured written approval from the State Forester of a plan for an alternate practice or practices which provides for equivalent or better results.

24-103 Conversion to a Non-forest Use. When a landowner wishes to convert his forest land to another use, he shall accomplish a conversion within the period required to achieve reforestation, as specified in 24-402, 24-502 and 24-602. The determination by the State Forester as to whether or not conversion has been accomplished shall be governed by:

- (1) The presence or absence of improvements necessary for use of the land for the intended purpose.
- (2) Evidence of actual use of the land for the intended purpose.

24-104 Annual Review. The State Forester shall, at least once each year, meet with the other state agencies concerned with the forest environment to review the Forest Practice Rules relative to sufficiency. He shall then report to the Board of Forestry a summary of such meeting or meetings together with recommendations for amendments to rules, new rules or repeal of rules.

24-105 Consultation. State Forestry personnel shall consult with personnel of other State agencies concerned with the forest environment situations where expertise from such agencies is desirable or necessary.

24-106 Compliance with the Rules and Regulations of the Department of Environmental Quality. Each operation as defined by ORS 527.620 (5) shall be conducted in full compliance with the rules and regulations of the Department of Environmental Quality relating to solid waste control and air, water and noise pollution control. In addition to all other remedies, any violation thereof shall be subject to all remedies and sanctions available by law, rule or regulation to the Department of Environmental Quality.

24-107 Types of Operations for which Notification Shall be Required. The notice required by ORS 527.670 (2) shall be required for the following types of operations:

- (1) The harvesting of forest crops including felling, bucking, yarding, decking and hauling; road construction or improvement within the operation area described; and treatment of slashing.
- (2) Road construction or reconstruction of existing roads not within operation areas.
- (3) Site preparation.
- (4) Application of insecticides, herbicides, rodenticides, and fertilizers.
- (5) Clearing forest land for change to non-forest uses.
- (6) Treatment of slashing after completion of operations.
- (7) Pre-commercial thinning.

24-108 Types of Operations for which Notice Will not be Required. The notice required by ORS 527.670 (2) will not be required for routine road maintenance, recreational uses, grazing by domestic livestock, tree planting and direct seeding, cone picking, culture and harvest of Christmas trees on lands used solely for the production of Christmas trees or the harvesting of fern, huckleberry, salal or other minor forest products. However, the waiver of the notification procedure does not relieve the responsibility for complying with applicable Forest Practice Rules.

APPLICATION OF CHEMICALS

24-200 Purpose. Chemicals perform an important function in the growing and harvesting of forest tree species. The purpose of these rules is to regulate the handling, storage and application of chemicals in such a way that the public health and aquatic habitat will not be endangered by contamination of streams or other bodies of water.

24-201 Maintenance of Equipment in Leakproof Condition. Equipment used for transportation, storage or application of chemicals shall be maintained in leakproof condition. If in the judgement of the State Forester there is evidence of chemical leakage, he shall have the authority to suspend the further use of such equipment until the deficiency has been satisfactorily corrected.

24-202 Protection of Water Quality During Mixing of Chemicals. Whenever water is taken from any stream or water impoundment for use in the mixing of chemicals, precautions shall be taken to prevent contamination of the source.

- (1) Provide an air gap or reservoir between the water source and the mixing tank; or
- (2) Use a portable pump with the necessary suction hose, feed hoses and check valves to supply tanks with water from streams, such pump to be used only for water.

24-203 Protection of Waterways and Areas of Open Water When Spraying. Protect waterways and areas of open water such as swamps or impoundments from contamination when spraying by aircraft by leaving a buffer strip of at least one swath width untreated on each side of every Class I stream or area of open water. When applying spray from the ground, leave unsprayed a buffer strip of at least ten (10) feet on each side of every waterway or area of open water. Spray application immediately adjacent to buffer strips shall be made parallel to waterways, and must be applied prior to application to the remainder of the area to be treated. No buffer strip is required in the application of fertilizers except that precautions shall be taken to avoid direct application of fertilizers to Class I streams or areas of open water.

24-204 Selection and Maintenance of Mixing and Landing Areas.

Mix chemicals or clean tanks or equipment only where the chemicals will not contaminate waters of the state. Mixing areas and aircraft landing areas shall be located where spillage of chemicals will not contaminate waters of the State. If any chemical is inadvertently spilled, immediate appropriate procedures shall be taken to contain or neutralize it.

24-205 Application of Chemicals in Accordance with Limitations.

Apply chemicals only in accordance with currently recognized limitations of temperature, humidity, wind and other factors specified by the State Forester.

24-206 Cleaning and re-use of Chemical Containers.

Rinse chemical containers with the carrier used in mixing at least three (3) times. Apply the flushing solution in the form of spray to the area. Do not re-use chemical containers unless properly treated.

24-207 Daily Records of chemical Applications.

(1) Whenever insecticide or herbicide sprays are applied on forest land, the operator shall maintain a daily record of spray operations which includes:

- (a) Name of monitor or name of applicator (pilot or ground applicator);
- (b) Location of project;
- (c) Temperature (hourly);
- (d) Wind velocity and direction (hourly);
- (e) Contractor's name and pilot's name when applied aerially; contractor's name and/or employer's name for ground application;
- (f) Insecticides or herbicides used, including name, mixture, application rate, and carrier used.

(2) Whenever rodenticides or fertilizers are applied, the operator shall maintain a daily record of such application which includes (a), (b) and (e) above, the name of the chemical and application rate.

(3) The records required in (1) and (2) above shall be kept for three (3) years.

24-208 Landowner's Responsibility to Determine Whether or not Chemicals are Contaminating Streams.

Whenever chemicals are applied to forest land, it is the responsibility of the landowner to determine whether or not chemicals are contaminating streams or other bodies of water.

24-209 Reporting of Chemical Accidents.

Immediately report all chemical accidents to the State Forester.

DISPOSAL OF SLASHING

24-300 Purpose.

For the purposes of this section, treatment of slashing is recognized as a necessary tool for the protection of reproduction and residual stands from the risk of fire, insects and disease, to prepare the site for future productivity and to minimize the risk of material from entering streams. Such treatment may

employ the use of mechanical processes, fire, chemical or other means to minimize competitive vegetation and residue from harvesting operations.

24-301 Maintenance of Productivity and Related Values. Operations on forest land shall be planned and conducted in a manner which will provide adequate consideration to treatment of slashing to protect residual stands of timber and reproduction, to optimize conditions for regeneration of forest tree species, to maintain productivity of forest land, and to maintain air and water quality and fish and wildlife habitat.

(1) Reduce the volume of debris as much as practicable by such methods as:

(a) Well planned and supervised felling and bucking practices to minimize breakage.

(b) Increased utilization of wood fibre including but not limited to salvaging, pre-logging and relogging when a market exists.

(c) Stage cutting where applicable, with successive cuts delayed until slashing created by previous operations is reduced.

(2) In those areas where slash treatment is necessary for protection or regeneration, the following methods may be used:

(a) Scattering of slash accumulations;

(b) Piling or windrowing of slash;

(c) Mechanized chopping or compaction of slashing;

(d) Controlled burning;

(e) Provisions for additional protection from fire during the period of increased hazard. Protect fish habitat when establishing water sources.

(3) Dispose of or disperse unstable slash accumulations around landings to prevent their entry into streams.

(4) When treating competing vegetation, plan harvesting practices to break up or destroy such vegetation. Where necessary, follow up with application of chemicals and/or by burning.

(5) If burning is the means of slash or competitive vegetation treatment used, it should be accomplished in such ways and at such times that reproduction and residual timber, humus and soil surface are adequately protected.

(6) Where burning is necessary, protect streamside buffer strips from fire.

(7) Whenever disposal of slashing is to be accomplished by burning, such burning shall be accomplished under such conditions of weather that will assure adequate maintenance of air quality. Burning shall be done in accordance with the rules of Oregon's "Smoke Management Plan".

FOREST PRACTICE RULES - EASTERN OREGON REGION

Effective date July 1, 1972

REFORESTATION

24-400 Purpose. Prompt reforestation of forest land following harvesting operations is an important factor in assuring continuous growing and harvesting of forest tree species on forest lands economically suitable therefor. The purpose of administrative rules relating to reforestation of such lands is to define economic suitability, as a basis for designating the forest land subject to reforestation requirements; to describe the conditions under which reforestation will be required; to specify the minimum number of trees per acre and the maximum period of time allowed after an operation for establishment of such trees; and to require stabilization of soils which have become exposed as a result of operations.

24-401 Lands Affected. All Class 1 and 2 forest lands classified pursuant to ORS 526.305 - 526.370 shall be considered forest land economically suited for reforestation. Class 3 forest land shall not be so considered.

24-402 Stocking Levels, Time Limits. Whenever as a result of an operation the stocking of acceptable species is reduced below 25% based on estimated crown closure of trees 11 inches in diameter breast height and larger, at least 100 seedlings or saplings per acre or any combination thereof, well distributed over the operation area shall be left or established within six years.

24-403 Acceptable Species. Acceptable species lists shall be maintained by the State Forester and shall consist of those species normally marketable within the Eastern Region. Incense Cedar and Juniper shall not be counted as acceptable species in stocking surveys of lands which formerly supported adequately stocked stands of Ponderosa Pine, Mixed Species, Lodgepole Pine, or other acceptable species prior to the forest production harvest operation.

24-404 Exemption. Ownerships smaller than 11 acres in one contiguous tract are exempt from the reforestation requirements of the Forest Practices Act regardless of the land classification.

24-405 Lands Not Affected - Action Required. Within one year following harvesting on lands not subject to the reforestation requirement, and on which reforestation is not being planned, some form of vegetative cover shall be required sufficient to provide continuing soil productivity and stabilization. Consider the use of wildlife habitat plants.

24-406 Rehabilitation of Brush Fields. Rehabilitation of brush fields or other sites containing undesirable species, may be accomplished by controlling burning, chemical application, mechanical clearing or any combination.

ROAD CONSTRUCTION AND MAINTENANCE

24-420 Purpose. A well-located, constructed and maintained system of forest roads is essential if the forest is to reach its potential of supplying jobs, tax base and wood products for our society, and to provide a means of proper forest management and protection. The purpose of these rules is to establish minimum standards for forest practices that will provide the maximum practical protection to maintain forest productivity, water quality and fish and wildlife habitat during road construction and maintenance.

24-421 Road Location. Roads should be located on stable area and constructed in such a manner as to minimize the risk of material entering streams.

- (1) Fit the road to the topography so that a minimum alteration of natural features will be necessary.
- (2) Where practical alternatives exist, avoid steep, narrow canyons, slide areas, slumps, marshes, wet meadows or natural drainage channels. Where alternatives do not exist, and where there is a risk of material entering streams, obtain prior approval from the State Forester.
- (3) Minimize the number of stream crossings.
- (4) When it is practical, cross streams at right angles to the main channel.
- (5) Leave or re-establish areas of vegetation between roads and streams to act as a buffer strip.
- (6) Avoid unnecessary duplication of road systems by making use of existing roads where practical. Where roads traverse land in another ownership but will adequately serve the operation, attempt to negotiate with the owner for use before resorting to location of new roads.
- (7) Avoid excessive sidehill cuts and fills near stream channels.

24-422 Road Specification. Establish specification criteria for each road so that it is best adapted to the terrain and soil properties providing for a drainage system which will control the dispersal of surface runoff water from roads and exposed soils in order to minimize turbid waters from draining into waters of the state.

- (1) Use plans that balance cuts and fills or provide waste or barrow areas which minimize damage to soil and water.
- (2) In order to minimize erosion and keep forest land in production roads should be planned no wider than necessary to accommodate the immediate anticipated use.
- (3) Specify cut and fill slopes at the normal angle of repose or less.
- (4) Where culverts are installed in large fills, use some form of headwall (usually rip-rap) to prevent erosion of the fill.
- (5) Specifications for bridges, culverts and other stream crossing devices shall take into account at least the 25-year frequency storm and upstream debris hazards.
- (6) Plan roads to drain naturally by outsloping and through grade changes wherever possible.
- (7) Where justified by the volume of traffic or the type of soil over which the road is built, use roadside ditches and relief culverts.

- (8) Provide dips, waterbars, and cross drainage on all temporary roads.
- (9) Changes shall not be made in natural fish bearing stream courses either by crowding (filling along one bank) or by relocation of the channel, except by written approval from the State Forester.
- (10) Design stream crossing structures to provide for adequate fish passage and minimum impact on water quality.
- (11) Relief culverts should have a minimum slope of one percent and be provided with a sediment-catching basin at the entrance. Use downspouts and other slope protection measures to avoid erosion of fill areas.

24-423 Road Construction. Debris overburden, and other waste material associated with road construction shall be placed in such a manner as to prevent entry into waters of the state.

- (1) Deposit excess material in stable locations above the high water level.
- (2) Clear drainage ways of all woody debris generated during road construction or maintenance which potentially interferes with drainage.
- (3) Where sidecast material is potentially unstable or erodable, it shall be stabilized by use of seeding, compacting, riprapping, benching, or other suitable means.
- (4) In the construction of road fills, compact the material to reduce the entry of water and to minimize the settling of fill material.
- (5) Stream crossings either temporary or permanent shall be constructed to result in minimum disturbance to banks and existing channels. Remove temporary crossings promptly after use, and where applicable, water bar road ends.
- (6) Keep machine activity in beds of streams to an absolute minimum.
- (7) Install drainage structures as soon as feasible during the pioneering stage of road construction. Uncompleted road grades subject to washing before grading should be adequately cross-drained.
- (8) During and following operations, retain outslope drainage and remove all berms on the outside edge except those intentionally constructed for protection of road grade fills.
- (9) Road and bridge construction should be carried out during that time of year which will prevent serious soil erosion or when this is not practical, measures to prevent erosion shall be taken.

24-424 Road Maintenance. Road maintenance shall be sufficient to maintain a stable running surface and to keep the drainage system operating.

- (1) Clean culvert inlets and outlets and ditches before runoff periods to diminish danger of clogging and the possibility of washouts.
- (2) When it is the intention of the landowner to discontinue active use of the road and/or to control unauthorized use for purposes of game management, fire prevention, or to prevent soil erosion, the road shall be left in such a state as to provide for adequate drainage and soil stability without continuous active maintenance.

HARVESTING

24-440 Purpose. Harvesting of forest tree species is an integral part of forest management by which wood for human use is obtained and by which forests are established and tended. It is recognized that during harvesting operations there will be a temporary disturbance to the forest environment. It is the purpose of these rules to establish minimum standards for forest practices that will maintain the productivity of the forest land, and minimize soil and debris entering streams and protect wildlife and fish habitat.

24-441 Quality of Residual Stocking. Where 25% or greater stocking based on estimated crown closure remains following harvesting operations, the residual trees shall be of sufficient vigor and of acceptable species to assure continuous growing and harvesting of forest tree species.

(1) On any operation, trees which are left for future harvest shall be adequately protected from damage resulting from harvest operations to assure their survival and growth. This may be accomplished by locating roads and landings and by conducting felling, bucking, yarding and decking operations so as to minimize damage to or loss of residual trees.

(2) When stands have a high percentage of unacceptable growing stock consider stand conversion rather than intermediate cuttings.

24-442 Soil Protection. Select for each harvesting operation, the logging method and the type of equipment adapted to the given slope, landscape and soil properties in order to minimize soil deterioration.

(1) Avoid tractor skidding on heavy clay soils which are saturated and tend to puddle thereby lowering the site quality. Depending on local soil conditions, tractor operations should be avoided on steep slopes and wet ground.

(2) Locate skid trails where sidecasting is held to a minimum.

(3) Whenever practical, limit cable logging to uphill yarding. When downhill cable yarding is necessary, use a layout and system which minimizes unfavorable soil disturbance.

(4) Where tractors are used for skidding limit the size of the equipment to that necessary to do the job.

(5) Minimize the size of landings to that necessary for safe economical operation.

24-443 Location of Landings, Skid Trails and Fire Trails.

Locate landings, skid trails and fire trails on stable areas so as to minimize the risk of material entering streams.

(1) Locate landings on firm ground above the high water level of any stream.

(2) Use fill material for high lead landing construction that is free of woody or other organic debris. Remove all loose woody material and slash from fill area and compact the fill material in layers during construction.

(3) Locate skid trails and fire trails so they do not run parallel to any stream when such trails are within the high water level of that stream.

- (4) Avoid tractor skidding across slumps and slides.

24-444 Drainage System. For each landing, skid trail or fire trail a drainage system shall be provided and maintained that will control the dispersal of surface run-off water from such exposed soils in order to minimize turbid waters from draining into the waters of the state.

- (1) Construct skid trails and fire trails by providing frequent dips or trail diversions whenever feasible.

- (2) Stabilize skid trails whenever they are subject to washing immediately following completion by water barring, cross draining, scarifying, seeding, or other suitable means.

- (3) Reshape landings as needed to facilitate drainage, and after use stabilize all landings by establishing ground cover or other means which accomplish stabilization.

24-445 Treatment of Waste Materials. All debris, overburden and other waste material associated with harvesting shall be left or placed in such a manner as to prevent their entry by erosion, high water or other means into waters of the state.

- (1) Wherever possible trees shall be felled, bucked and limbed so the tree or any part thereof will fall away from any Class I stream. Remove all material that gets into such a stream as an ongoing process during harvesting operations. Place removed material above high water level.

- (2) As a minimum, fell all trees away from any Class II stream whenever possible. Remove slash and other debris that inadvertently gets into the stream immediately following logging.

- (3) Deposit excess material from landing construction in stable locations well above the high water level.

- (4) Where sidecast material is potentially unstable or erodable, stabilize it by seeding or other suitable means.

- (5) Waste resulting from logging operations such as crankcase oil, filters, grease and oil containers, machine parts, old wire rope and used tractor tracks shall be disposed of immediately following termination of harvesting operations. At no time shall such materials be placed in waterways.

24-446 Stream protection. During and after harvesting operations, stream beds and streamside vegetation shall be maintained in as near natural state as possible in order to maintain water quality and aquatic habitat.

- (1) Avoid tractor skidding in or through any stream. When streams must be crossed, provide adequate temporary structures to carry stream flow. Remove all temporary crossings immediately after use, and where applicable water bar road ends.

- (2) Avoid cable yarding through any Class I stream. When yarding across such streams is necessary, do it by swinging the yarded material free of the stream bed and banks.

- (3) Cable yarding through Class II streams should be avoided. When unavoidable, the yarding shall be done to minimize streambank vegetation and channel disturbance.

- (4) Provide the shading, soil stabilizing and water filtering effects of vegetation along Class I streams by one or more of the following:

(a) Leave hardwood trees, shrubs, grasses and rocks wherever they afford shade over a Class I stream or maintain the integrity of the soil near such a stream.

(b) Where insufficient non-merchantable tree species exist to provide up to 75% of original shade over the stream, a fringe of undisturbed merchantable trees may be required. This requirement may be waived if an acceptable harvest plan of staggered cuttings or other means is developed which will not result in a significant increase in stream temperatures or remove a substantial amount of cover necessary for wildlife.

(c) Carefully log the mature timber from the buffer strip in such a way that shading and filtering effects are not destroyed.

(d) Neither an optimum nor a minimum width can be set arbitrarily for buffer strips for shading streams. It must be realized that the necessary width will vary with steepness of terrain, other topographic features, the nature of the undercover, the kind of soil, and the amount of timber that is to be removed.

(e) Where it is difficult to leave buffer strips of timber to shade a stream, plan to reestablish cover without delay, along the stream, after cutting is completed.

(5) Leave stabilization strips of undergrowth vegetation along all Class II streams in widths sufficient to prevent washing of sediment into Class I streams below.

(6) Keep machine activity in beds of streams to an absolute minimum.

24-448 Maintenance of Productivity and Related Values. Harvesting practices should first be designed to assure the continuous growing and harvesting of forest tree species by suitable economic means and also to protect the soil, air, water and wildlife resources.

(1) Where major scenic attractions, highways, recreation areas or other high use areas are located within or traverse forest land, special consideration should be given to scenic values by prompt cleanup and regeneration.

(2) Give special consideration toward preserving any critical wildlife or aquatic habitat or the habitat of any wildlife or aquatic species classified by the Fish Commission and Game Commission as being rare or endangered. Such habitat could be nesting trees used by large birds of prey.

(3) On land area currently unsuited for the production of wood fibre, such as lakes, bogs, springs, swamps, wet meadows or grasslands, an attempt should be made to maintain protective and vegetative cover for wildlife species.

(4) Wherever practical, plan clearcutting operations so that adequate escape cover is available within one-quarter mile.

(5) Wherever practical, preserve fruit, nut and berry producing shrubs and trees.

FOREST PRACTICE RULES - NORTHWEST OREGON REGION

Effective date July 1, 1972

REFORESTATION

24-500 Purpose. Prompt reforestation of forest land following harvesting operations is an important factor in assuring continuous growing and harvesting of forest tree species on forest lands economically suitable therefore. The purpose of administrative rules relating to reforestation of such lands is to define economic suitability, as a basis for designating the forest land subject to reforestation requirements; to describe the conditions under which reforestation will be required; to specify the minimum number of trees per acre and the maximum period of time allowed after an operation for establishment of such trees; and to require stabilization of soils which have become exposed as a result of operations.

24-501 Lands Affected. Any lands which come within the definition of forest land and which are capable of a mean annual production of at least 50 cubic feet per acre at culmination as determined by Site Index Tables contained in Pacific Northwest Forest and Range Experiment Station "Field Instructions for Integrated Forest Survey and Timber Management Inventories in Oregon, Washington, and California, 1971," Pages VI 25-36 are subject to the reforestation requirements.

24-502 Stocking Levels; Subregions; Time Limits. Whenever as a result of an operation the stocking is reduced below 25%, based on estimated crown closure of trees 11 inches DBH and larger, at least 150 well distributed seedlings or saplings or any combination thereof per acre, shall be established on the area.

For the purpose of determining length of time allowed for establishment of seedlings or saplings, the Northwest Region shall be divided into two subregions. In the area west of the summit of the Coast Range, compliance with the minimum stocking standards shall be achieved at the end of three (3) growing seasons following operations. In the area east of the summit of the Coast Range, compliance with the minimum stocking standards shall be achieved at the end of five (5) growing seasons following operations.

Determination of time for establishment of seedlings shall be based on completion of the logging operations and removal of equipment. When smoke management restricts the burning of slash, an extension in writing may be granted by the State Forester.

24-503 Acceptable Species and Variances. For those lands subject to the reforestation requirement, the State Forester shall maintain a list of forest tree species acceptable to be counted as stocking.

June 7, 1972

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The list shall consist of those species normally marketable within the Northwest Region. Red Alder or other hardwood species shall not be counted as acceptable species in stocking surveys of lands which have supported adequately stocked stands of Douglas fir or other acceptable conifers unless a prior alternate plan is approved by the State Forester.

24-504 Lands Not Affected - Action Required. Within one year following harvesting on lands not subject to the reforestation requirement, and on which reforestation is not being planned, adequate vegetative cover shall be established to provide continuing productivity and stabilization. Consider the use of wildlife habitat plants.

ROAD CONSTRUCTION AND MAINTENANCE

24-520 Purpose. A well-located, constructed and maintained system of forest roads is essential if the forest is to reach its potential of supplying jobs, tax base and wood products for our society, and to provide a means of proper forest management and protection. The purpose of these rules is to establish minimum standards for forest practices that will provide the maximum practical protection to maintain forest productivity, water quality and fish and wildlife habitat during road construction and maintenance.

24-521 Road Location. Roads should be located on stable areas so as to minimize the risk of material entering streams.

(1) Fit the road to the topography so that a minimum alteration of natural features will be necessary.

(2) Where practical alternatives exist, avoid steep, narrow canyons, slide areas, slumps, marshes, meadows or natural drainage channels. Where alternatives do not exist, and where there is a risk of material entering streams, obtain prior approval from the State Forester.

(3) Minimize the number of stream crossings.

(4) When it is practical, cross streams at right angles to the main channel.

(5) Leave or reestablish area of vegetation between roads and streams.

(6) Avoid unnecessary duplication of road systems by making use of existing roads where practical. Where roads traverse land in another ownership but will adequately serve the operation, attempt to negotiate with the owner for use before resorting to location of new roads.

24-522 Road Design. Design each road to the minimum use standards adapted to the terrain, and soil materials so as to minimize surface disturbance and damage to water quality.

- (1) Use a flexible design to minimize damage to soil and water.
- (2) In order to minimize erosion, keep forest land in production, and to prevent other adverse environmental impacts, roads should be designed no wider than necessary to accommodate the immediate anticipated use.
- (3) Design cut and fill slopes at the normal angle of repose or less.
- (4) Design culvert installations to prevent erosion of the fill.
- (5) Design stream crossing structures to take into account the 25 year frequency storm and have a minimum impact on fish habitat and water quality.
- (6) Design roads to drain naturally by outsloping and through grade changes wherever possible.
- (7) Where outsloping is not feasible, use roadside ditches and culverts.
- (8) Provide dips, water bars and cross drainage on all temporary roads.
- (9) Changes shall not be made in natural fish bearing stream courses either by crowding (filling along one bank) or by relocation of the channel, except with written approval from the State Forester.

24-523 Road Construction. Debris, overburden and other materials associated with road construction shall be placed in such a manner as to prevent entry into the waters of the State.

- (1) Deposit excess material in stable locations above the high water level.
- (2) Clear drainage ways of woody debris generated during road construction or maintenance.
- (3) Where exposed material is potentially unstable or erodable, it shall be stabilized by use of seeding, compacting, riprapping, benching, leaving light slashing, or other suitable means.
- (4) In the construction of road fills, compact the material to reduce the entry of water and to prevent the fill material from settling.
- (5) Stream crossings shall be constructed to result in minimum disturbance to banks and existing channels. Temporary crossing structures shall be removed promptly after use, and where applicable, road ends shall be water barred.
- (6) Keep machine activity in beds of streams to an absolute minimum. Restrict such activity to periods of low water levels.
- (7) Install drainage structures on live streams as soon as feasible. Uncompleted road grades subject to washing before grading should be adequately cross-drained.
- (8) During and following operations, retain outside drainage and remove all berms on the outside edge except those intentionally constructed for protection of road grade fills.
- (9) Keep soil disturbance to a minimum by constructing roads when soil moisture conditions are favorable.

24-524 Road Maintenance. Road Maintenance shall be sufficient to keep the drainage system operating for purposes for which it was designed.

(1) When it is the intention of the landowner to "put-a-road-to-bed" and to control unauthorized use of the road for the purpose of game management, fire prevention or to prevent soil erosion, the road shall be left in such a state as to provide for adequate drainage and soil stability without continuous active maintenance.

(2) Clean culvert inlets and outlets and ditches before and during the rainy season to diminish danger of clogging and the possibility of washouts.

(3) Restore road surface crown or outslope all roads prior to the rainy season.

HARVESTING

24-540 Purpose. Harvesting of forest tree species is an integral part of forest management by which wood for human use is obtained and by which forests are established and tended. It is recognized that during harvesting operations there will be a temporary disturbance to the forest environment. It is the purpose of these rules to establish minimum standards for forest practices that will maintain the productivity of the forest land and minimize soil and debris entering streams and protect wildlife and fish habitat.

24-541 Maintenance of Productivity and Related Values. Harvesting practices should first be designed to assure the continuous growing and harvesting of forest tree species by suitable economic means and also to protect the soil, air, water and wildlife resources.

(1) Harvesting Design.

(a) Landings shall be of minimum size and located on stable areas so as to minimize the risk of material entering streams.

(b) Locate landings on firm ground above the high water level of any stream. Avoid unstable areas on steep side hill areas or excessive excavation.

(c) Give special consideration toward preserving any critical wildlife or aquatic habitat or the habitat of any wildlife or aquatic species classified by the Fish Commission and Game Commission as being rare or endangered. Such habitat could be nesting trees used by large birds of prey.

(d) On land area currently unsuited for the production of wood fibre, such as lakes, bogs, springs, swamps, wet meadows or grasslands, an attempt should be made to maintain protective and vegetative cover for wildlife species.

(e) Wherever practical plan clearcutting operations so that adequate wildlife escape cover is available within one quarter mile.

(f) Provide the shading, soil stabilizing and water filtering

effects of vegetation along Class I streams by one or more of the following:

(f1) Leave hardwood trees, shrubs, grasses, rocks, and natural "down" timber wherever they afford shade over a Class I stream or maintain the integrity of the soil near such a stream.

(f2) Where insufficient non-merchantable tree species exist to provide up to 75% of original shade over the stream, a fringe of undisturbed merchantable trees may be required. This requirement may be waived if an acceptable harvest plan of staggered cuttings or other means is developed which will not result in a significant increase in stream temperatures or remove a substantial amount of cover necessary for wildlife.

(f3) Carefully log the mature timber from the buffer strip in such a way that shading and filtering effects are not destroyed.

(f4) Neither an optimum nor a minimum width can be set arbitrarily for buffer strips for shading streams. It must be realized that the necessary width will vary with steepness of terrain, other topographic features, the kind of soil, and the amount of timber that is to be removed.

(f5) Where it is difficult to leave buffer strips of timber to shade a stream, plan to reestablish cover without delay, along the stream, after cutting is completed.

(g) Retain or reestablish undergrowth vegetation along Class II streams in widths sufficient to maintain water quality affecting Class I streams.

(h) Where major scenic attractions, highways, recreation areas or other high use areas are located within or traverse forest land, special consideration should be given to scenic values by prompt cleanup and regeneration.

(2) Felling and Bucking.

(a) Felling shall be done in a manner to minimize breakage.

(b) Trees should be felled, bucked and limbed so that the tree or any part thereof will not fall into or across any Class I stream. Remove all material that gets into such a stream as an on-going process during harvesting operations. Place removed material above high water level.

(c) As a minimum, fell all trees away from Class II streams whenever possible. Remove slash that gets into the stream following harvesting.

(3) Yarding.

(a) Tractor and wheel skidding

(a1) Keep machine activity in beds of streams to an absolute minimum.

(a2) Depending on local soil conditions, operations should be avoided on steep, unstable slopes and wet ground.

(a3) Locate skid trails where side casting is kept to a minimum.

(a4) Where skidders are used, give consideration to the size of the equipment necessary to do the job.

(a5) Avoid skidding in or through any stream. When streams must be crossed, provide temporary structures for crossings. Remove all temporary crossings prior to the rainy season and immediately after use and where applicable, waterbar road ends.

(a6) Divert or waterbar all skid trails prior to the rainy season.

(b) Cable.

(b1) Uphill high-lead logging is recommended. When downhill high-lead yarding, use a suspension system that lifts one end of the log free of the ground to minimize unfavorable soil disturbance. Alternate cable yarding systems shall take topography into consideration to minimize impact on soil.

(b2) Avoid cable yarding through any Class I stream. When yarding across such streams is necessary, streamside vegetation shall be left in as near a natural state as possible.

(b3) Cable yarding through Class II streams should be avoided. When unavoidable, yarding shall be done in a manner to minimize stream bank and channel disturbances.

(4) Post Harvesting.

(a) Waste resulting from logging operations such as crankcase oil, filters, grease and oil containers, machine parts, old wire rope and used tractor tracks shall be disposed of immediately following termination of harvesting operations. At no time shall such materials be placed in waterways.

(b) Leave or place debris and reestablish drainage on landings after use to guard against future soil movement.

(c) Cross-drains, dips, water bars, and other water diversions should be provided and/or maintained to prevent soil from entering streams.

(d) Potentially unstable or erodable exposed soils shall be stabilized by seeding or other suitable means. Consideration shall be given to game forage plants.

FOREST PRACTICE RULES - SOUTHWEST OREGON REGION
Effective date July 1, 1972

REFORESTATION

24-600 Purpose. Prompt reforestation of forest land following harvesting operations is an important factor in assuring continuous growing and harvesting of forest tree species on forest lands economically suitable therefor. The purpose of administrative rules relating to reforestation of such lands is to define economic suitability, as a basis for designating the forest land subject to reforestation requirements; to describe the conditions under which reforestation will be required; to specify the minimum number of trees per acre and the maximum period of time allowed after an operation for establishment of such trees; and to require stabilization of soils which have become exposed as a result of operations.

24-601 Lands Affected. Any lands which come within the definition of forest land and which are capable of a mean annual production of at least 50 cubic feet per acre at culmination as determined by Site Index Tables contained in Pacific Northwest Forest and Range Experiment Station "Field Instructions for Integrated Forest Survey and Timber Management Inventories in Oregon, Washington, and California, 1971," Pages VI 25-36 are subject to the reforestation requirements.

24-602 Stocking Levels, Subregion Variance, Time Limits and Established Seedling Definition. Whenever as a result of an operation the stocking is reduced below 25%, based on estimated crown closure, or 80 square feet of basal area per acre based on trees 11" DBH and larger, at least 100 well distributed seedlings, saplings or larger trees or any combination thereof per acre shall be established on the area within four years after such reduction in stocking.

Within the subregion as represented by zones 4, 6A and 9 on State of Oregon weather zone map, June 1970, subject to prior approval by the State Forester, if not more than 40% of the basal area per acre is removed during any one period of five successive years, the stocking may be reduced to 15% crown closure or 40 square feet of basal area per acre of trees 11" DBH and larger before the minimum of 100 well distributed seedlings, saplings or larger trees or any combination thereof per acre shall be established on the area and a maximum of six years will be allowed for establishment after such reduction of stocking.

In computing basal area per acre, trees over 36 inches DBH will be counted only as 36" DBH trees.

24-603 Acceptable Species. For those lands subject to the reforestation requirement, the State Forester shall maintain a list of forest tree species acceptable to be counted as stocking. The list shall consist of those species normally marketable in the Southwest Region.

Red Alder or other hardwood species shall not be counted as

acceptable species in stocking surveys of lands which have supported adequately stocked stands of Douglas-fir or other acceptable conifers unless a prior alternate plan is approved by the State Forester.

24-604 Variance Procedure. On any operation examined at the end of the period specified for reforestation, areas which are not adequately stocked shall be subject to additional reforestation requirements to achieve the minimum stocking standard. Exception to this requirement may be made for any areas which come within the definition of "forest land" and on which reforestation is practical if such area is smaller than 5 acres in one contiguous unit, with the limitation that at least 70% of an operation area shall meet the stocking standard.

24-605 Lands Not Affected - Action Required. Within one year following harvesting on lands not subject to the reforestation requirement, and on which reforestation is not being planned, some form of vegetative cover shall be required sufficient to provide continuing soil productivity and stabilization. Consider the use of wildlife habitat plants.

ROAD CONSTRUCTION AND MAINTENANCE

24-620 Purpose. A well-located, constructed and maintained system of forest roads is essential if the forest is to reach its potential of supplying jobs, tax base and wood products for our society, and to provide a means of proper forest management and protection. The purpose of these rules is to establish minimum standards for forest practices that will provide the maximum practical protection to maintain forest productivity, water quality and fish and wildlife habitat during road construction and maintenance.

24-621 Road Location. Roads should be located to minimize the risk of material entering streams, and to provide the least disturbance to environmental values.

(1) Fit the road to the topography so that a minimum alteration of natural features will be necessary.

(2) Where practical alternatives exist, avoid steep, narrow canyons, slide areas, slumps, marshes, meadows or natural drainage channels. Where alternatives do not exist, and where there is a risk of material entering streams, obtain prior approval from the State Forester.

(3) Minimize the number of stream crossings.

(4) When it is practical, cross streams at right angles to the main channel.

(5) Leave or reestablish area of vegetation between roads and streams.

(6) Avoid unnecessary duplication of road systems by making use of existing roads where practical. Where roads traverse land in another ownership but will adequately serve the operation, attempt to negotiate with the owner for use before resorting to location of new roads.

24-622 Road Design. Consistent with good safety practices, design each road to the minimum use standards adapted to the terrain and soil materials so as to minimize disturbance and damage to water quality.

- (1) Use a flexible design standard to minimize damage to soil and water.
- (2) Roads should be designed no wider than necessary to accommodate the current anticipated use.
- (3) Design cut and fill slopes at the normal angle of repose or less.
- (4) Design culvert installations to prevent erosion of the fill.
- (5) Design stream crossing structures to provide for adequate fish passage, minimum impact on water quality and the 25-year frequency storm.
- (6) Design roads to drain naturally by outsloping, insloping and through grade changes wherever possible.
- (7) Where justified by the volume of traffic, grade or type of soil over which the road is built, use roadside ditches and relief culverts.
- (8) Provide dips, water bars and/or cross drainage on all temporary roads.
- (9) Changes shall not be made in natural fish bearing stream courses either by crowding (filling along one bank) or by relocation of the channel, except by written approval from the State Forester.

24-623 Road Construction. Debris, overburden and other materials associated with road construction shall be placed in such a manner, as to minimize entry into the waters of the State.

- (1) Deposit excess material in stable locations above the high water level.
- (2) Clear major drainage ways of woody debris generated during road construction.
- (3) Where exposed material is potentially unstable or erodable, it shall be stabilized by use of seeding, compacting, rip-rapping, benching, leaving light slashing or other suitable means.
- (4) In the construction of road fills, compact the material to reduce the entry of water and to minimize erosion.
- (5) Stream crossings shall be constructed to result in minimum disturbance to banks and existing channels. Remove temporary crossings promptly after use, and where applicable water bar road ends.
- (6) Keep machine activity in beds of streams to an absolute minimum.
- (7) Install drainage structures on live streams as soon as feasible. Uncompleted roads subject to erosion should be adequately cross-drained.
- (8) During and following operations, retain outslope drainage and remove unnecessary berms on the outside edge except those intentionally constructed for protection of road grade fills.
- (9) Keep erodable soil disturbance to a minimum by constructing roads when soil moisture conditions are favorable.

24-624 Road Maintenance. Road maintenance shall be sufficient to keep the drainage system operating for purposes for which it was

designed.

(1) Clean culvert inlets and outlets and ditches before and during the rainy season to diminish danger of clogging and the possibility of washouts.

(2) Winterize roads by water barring, surface crowning or out-sloping prior to the rainy season.

(3) When it is the intention of the landowner to vacate or to control unauthorized use of the road, the road shall be left in such a state as to provide for adequate drainage and soil stability.

(4) Reduce roadside vegetation along main roads to a level which permits safe visibility.

HARVESTING

24-640 Purpose. Harvesting of forest tree species is an integral part of forest management by which wood for human use is obtained and by which forests are established and tended. It is recognized that during harvesting operations there will be a temporary disturbance to the forest environment. It is the purpose of these rules to establish minimum standards for forest practices that will maintain the productivity of the forest land, and minimize soil and debris entering streams and protect wildlife and fish habitat.

24-641 Protection of Residual Trees. On any operation, trees which are left for future harvest shall be adequately protected from damage resulting from harvest operations to assure their survival and growth.

This may be accomplished by locating roads and landings and by conducting felling, bucking, yarding and decking operations so as to minimize damage to or loss of residual trees.

24-642 Soil Protection. Select for each harvesting operation the logging method and size and type of equipment best adapted to the given slope, landscape and soil materials in order to minimize soil deterioration.

(1) Depending on local soil conditions, tractor operations should be avoided on steep, unstable slopes and wet ground.

(2) Locate skid trails where sidecasting is held to a minimum.

(3) Where tractors are used for skidding, limit the size of the equipment to that necessary to do the job.

(4) Whenever practical and desirable, limit cable yarding to uphill. When downhill cable yarding, use a layout and system which minimizes unfavorable soil disturbance.

(5) Confine the size of landings to that necessary.

24-643 Location of Landings, Skid Trails and Fire Trails. Locate landings, skid trails and fire trails on stable areas so as to minimize the risk of material entering streams.

(1) Locate landings on firm ground above the high water level of any stream. Avoid unstable areas or steep side-hill areas or excessive excavation.

(2) Locate skid trails and fire trails so they do not run parallel to any stream when such trails are within the high water level of that stream.

(3) Avoid tractor skidding across slumps and slides.

24-644 Drainage System. For each landing, skid trail or fire trail a drainage system shall be provided and maintained that will control the dispersal of surface run-off water from such exposed soils and that will minimize the entry of muddy and turbid waters into the waters of the State.

(1) Crossdrains, dips, waterbars and other water diversions should be provided to prevent soil from entering streams.

(2) Leave or place debris and reestablish drainage on landings after use to insure against future soil movement.

24-645 Treatment of Waste Materials. Debris, overburden and other waste material associated with harvesting shall be left or placed in such a location as to prevent their entry by erosion, high water or other means into waters of the State.

(1) Trees should be felled, bucked and limbed so that the tree or any part thereof will not fall into or across any Class I stream. Remove all material that gets into such a stream as an ongoing process during harvesting operations. Place removed material above high water level.

(2) Fell all trees away from any Class II stream whenever possible. Remove slash and other debris that gets into the stream immediately following logging.

(3) Deposit excess material from landing construction in stable locations above the high water level.

(4) Potentially unstable or erodable, exposed soils shall be stabilized by seeding or other suitable means. Considerations shall be given to game forage plants.

(5) Dispose of logging machinery debris and discarded containers immediately following termination of harvesting operations.

24-646 Stream Protection. During and after harvesting operations, stream beds and streamside vegetation shall be left in as near natural state as possible in order to maintain water quality and wildlife habitat.

(1) Avoid tractor skidding in or through any stream. When streams must be crossed, provide temporary structures for crossings. Remove all temporary crossings prior to the rainy season and/or immediately after use and where applicable, water bar trail ends.

(2) Avoid cable yarding through any Class I stream. When yarding across such streams is necessary, do it by lifting the yarded material free of the stream bank or water at the crossing.

(3) Cable yarding through Class II streams should be avoided. When unavoidable, yarding shall be done in a manner to minimize stream bank and channel disturbances.

(4) Provide the shading, soil stabilizing and water filtering effects of vegetation along Class I streams by one or more of the following:

(a) Leave all hardwood trees, shrubs, grasses, rocks, and natural "down" timber wherever they afford shade over a Class I stream or maintain the integrity of the soil near such a stream.

(b) Where insufficient non-merchantable tree species exist to provide up to 75% of original shade over the stream, a fringe of undisturbed merchantable trees may be required. This requirement may be waived if an acceptable harvest plan of staggered cuttings or other means is developed which will not result in a significant increase in stream temperatures or remove a substantial amount of cover necessary for wildlife.

(c) Carefully log the mature timber from the buffer strip in such a way that shading and filtering effects are not destroyed.

(d) Neither an optimum nor a minimum width can be set arbitrarily for buffer strips for shading streams. It must be realized that the necessary width will vary with steepness of terrain, other topographic features, the nature of the undercover, the kind of soil, and the amount of timber that is to be removed.

(e) Where it is difficult to leave buffer strips of timber to shade a stream, plan to reestablish cover without delay, along the stream, after cutting is completed.

(5) Retain or reestablish undergrowth vegetation along Class II streams in widths sufficient to maintain water quality of Class I streams.

(6) Keep machine activity in beds of streams to an absolute minimum.

24-647 Site Utilization. When harvesting plans include leaving a residual stand, reserved growing stock should be of desirable species, form, vigor and crown position which will assure adequate utilization of the site for efficient production of forest products.

24-648 Maintenance of Productivity and Related Values. Harvesting practices should first be designed to assure the continuous growing and harvesting of forest tree species by suitable economic means and also to protect the soil, air, water and wildlife resources.

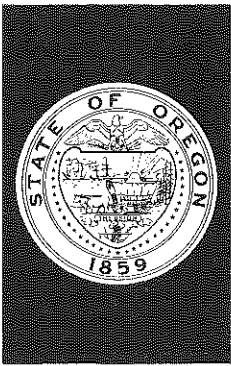
(1) Where major scenic attractions, highways, recreation areas or other high use areas are located within or traverse forest land, special consideration should be given to scenic values by prompt cleanup and regeneration.

(2) Give special consideration toward preserving any critical wildlife or aquatic habitat or the habitat of any wildlife or aquatic species classified by the Fish Commission and Game Commission as being rare or endangered. Such habitat could be nesting trees used by large birds of prey.

(3) On land area currently unsuited for the production of wood fibre, such as lakes, bogs, springs, swamps, wet meadows or grasslands, an attempt should be made to maintain vegetative cover for wildlife species.

(4) Wherever practical, plan clearcutting operations so that adequate wildlife escape cover is available within one-quarter mile.

(5) Wherever practical preserve fruit, nut and berry producing shrubs and trees.



DEPARTMENT OF ENVIRONMENTAL QUALITY

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GOVERNOR

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Director

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MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item G, July 27, 1972 EQC Meeting

Part I: Recommendations on Rule Changes

Background

Rules for the Oregon CUP Awards program were adopted by the Commission February 25, 1972. Subsequently under the rules a Screening Committee was appointed with representatives from industry, environmental groups, labor and the public.

This Committee has taken very seriously its responsibilities for assuring that the Oregon CUP Award would be meaningful and would be given only to nominees that had made a really significant contribution to cleaning up pollution in Oregon. The Committee's philosophy has been that awards should not be made for mere compliance with DEQ requirements, but should be a reflection of environmental effort exceeding basic requirements. They have seen the CUP Award as the ultimate step in a series of recognition programs which might include letters of commendation on specific efforts made by a given company

where the company's overall performance was not sufficient to qualify for a CUP Award or recommendations for citations from the Governor for outstanding effort in specific areas. The Committee also expressed a view that the rules should be more explicit as to awards given to different types of industry in view of differences in the potential for pollution or environmental enhancement applicable to the different categories.

In addition, the Committee saw a need for individualized control over uses of the Oregon CUP insignia. It was noted that the Committee needed full information in advance on a company's operations in Oregon in order to properly evaluate performance.

With regard to requirements for Screening Committee members, it was noted that in some instances a member might be employed by a company with vast holdings such that it would be impossible for him to participate in Committee deliberations unless the rules were made more specific with regard to exclusions based on financial interest.

Evaluation

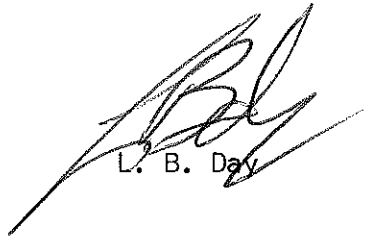
The proposed revisions, approved by the Screening Committee, are intended to accomplish the following:

1. Provide separate categories for types of industry including production or manufacturing, service including retailing, and land use -- with different requirements according to the potential for pollution or environmental enhancement applicable to each category and the difficulty of control or prevention.

2. Awards to production industries for development of products which in themselves contribute significantly to controlling or preventing pollution as distinguished from awards for clean production methods.
3. Provisions for lesser awards for anti-pollution efforts which do not qualify for the full Oregon CUP Award.
4. Specification that each Oregon CUP Award be accompanied by a letter indicating limitations on use of the Award and insignia and specific rights and privileges granted.
5. Specification that Screening Committee members' eligibility to vote on nominations shall exclude only companies in which the member has a personal financial interest.
6. Requirements that nominees submit a list of plant operations and subsidiaries to be considered by the Screening Committee.

Recommendation

The additions to the rules proposed by the Screening Committee will make administration of the Oregon CUP Awards program more effective. It is recommended that they be approved as proposed.



L. B. Day

BJS:nd, 7/20/72

Attachment

RULES FOR OREGON CUP

"CLEANING UP POLLUTION" AWARD

NATURE OF AWARD:

Oregon CUP Awards may be made to any industry, organization, institution, corporation, governmental unit, or individual for outstanding efforts in preventing or cleaning up pollution in Oregon. There is no limit as to the number of awards which may be made to qualified recipients in any time period. Awards to industries shall be made for specified periods of time and shall include separate categories for types of industry, such as production or manufacturing, service (including retailing), and land use; requirements for awards may differ according to the potential for pollution or environmental enhancement applicable to each category and the difficulty of control or prevention. Awards to production industries may include awards for development of products which in themselves contribute significantly to controlling or preventing pollution as well as awards for production methods which exceed state environmental requirements. Awards to individuals or to nonprofit institutions or organizations may be made one time only and without limitation as to duration.

Anti-pollution efforts which, in the judgment of the Screening Committee or the Environmental Quality Commission, do not qualify for the full Oregon CUP Award may be recognized by means of letters of commendation from the Environmental Quality Commission or by a recommendation for a gubernatorial citation.

The Oregon CUP Award shall be accompanied by a letter to the recipient indicating limitations on uses to which the award may be put, and specific rights and privileges granted by the EQC in conjunction with the issuance of the award.

DURATION OF INDUSTRIAL AWARDS:

Initial awards shall be valid for the remainder of the calendar year in which the award is made and for the full calendar year immediately following, but may be revoked by the Environmental Quality Commission during the valid period if after a public hearing the Commission finds that the recipient has become unqualified to retain the award.

PRELIMINARY SCREENING OF NOMINEES:

A screening committee shall be established for preliminary consideration of nominations for the Oregon CUP Award. The committee shall consist of nine members selected by the Environmental Quality Commission: two members shall be selected from a list of names submitted by environmental groups; two members shall be selected from a list of names submitted by industries or industrial organizations; two members shall be selected from a list of names submitted by organized labor; and three members shall be selected to represent the public. Members of the screening committee shall serve two-year overlapping terms and shall not be subject to consecutive reappointment. For initial appointment, names of prospective committee members shall be submitted to the EQC by interested organizations as soon as practicable following adoption of these rules. Four members shall serve until July 1, 1973, and five members shall serve until July 1, 1974, with duration of appointment to be decided by lot among the nine members appointed by the EQC. For all subsequent years, names of prospective committee members shall be submitted to the EQC by interested organizations not later than March 1 of each year for appointment effective the following July 1.

Upon appointment, each screening committee member shall submit a complete statement of his financial interests. No screening committee member shall be eligible to vote on an award nomination involving any company in which he has a personal financial interest.

At its first meeting following appointment of members, the screening committee shall elect a chairman and a secretary and shall be considered an organization for purposes of ORS 649.010 - 649.060.

NOMINATIONS AND GRANTING OF AWARDS:

Any individual or group, including members of the screening committee itself, may submit to the screening committee at any time the name of an industry, corporation, organization, governmental unit, or individual for consideration for the Oregon CUP Award, or application may be made to the screening committee by prospective nominees themselves. Nominations shall be accompanied by information as to the contribution the nominee has made to cleaning up or preventing pollution in Oregon.

The screening committee shall meet as often as necessary but not less than twice a year to consider nominations for initial awards or renewals. Nominations which have been favorably acted upon by the screening committee shall be submitted to the Department of Environmental Quality with the information upon which the screening committee's decision was based. The Director of the Department of Environmental Quality shall forward these nominations to the Environmental Quality Commission along with his recommendation. The Environmental Quality Commission shall make the final decision on the granting or renewal of the Oregon CUP Award, the rights and privileges conferred with the award including specific conditions for its use or display, and on the granting of lesser awards such as letters of commendation or recommendations for gubernatorial citations.

REQUIREMENTS FOR NOMINEES:

Prior to consideration by the screening committee, nominees shall be required to submit a list of all plant operations and subsidiaries located in Oregon.

Following favorable action by the screening committee and prior to final decision by the Environmental Quality Commission, nominees shall be notified that they are under consideration for the Oregon CUP Award and given an opportunity to express their interest in receiving the award. Nominees who wish to receive the award shall agree to display the Oregon CUP insignia only during the period for which the award is valid and in the manner specified, and to notify the Environmental Quality Commission of any change in conditions which might affect their eligibility for retention or renewal of the award.

RENEWAL OF AWARDS:

Recipients wishing to be considered for renewal of Oregon CUP Awards shall submit applications to the screening committee not later than June 30 preceeding expiration of the award. The application shall include an agreement regarding display of the insignia as described under "Requirements for Nominees" along with pertinent information regarding the applicant's activities related to cleaning up pollution or prevention of pollution during the period of the award. The screening committee shall submit recommendations on renewal applications to the DEQ within 45 days following the deadline for renewal of applications and shall be acted upon by the Environmental Quality Commission within 90 days following the deadline for the renewal of applications.

FRADULENT USE OF OREGON CUP AWARD INSIGNIA PROHIBITED;

No person or industry shall display the Oregon CUP Award insignia or any facsimile thereof on any product or commodity unless entitled to do so by means of selection by the Environmental Quality Commission for the period during which the insignia is displayed; upon expiration or revocation of the award, the recipient shall be allowed 60 days to remove the insignia from products offered for sale.



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MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item G, July 27 EQC Meeting

Part II: Nominations for CUP Awards

A. PUBLISHERS PAPER COMPANY

Background

Publishers Paper Company operations in Oregon consist of a 600 TPD sulfite/groundwood pulp and paper mill at Oregon City, a 550 TPD sulfite/groundwood pulp and paper mill at Newberg, a 250 MBF/day sawmill and plywood plant complex astride Johnson Creek in northeast Portland, a 200 MBF/day sawmill at Tillamook, a 100 MBF/day sawmill at Molalla, and related forestry and timber handling operations. All of these production facilities have been acquired from private ownership over the past 25 years. Extensive timber holdings in northwest Oregon are associated with these operations.

I. Water Quality

The above manufacturing facilities had essentially no provisions for pollution control at the time they were acquired by Publishers Paper Company. All waste waters and large quantities of waste fiber were discharged without treatment into the Willamette River from the pulp and paper mills at Newberg and Oregon City. Major pollution control improvements were begun in 1951 at the Oregon City mill and 1965 at the Newberg mill (immediately following acquisition). Collection of fiber bearing mill effluents and construction of primary waste water clarifiers at both mills was completed in 1967. Conversion of sulfite pulping process to a recoverable base chemical (Magnefite process) and startup of chemical recovery systems at both mills was completed in 1970. Secondary treatment for total mill waste flow from both mills is now operational (ahead of the July 1 deadline).

The other timber processing plants have installed control facilities and adopted operational control programs for log pond discharges, glue wastes, veneer dryer washdown waters, waste oil and contaminated drainage. Several of these improvements are in the process of design and implementation at the present time. As air quality control and solid waste management restrictions are imposed, adjustments in the water quality control effort are being required.

2. Air Quality

Publishers Paper's sulfite mills in both Oregon City and Newberg have submitted compliance schedules which have been approved in accord with the sulfite mill emission regulation adopted in September 1971. Under these schedules the mills will achieve compliance with regulations in December 1973.

Publishers Paper has modified its wigwam burner in accord with DEQ recommendations. They have indicated if DEQ would prefer that they stop using the wigwam burner and dump the solid waste materials or landfill them, they are willing to do this but they recognize this is not the best overall environmental approach. Columbia Willamette Air Pollution Authority, which is responsible only for air quality concerns, has been critical of continued use of the wigwam burner even though modified, while DEQ -- which must look at air, water and solid waste as a total environmental problem -- considers the modification satisfactory.

Evaluation

Publishers Paper has not only complied with all requirements but in all of its activities it has shown an interest in anticipating environmental concerns long before specific requirements were laid down and has worked to deal with environmental problems well in advance of DEQ requirements.

With regard to the compliance schedule, it should be noted that the company is on schedule and that there will always be new improvements on the horizon as technological knowledge grows. When a standard is set, a company cannot achieve compliance instantly because it takes time to design, manufacture and install the necessary equipment to comply with standards.

Screening Committee Evaluation

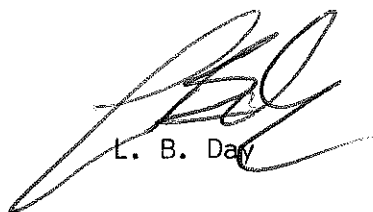
The Screening Committee noted particularly that Publishers Paper had taken old mills which would not have met pollution requirements without major modification and had brought these not only up to the standards required by the Environmental Quality Commission regulations but had in some instances anticipated these requirements and been ahead of deadlines.

It was the view of the Committee that because of the difficulty of evaluating the operations of a number of subsidiaries at various locations, it would be most appropriate that the Oregon CUP Award be considered as specific recognition to Publishers Paper of their environmental efforts at Oregon City and Newberg mills and of the general attitude of the Company toward compliance with, and exceeding of, environmental requirements. One member of the Screening Committee had personally observed the wigwam burner about which question was raised by the Columbia Willamette Air Pollution Authority and expressed the view that there was no air pollution problem resulting from use of this wigwam burner.

The company manufactures newsprint and wrapping materials as well as paper towels. The Screening Committee took position that the CUP insignia should be used only on labels of products to be sold to the ultimate consumer since use of the insignia on wrapping materials might imply to the consumer that the Oregon CUP Award included the contents of the wrappings rather than the wrappings themselves. The required letter from the company indicating willingness to comply with these limitations is attached.

Recommendation

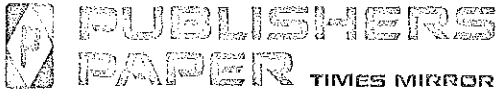
Evidence cited in the preceeding sections fully supports the recommendations of the Screening Committee which reflect the Committee's philosophy as expressed in the proposed rule revisions that awards should be for environmental effort above and beyond the basic compliance requirements of the Environmental Quality Commission. It is therefore recommended that the Oregon CUP be awarded to Publishers Paper Company as proposed by the Screening Committee.



L. B. Day

BJS:nd

Attachment.



S. J. ROBINSON
PRESIDENT

July 17, 1972

Environmental Quality Commission
1234 S. W. Morrison
Portland, Oregon 97205

Attention: Mr. B. J. Seymour

Gentlemen:

We were extremely pleased to receive word that the CUP Awards Screening Committee has recommended our company for one of the first CUP Awards.

Our company will be very proud to display the CUP in our headquarters. As per your rules, we will display the award, and appropriately reproduce the CUP insignia in our advertising, on our letterheads, and on labels of paper products to be sold to the ultimate consumer only during the period authorized by your agency.

Again, our thanks for your consideration.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'S. J. Robinson', written in a cursive style.

RECEIVED

JUL 18 1972

STANDARD SECTION



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

L. B. DAY
Director

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ARNOLD M. COGAN
Portland

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item G, July 27, 1972 EQC Meeting

Part II: Nominations for CUP Awards

B. AMERICAN CAN COMPANY

Background

American Can Company operations in Oregon consist of a 400 TPD bleached kraft pulp and paper mill at Halsey, a relatively small sawmill at Brownsville, a veneer plant at Horton, a plywood plant at Junction City and can plants at several locations. The lumber, veneer and plywood operations were acquired from private ownership in recent years, and the kraft mill was a totally new installation which became fully operational in June, 1969. Substantial timber holdings were obtained with the above acquisitions.

I. Water Quality

The Halsey kraft mill was designed around the most stringent environmental controls yet applied to a bleached kraft mill. The pulping and paper mill areas, and the many liquor and related chemical processing areas were integrated for spill retention

and the delivery of a stable flow of waste to the primary and secondary treatment facilities. Emergency liquor storage was provided to protect the efficiency of the secondary treatment process in the event of temporary failure in the recovery area. All environmental control systems were constructed and started up concurrently with production.

The lumber, veneer, and plywood mills now operated by American Can were constructed at a time when environmental controls were not included. These operations, because of their limited size and effect on the overall water quality in their respective areas, have not been a high priority for correction of their deficiencies, and additional improvements will be made as DEQ priorities permit.

2. Air Quality

Mr. George Voss of Columbia Willamette Air Pollution Authority recommends that American Can be considered for the CUP Award; the company is installing an expensive afterburner which will effectively control air emissions.

Evaluation

I. Water Quality

The performance of waste control and treatment facilities at the Halsey kraft mill has been excellent. The company has shown the technical ability to consistently operate their environmental control systems, and are alert to recent developments in pollution control requirements. They are currently cooperating with OSU agricultural specialists in a pilot study of land disposal of their effluent. This is a relatively new concept for the pulp and paper industry. The Halsey mill is in compliance with all conditions of their Waste Discharge Permit, and the effect of their discharge in the Willamette River has been found by recent Environmental Protection Agency biological studies to be negligible.

The other operations of American Can Company which are covered by Waste Discharge Permit (1 temporary and 1 regular) are essentially in compliance. Some improvements have been made in advance of formal request or requirement by DEQ.

2. Air Quality

In general, the mill not only complies with applicable limits but also defines and exemplifies best industrial practice. There have been some technical difficulties with the recovery furnace stack in its particulate emissions in that tests indicate emissions have exceeded the standard in approximately half of the samples. However, this is more a problem of the way in which the standard is expressed than of failure to meet the goal of pollution control. American Can has one of the best looking stacks in the industry and a very high efficiency precipitator for particulate control.

There is a potential source of trouble with lime kiln TRS (odor) emissions which are higher than standards which are presently contemplated for adoption later this year. No standard is in effect now except a monitoring requirement with which they do comply. When the standards are adopted for lime kilns, it is anticipated that the majority of Oregon kraft mills will be in similar situations with respect to lime kiln emissions. American Can is researching causes and cures for the lime kiln problem and is making a concerted effort to solve it.

Screening Committee Evaluation

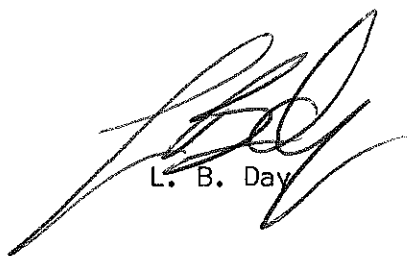
The Screening Committee viewed the nomination of American Can Company's Halsey Mill as a balance with the Publishers Paper Company nomination. Between them, they exemplify old mills remodled to conform to environmental requirements and a new mill built specifically to meet environmental requirements which has become a model for the nation. The Committee had some concern about the lime kiln problem such that its recommendation included one abstention. The majority of Screening Committee members felt, however, that the company's cooperation in trying to solve the problem, plus its position as a nationally known model of pollution control, were sufficient to merit a CUP Award at this time. The proposal that the Oregon CUP be awarded was made with awareness on the part of the Screening Committee that the CUP Award to industry is made for a specified time period and that the Award would not be renewed if there was any indication of lack of effort or progress on the lime kiln problem.

It was the Screening Committee's recommendation that the Award be considered for the paper mill at Halsey only and not for the various can plants owned by the company since cans are a non-biodegradable container which become a serious source of litter.

The Committee has now agreed to the awarding of the CUP, its display on company premises and use of the insignia in corporate advertising, letterhead and on product labels per the attached letter.

Recommendation

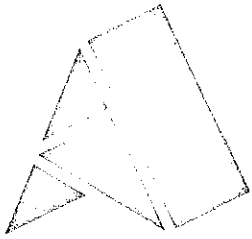
Evidence cited in the preceding sections fully supports the recommendations of the Screening Committee which reflect the Committee's philosophy as expressed in the proposed rule revisions that awards should be for environmental effort above and beyond the basic compliance requirements of the Environmental Quality Commission. It is therefore recommended that the Oregon CUP be awarded to American Can Company as proposed by the Screening Committee.



L. B. Day

BJS:nd, 7/21/72

Attachment



American Can Company

Thomas W. Orr, Manager

Box 215, Halsey, Oregon 97348

July 17, 1972

Mr. B. J. Seymour
Department of Environmental Quality
1234 S. W. Morrison Street
Portland, Oregon 97205

Dear Mr. Seymour:

I am happy indeed to learn our facility has had favorable response from the Oregon CUP Awards Screening Committee and gladly supply the requested information.

The products produced at Halsey are bathroom tissue, paper roll towel and napkins which are sold to consumers, primarily in grocery stores. The brand names are Northern Tissue, Aurora Tissue, Gala Towels, Gala Napkins and Northern Napkins. We would propose to display the insignia award in our mill reception area and possibly would like to have it printed on the film used to wrap these products and/or on or in the corrugated shipping case. We can not definitely say at this time that the insignia can be used on all film wraps. We might also like to imprint stationery if permissible. We would be proud to have the award and would like to use it to the extent authorized.

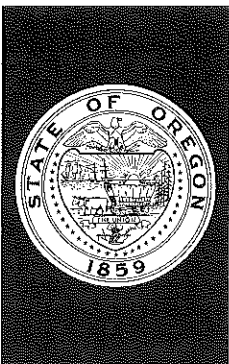
Products produced at Halsey are marketed mainly in the states of Oregon, Washington and California but also supplement company shipments to other market areas of the country as necessary.

We do agree to all conditions stipulated for the use of the Gold CUP Award and would agree to get prior approval on all display or applications if so directed.

Sincerely,


T. W. Orr

/ms



DEPARTMENT OF ENVIRONMENTAL QUALITY

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TOM McCALL
GOVERNOR

L. B. DAY
Director

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ARNOLD M. COGAN
Portland

Memorandum

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. H, July 27, 1972, EQC Meeting
City of Wasco, Sherman County

Background

1. The City of Wasco in Sherman County (population approximately 400) operates a community septic tank which discharges primary effluent to an intermittent stream in Spanish Hollow. The facility does not achieve secondary treatment as required by Oregon water quality standards.
2. The Department has been laboring many years to get the City of Wasco to construct an acceptable secondary treatment system.
3. On June 8, 1972, the City of Wasco was asked to be present at the Environmental Quality Commission meeting, in Bend, to discuss the city's sewage program and time schedule and to answer questions relative to the city's failure to solve its sewage treatment deficiencies in a timely way.
4. The city was represented at the Commission meeting by the Mayor, Mr. David Richelderfer. No positive program was presented by the city at that time.

5. The Environmental Quality Commission authorized a hearing to be scheduled and that the City of Wasco be requested to appear and show cause why an order should not be issued requiring them to complete adequate sewage treatment facilities in accordance with a schedule developed by the Department. The hearing was set for July 27, 1972 at 1:30 p.m.
6. On July 3, 1972, a representative from the Department met with the Wasco City Council to discuss the pending hearing and proposed time schedule. The importance of immediately retaining an engineering firm to update costs was emphasized.
7. On July 8, 1972, Pettijohn Engineering Company, Inc. was retained to prepare plans and specifications for completion of the project.

Evaluation

1. The primary treatment achieved by the Wasco community septic tank does not adhere to the Department's policy of secondary treatment.
2. The inadequately treated and nondisinfected waste discharging to Spanish Hollow is a health hazard.
3. An engineering firm has recently been retained to prepare plans and specifications for completion of an approved treatment system.

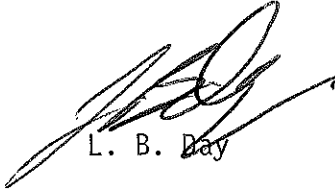
Conclusions

1. It is of utmost importance that this domestic waste receive adequate treatment as soon as possible.
2. The City of Wasco has taken the first vital step to see that this is accomplished by retaining an engineering firm to prepare plans and specifications.

Director's Recommendation

Unless the city can show cause why the secondary treatment system, or equivalent, cannot be completed by July 1, 1973, an order should be issued requiring it to put the system into operation by that time. The order should also contain appropriate interim dates.

A waste discharge permit should be issued which includes the conditions of the order.



L. B. Day

Attached

CKA:vt
7/19/72

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF OREGON

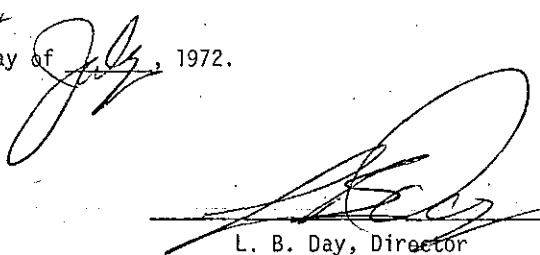
In the Matter of the City)
of Wasco and Its Sewage Plant) N O T I C E

TO: The City of Wasco, Its Officers and Agents:

You are directed to appear at a hearing before the Environmental Quality Commission on the 27th day of July, 1972, City of Portland, Bureau of Public Works, Auditorium, 1800 S.W. Sixth Avenue, at the hour of 1:30 p.m., and then and there to show cause, if any you have, why the Department of Environmental Quality should not enter an order requiring you to acquire, modify, construct, equip, operate and maintain, a sewage treatment plant and other facilities, as defined in ORS 224.210, for the purpose of providing secondary treatment for the sewage and wastes discharged by your present treatment plant.

Attached to this notice and made a part thereof is the complaint made against you.

Dated this 5th day of July, 1972.


L. B. Day, Director

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF OREGON

In the Matter of the City)
of Wasco and Its Sewage Plant) COMPLAINT

TO: The City of Wasco, Its Officers and Agents

The Department of Environmental Quality, hereinafter termed the Department, alleges:

I.

The City of Wasco, hereinafter termed City, incorporated in Wasco County, maintains and operates a sewage treatment plant which discharges its waste effluent into Spanish Hollow Creek, public waters of the state.

II.

The City's sewage treatment plant and system is not designed, engineered nor operates to provide secondary treatment of sewage wastes.

III.

On or about April 29, 1971, pursuant to ORS 449.083, the Department issued to the City a waste discharge permit, No. 1006. This permit required the City to construct and place into operation in accordance with a schedule set forth in said permit waste treatment facilities to insure all domestic and municipal sewage receives a minimum of secondary treatment or its equivalent. The following schedule was set forth in the aforesaid permit:

Financing arranged by June 1, 1971

Final plans and specifications prepared by June 1, 1971

Start construction by August 1, 1971

Complete project by November 1, 1971

IV.

Permit No. 1006 expired on December 31, 1971 without the city's complying with its terms and conditions. The City now has an application pending with the Department for a renewal of the permit which expired on the aforesaid date.

V.

Prior to filing this complaint, the Department endeavored to encourage voluntary cooperation by the City to construct waste treatment facilities and also to be of assistance to the City in explaining Department programs and the necessity of providing proper treatment for the City's wastes.

VI.

The operation and maintenance of the City's primary treatment plant violates:

1. ORS 449.077, Oregon's public policy statute, regarding water pollution. This Act states in part:

" * * * no waste [shall] be discharged into any waters of this state without first receiving the necessary treatment or other corrective action to protect the legitimate beneficial uses of such waters * * *".

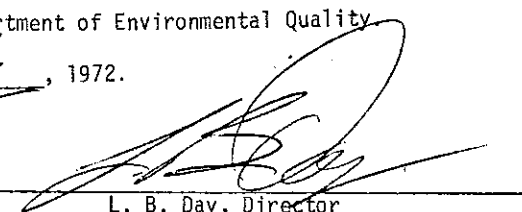
2. Rule 41-020(2), OAR, Chapter 340:

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

You are notified that upon conclusion of the hearing described in the attached notice, the Department will consider the adoption of an order pursuant to ORS 224.230 to 224.270 requiring you to:

1. Acquire, modify, construct, equip, operate and maintain a sewage treatment plant, and other facilities, as defined in ORS 224.210 to provide secondary treatment and disposal, or equivalent, of sewage and wastes in accordance with the following schedule or such other schedule which the City may propose and which may be approved by the Commission and accepted by the Department:
 - (a) Employ a consulting engineer by not later than July 15, 1972.
 - (b) Prepare an up-dated construction cost estimate and develop an acceptable fiscal program by August 15, 1972.
 - (c) Submit to the Department by October 1, 1972 for review and approval in writing prior to construction as required by ORS 449.395 detailed engineering plans and specifications.
 - (d) Start construction of the required facilities by November 1 1972.
 - (e) Complete the construction and place the required secondary treatment works in operation by July 1, 1973, with all construction being in accordance with approved plans.
2. Comply with such other order within the purview of the evidence presented to the Department of Environmental Quality.

Dated this 5th day of July, 1972.


L. B. Day, Director



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

L. B. DAY
Director

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Springfield

STORRS S. WATERMAN
Portland

GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item I, July 27, 1972, EQC Meeting
City of Astoria Sewerage Program

Background

1. The May 1970 estimate of grant eligible costs for Astoria's sewerage program was \$5,515,000.
2. The citizens of Astoria voted \$5,000,000 in bonds to finance the portion of the costs not covered by grants with the understanding that all bonds would not have to be sold.
3. Based on actual bids received, the grant eligible costs now exceed \$9.1 million.
4. Astoria presently has a FY 71 Environmental Protection Agency grant of \$1,654,500. This grant can be increased from FY 72 funds to about \$3,000,000 (approximately 33% of eligible costs).
5. With sale of \$5 million in bonds and a 33% Environmental Protection Agency grant, insufficient funds are available to start construction.

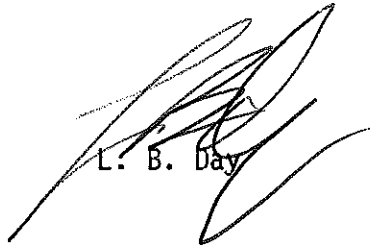
Evaluation

1. By returning to a matching grant program, the Department of Environmental Quality can give a 25% state grant of \$2,277,580.

2. With a 25% state grant and a 33% Environmental Protection Agency grant, and in order to provide some funds for contingencies, the city will need to sell \$4,000,000 in bonds.
3. If the federal grant can be raised above the 33% level through future federal appropriations, the city will be able to retire bonds early.
4. With the matching grant program, sufficient funds can be committed to the project to insure its completion.

Director's Recommendation

It is recommended that the Director be authorized to enter into a matching grant agreement with the city of Astoria whereby the Department of Environmental Quality will make a grant of 25% of the eligible construction costs as soon as necessary documents can be prepared by legal council.


L. B. Day

HLS:ljb

7/20/72



DEPARTMENT OF ENVIRONMENTAL QUALITY

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TOM McCALL
GOVERNOR

L. B. DAY
Director

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Portland

MEMORANDUM

TO: ENVIRONMENTAL QUALITY COMMISSION

FROM: Director

SUBJECT: Agenda Item No. J July 27, 1972, EQC Meeting

Proposed Portland State University 160-space Surface Lot

Background:

On July 12, 1972, the Department received the report, Technical Review No. P-6, from the Columbia-Willamette Air Pollution Authority which delineates their analysis of and recommendation for the proposed PSU parking facility. On July 17, 1972, the Department received a letter from Mr. W. C. Neland of Portland State University including additional information relative to the proposed facility.

The proposed facility is to be located on the block bounded by S. W. Twelfth, S. W. Thirteenth, S. W. Montgomery, and S. W. Market Streets on the western periphery (near the Stadium Freeway) of the Portland State University campus in downtown Portland.

The proposed facility would provide approximately 160 long term parking spaces for students, faculty and staff of PSU. It is intended, in part, to replace 196 curb spaces that were eliminated

recently when the South Park Blocks were redeveloped to provide a traffic free area at the center of the campus.

According to information available from the Portland Traffic Bureau, there are presently approximately 3200 parking spaces available on the PSU campus serving approximately 11,000 students and 800 faculty and staff members. PSU presently operates approximately 1950 of the parking spaces available on campus.

According to a study done in March 1971 for the Portland Traffic Bureau, a survey of the occupied spaces between the hours of 10:00 a.m. and 4:00 p.m. on the PSU campus indicated that the peak percent occupancy was on the average less than 65%. In addition, the study shows that there are approximately 510 surplus long-term parking spaces and 70 surplus short-term parking spaces on or near the PSU campus.

The City of Portland has granted a three year conditional use permit for the construction of the proposed parking facility even though the Planning Guidelines for the Portland Downtown Plan designate the site as an open space.

Under the present Urban Renewal Plan for the PSU area adopted in 1967, the University is required to provide one off-street parking space per three full-time students.

Analysis of the Proposed Parking Facility:

The Department has reviewed the environmental impact statement prepared for the proposed facility, the additional information submitted in the July 17 letter, and the CWAPA Technical Review. The Department concurs with the findings of CWAPA delineated in Technical Review No. P-6, which has been attached, that the proposed parking facility is not in accordance with the EQC statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070.

The Department is also very concerned about the attendant impact of continued growth and development of the PSU campus upon the Department's objective of achieving compliance with ambient air standards by 1975 as required under the Clean Air Act Implementation Plan for Oregon. The present Urban Renewal Plan for the PSU requires approximately 3700 off-street parking spaces to accommodate the present 12,000 students, faculty and staff. If fulfilled, this would result in construction of 1700 spaces in addition to the 3200 spaces already available. For a projected population of 24,000 students, faculty and staff an additional 4700 spaces would be required.

The continued development and improvement of existing alternative modes of transportation which would enable the required reduction of 20-25% in the number of motor vehicles daily entering the PSU campus area to be realized by 1975 will of consequence depend heavily on effectively controlling the supply of motor vehicle parking in and around the PSU campus.

In addition, the Planning Guidelines for the Portland Down-town Plan include the following recommendations for transportation in the PSU district:

1. Develop as a traffic-free area except for service access.
2. Route vehicular traffic along the edges of the district.
3. Serve the district with transit via Fifth-Sixth, Market-Clay and Twelfth.
4. Review the current parking policy for the University, with consideration given to reducing the amount of additional parking in favor of transit usage and close-in student housing.

The present time would seem an opportune time for an in-depth review of the current parking policy and requirements for the University with a special effort devoted to determining means and developing plans for reducing the number of motor vehicles entering the area daily such that compliance with State and Federal ambient air standards may be attained by 1975.

Conclusions:

1. The proposed parking facility is not in accordance with the EQC statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070.
2. The denial of permission to construct the proposed facility may cause some additional low-speed search-and-find driving which is not desirable. However, this argument is only valid if alternate means of transportation are not

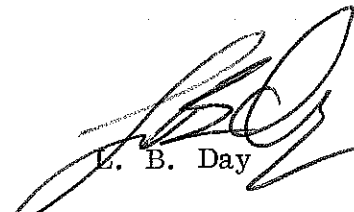
developed and implemented in a timely manner.

3. The proposed facility would hinder efforts to achieve and maintain acceptable air quality in the vicinity of the PSU campus.
4. According to traffic studies, the demand for additional parking facilities in the vicinity of the PSU campus is not presently critical. In fact, these studies indicate that the present available spaces are under-used.
5. The proposed facility would increase the dependence of the urban dweller upon motor vehicles by providing a convenient incentive to use motor vehicles to reach the PSU campus instead of using existing and future alternate modes of transportation.
6. An in-depth study should be undertaken immediately to address the broader question of transportation and parking needs of the PSU campus and the means by which ambient air standards may be achieved by 1975 in the PSU area.

It should be noted that PSU has pioneered the park-and-ride concept in Portland without substantial support from other agencies. The PSU campus is now served by peripheral parking at Memorial Coliseum, OMSI and West Gate Theater in Beaverton with shuttle bus service to the campus. PSU should be commended for its effort in this area, however much more study and development of alternate modes of transportation will be required in order to attain compliance with ambient air standards by 1975.

Recommendation:

1. In view of the fact that the proposed 160 space surface parking facility is not in accordance with applicable Department rules and regulations, I recommend that the Commission issue an order prohibiting construction of the proposed facility.
2. In view of the urgent need to develop a transportation control strategy that will result in the attainment of compliance with ambient air standards by 1975, I recommend that the Commission request Portland State University to immediately undertake an in-depth review of current parking policy and requirement for the University with special emphasis given to determining means and developing plans for adequately reducing the number of motor vehicles entering the PSU area daily.



L. B. Day

Technical Review - Parking Facility

No. P-6

150 Space Paved Surface Lot

Proposed by

PORTLAND STATE UNIVERSITY

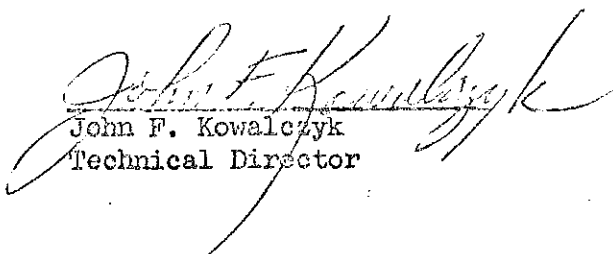
Prepared For

Department of Environmental Quality

Prepared by

Technical Division
Columbia-Willamette Air Pollution Authority
7 July 1972

Approved by


John F. Kowalczyk
Technical Director

COLUMBIA-WILLAMETTE AIR POLLUTION AUTHORITY
1010 NE Couch Street, Portland, Oregon 97232

Technical Review - Parking Facility

Proposed by

Portland State University

Background

On 24 May 1972 Portland State University filed a Notice to Construct a 150-space paved surface parking lot on the southwest corner of the PSU campus. As the proposed parking facility is in an area of special concern, on 31 May 1972, an environmental impact statement was requested to be prepared. On 22 June 1972 CWAPA received the environmental impact statement, apparently prepared by the PSU physical plant office.

Technical Review of Environmental Impact Statement

A review has been made of the environmental impact statement for the proposed parking facility. Although this statement does not appear to fully satisfy the DEQ requirements for content of a parking facility environmental impact statement, the facts presented along with other facts CWAPA has gathered, have been judged sufficient to determine whether the proposed facility is in harmony with the DEQ parking facility rule. It has been concluded that the proposed parking facility is not compatible with the statement of policy in the DEQ parking facility rule. Therefore, it is recommended that DEQ issue an order to prohibit its construction.

Major technical facts upon which the above recommendation is based are as follows:

1. The proposed facility will hinder efforts to achieve and maintain acceptable air quality in the vicinity of the PSU campus. According to the CWAPA approach to assess air quality in the Portland core area (CWAPA Technical Report 71-9A and 71-9B) grid 23 which includes a portion of the proposed parking facility land is presently in violation of carbon monoxide primary national ambient air standards. In discussions with the City of Portland as recently as 27 June 1972, it appears that developing a transportation control strategy in grid 23 to meet national ambient air standards by 1973 is most difficult due to high traffic density of the Stadium and Sunset Freeway interchange and the Clay-Market Street thoroughfare. At best, it appears that meeting air quality requirements by 1975 in grid 23 will be marginal. From an air quality standpoint it is clear that no further motor vehicles should be attracted to this area at least until air quality standards are achieved, even though long-range planning objectives condone perimeter parking adjacent to the downtown freeway loop.

In fact the recent removal of 196 metered spaces for construction of a park block (parking spaces which the proposed parking facility is intended to replace) was a positive contribution to achieving acceptable air quality in the immediate area.

2. The demand for additional parking facilities in the vicinity of the PSU campus is not presently critical. Studies by the City of Portland Bureau of Traffic Engineering (Figures 8 and 9) indicate in 1972 peak period parking occupancy of existing facilities on the order of 65% or less in the vicinity of the proposed facility and a surplus of some 150 short term spaces within a four block radius of the proposed facility.

3. The proposed facility will increase the dependence of the urban dweller upon motor vehicles by providing a convenient incentive to use motor vehicles to reach the PSU campus instead of existing and future alternate modes of transportation.

The PSU campus is now served by peripheral parking at Memorial Colliseum, OMSI and West Gate in Beaverton with shuttle bus service to the campus. Mass transit facilities are available on nearby 5th and 6th Avenues with future improved mass transit service a possibility on Market and Clay Streets and 12th Avenue. A north-south pedestrian-bicycle-connection is also planned along the south park blocks. Continued development and improvement in existing alternate modes of transportation will of consequence depend heavily on effectively controlling the supply of motor vehicle parking on the PSU campus. The downtown plan, in fact, recommends:

"Review the current parking policy for the University with consideration given to reducing the amount of additional parking in favor of transit usage and close-in student housing."

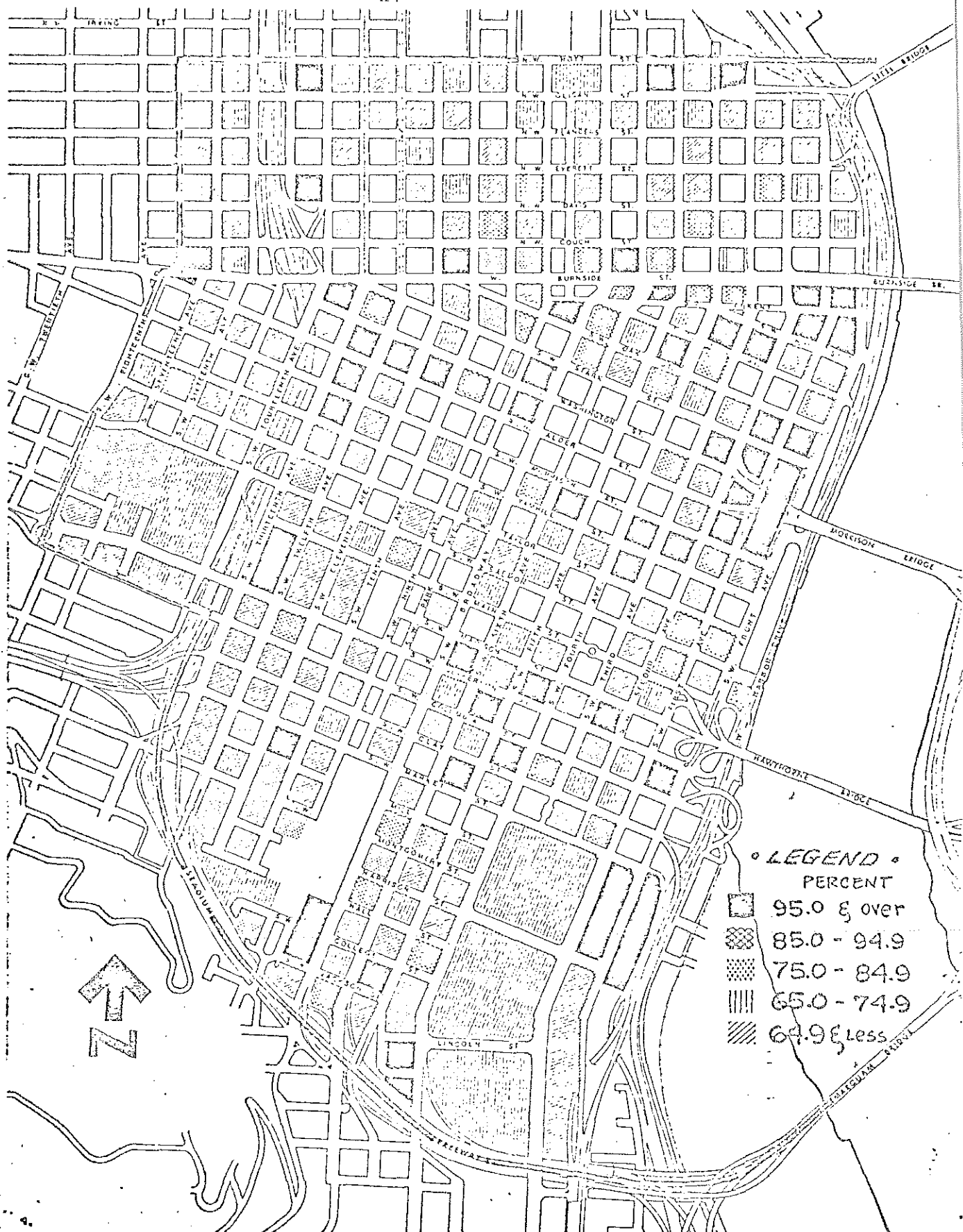


FIGURE 3
1972 Peak Period Parking Occupancy
 SOURCE: CITY OF PORTLAND, BUREAU OF TRAFFIC ENGINEERING (REF. 4)

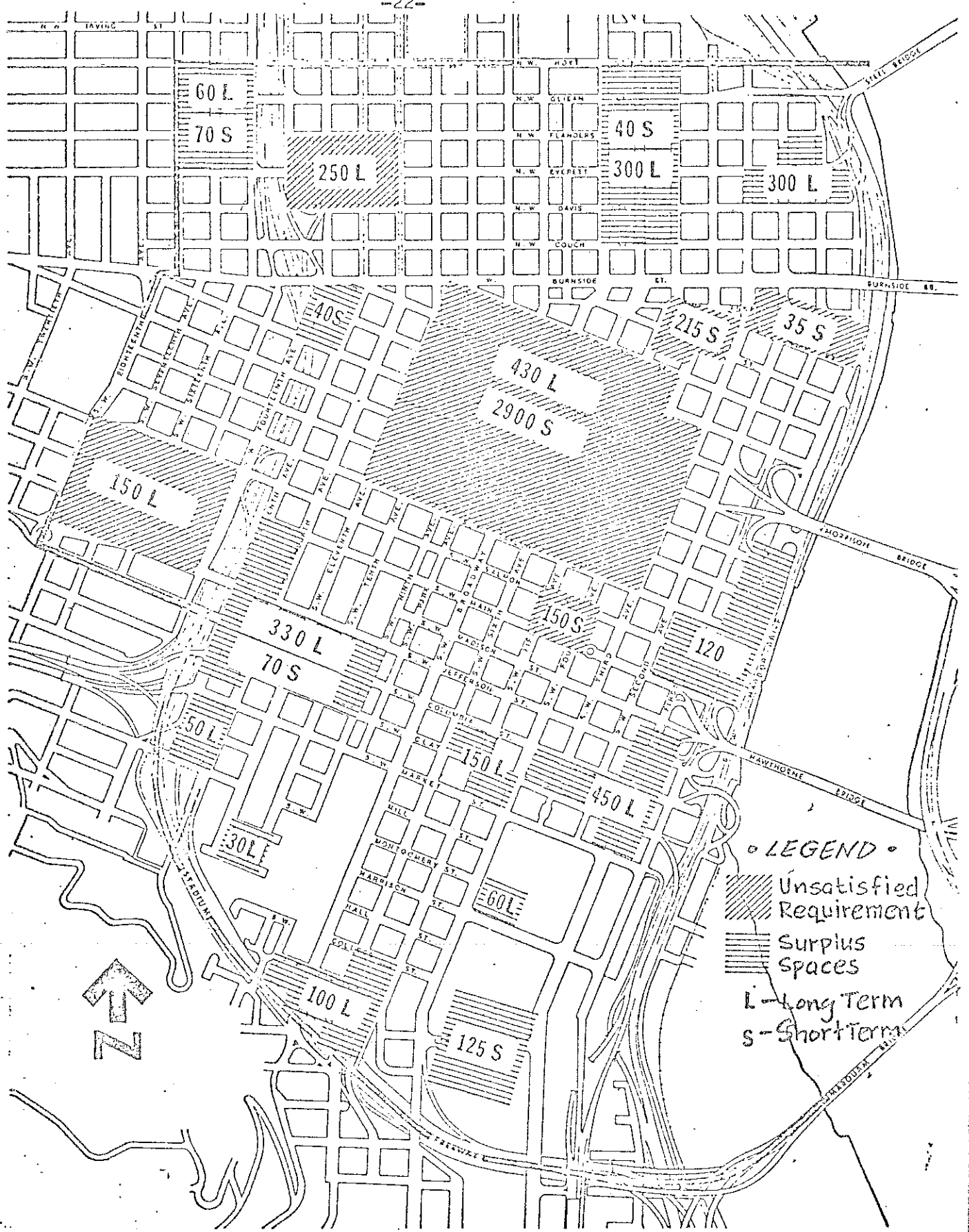


FIGURE 9
 Parking Surplus and Deficiency - 1972
 SOURCE: CITY OF PORTLAND, BUREAU OF TRAFFIC ENGINEERING (REF. 4)



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L. B. DAY
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Memorandum

TO: ENVIRONMENTAL QUALITY COMMISSION
FROM: Director
SUBJECT: Agenda Item No. J, July 27, 1972, EQC Meeting

Proposed Terminal Sales Building 152-Space, Two-level
Parking Facility

Background:

On July 17, 1972, the Department received the report, Technical Review No. P-4, from the Columbia-Willamette Air Pollution Authority which delineates their analysis of and recommendation for the proposed Terminal Sales Building (hereinafter referred to as "TSB") parking facility.

The proposed facility is to be located on the south half of the block bounded by S. W. Twelfth, S. W. Thirteenth, S. W. Morrison and S. W. Yamhill and near the Stadium Freeway (I-405) in downtown Portland.

The proposed project site is presently occupied by a surface parking lot with a rated capacity of 70 motor vehicles. The proposed two-level facility would provide 152 spaces of mixed long-term and short-term parking. It is intended in part to provide additional short-term parking capacity for the recently renovated Terminal Sales Building.

According to information available from the Portland Traffic Bureau, there are presently 130 total off-street and curb-parking spaces available on the block proposed for the construction site. Within three blocks of the proposed site there are 3267 off-street and curb-parking spaces available.

A parking study done in March, 1971, for the Portland Traffic Bureau shows that the present supply of approximately 39,000 spaces in downtown Portland exceeds the total demand by approximately 3200 spaces. In addition, the study indicates that within three blocks of the proposed TSB facility there are 40 surplus short-term spaces available. Within five blocks of the proposed site there are approximately 120 surplus long-term spaces available and 70 surplus short-term spaces available.

The Portland Planning Commission has granted approval for construction of the proposed parking facility upon the condition that it is also approved by the Columbia-Willamette Air Pollution Authority and the Department of Environmental Quality.

Analysis of the Proposed Parking Facility:

The Department has reviewed the environmental impact statement prepared for the proposed facility and the CWAPA Technical Review. The Department concurs with the findings of CWAPA delineated in Technical Review No. P-4, which has been attached, that the proposed parking facility is not in accordance with the EQC statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070.

A. Effect Upon Air Quality:

The environmental impact statement submitted for the proposed parking facility indicates that the following impacts upon air quality will probably occur if the facility is constructed:

1. Construction will result in an immediate net increase on the order of $2\frac{1}{2}\%$ in carbon monoxide emissions in the vicinity of the TSB.
2. At projected 1975 carbon monoxide emission levels, the facility would account for an additional 2% in emission levels for the vicinity.

According to calculations performed by the City of Portland as a basis for the development of a transportation control strategy, the 0.183 mile square grid, in which the TSB is located, will require an emission reduction of approximately 12% in 1975 emission levels to achieve compliance with ambient air standards for carbon monoxide. This is in addition to reductions anticipated from the Federal new car emission limitations and the proposed DEQ motor vehicle inspection program.

B. Effect Upon Noise Levels:

The environmental impact statement submitted for the proposed facility does not make any quantitative projections of noise levels for the facility. However, it does state that whatever increases in noise levels that do occur as a result of the operation of the proposed facility would probably be minor and that these increases would be obscure relative to the increased noise levels that will result from the four-

fold increase (23,500 to 90,000 ADT) in traffic volume expected on the Stadium Freeway (I-405) when the Fremont Bridge is opened and Harbor Drive is closed in mid-1973.

C. Adverse Effects Upon Water Quality or Solid Waste Management:

No adverse effect expected either during or after construction.

D. Visual Impact:

The architectural design of the facility is such that most of the parked cars would not be visible at street level. By comparison with the present surface parking lot, the proposed facility will make a positive visual contribution to the area.

E. Effect Upon the Quality of Life:

The addition of more parking spaces to the surplus of parking already existing in the vicinity of the TSB will probably increase the convenience of bringing motor vehicles to the area, thus:

1. Increasing the dependency of the urban dweller upon motor vehicles.
2. Decreasing the incentive to seek alternative modes of transportation to downtown Portland.
3. Hinder efforts to achieve and maintain acceptable air quality in vicinity of the TSB.
4. Possible interfere with development and full utilization of the planned mass transit corridors on S. W. Alder, S. W. Morrison and S. W. Twelfth and the pedestrian way on S. W. Twelfth Avenue.

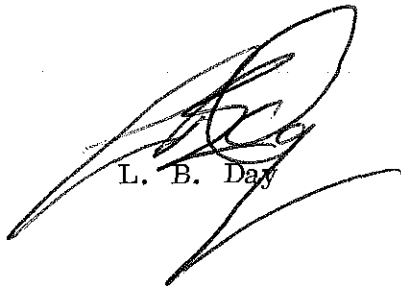
From this standpoint, the proposed facility could be deemed to have a negative impact upon the quality of life in the vicinity of the TSB and Portland in general.

Conclusions:

1. The proposed facility will increase carbon monoxide emissions in the vicinity of the TSB and will hinder efforts to achieve and maintain acceptable air quality in the area by 1975.
2. The proposed facility is not in accordance with the EQC statement of policy set forth in OAR Chapter 340, Sections 20-050 through 20-070.

Director's Recommendation:

In view of the fact that the proposed 152 space parking facility is not in accordance with applicable Department rules and regulations, I recommend that the Commission issue an Order prohibiting construction of the proposed facility.



L. B. Day

Technical Review - Parking Facility

No. P-4

152 Space Two Level Structure

TERMINAL SALES BUILDING

Proposed by

Ralph Schlesinger Company


Prepared For

Department of Environmental Quality

Prepared by

Technical Division
Columbia-Willamette Air Pollution Authority
7 July 1972

Approved by


John F. Kowalczyk
Technical Director

Technical Review - Parking Facility

Terminal Sales Building

Proposed by

Ralph Schlesinger Company

Background

On 17 May 1972 the Ralph Schlesinger Company filed a Notice to Construct a 152 space two level parking structure adjacent to the Terminal Sales Building (1220 SW Morrison Street). As the proposed facility is in an area of special concern, on 31 May 1972 Mr. Schlesinger was requested to have an environmental impact statement prepared. On 28 June 1972 CWAPA received the environmental impact statement prepared by F. Glen Odell, Consulting Engineer.

Technical Review of Environmental Impact Statement

A review has been made of the environmental impact statement for the proposed parking facility. It has been found that the impact statement fully discusses various aspects and impacts of the facility and contains sufficient facts upon which a judgement can be made as to whether the proposed facility is compatible with the DEQ parking facility rules. It has been concluded that the proposed facility is not compatible with the statement of policy in the DEQ parking facility rules. Therefore, it is recommended that the DEQ issue an order to prohibit construction.

Major technical facts upon which the above recommendation is based are as follows:

1. The proposed facility will hinder efforts to achieve and maintain acceptable air quality in the vicinity of the Terminal Sales Building. According to the impact statement, the proposed facility will increase carbon monoxide emissions in CWAPA grid 25 (See Technical Report 71-9A and 71-9B) by 2.5% in 1972.

According to the CWAPA approach of assessing air quality in the Portland Core area (CWAPA Technical Report 71-9A and 71-9B) grid 25 which includes the proposed parking facility land is presently in violation of carbon monoxide primary national ambient air standards. In discussions with the City of Portland as recently as 27 June 1972, it appears that developing a transportation control strategy in grid 25 to meet national ambient air standards by 1975 is most difficult due to the high projected traffic density on the Stadium Freeway when opened. At best, it appears that meeting air quality requirements by 1975 in grid 25 will be marginal. From an air quality standpoint it is clear that no further motor vehicles should be attracted to this area at least until air quality standards are achieved, even though long-range planning objectives condone perimeter parking adjacent to the downtown freeway loop.

2. The supply of parking facilities within a reasonable distance of the Terminal Sales Building (three blocks) is greater than the demand presently and through 1990 according to the City of Portland Bureau of Traffic Engineering study referred to in the impact statement. Providing additional supplies of parking in the vicinity of the Terminal Sales Building would be an added convenience, thus directly increasing the dependency of the urban dweller upon motor vehicles.

3. Development and full utilization of the planned mass transit ways on Alder and Morrison Streets and 12th Avenue and the pedestrian way on 12th Avenue (all within one block of the Terminal Sales Building) would conceivably be hindered by providing additional vehicle parking in the immediate vicinity. Also an unnecessary conflict between vehicles and the proposed 12th Avenue pedestrian transit way will also result as evident by the Portland Planning Commission's findings that access limitations to 12th Avenue may be imposed on the parking facility in question during peak hours.

4. The proposed parking facility is not located on land designated by the proposed downtown plan guidelines for establishment of additional parking.



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Memorandum

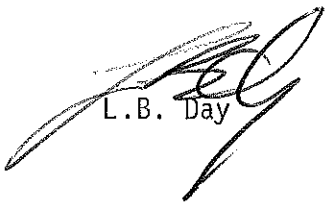
To: Environmental Quality Commission

From: Director

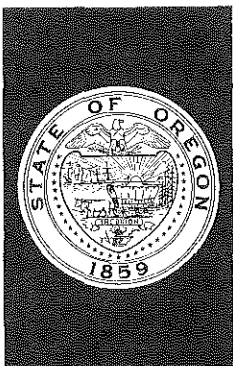
Subject: Agenda Item No. K, July 27, 1972, EQC Meeting

Ready-Mix Sand & Gravel, Milton-Freewater (Staff Report)

This item is being deleted from the agenda.


L.B. Day

KHS:vt
7/20/72



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MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item L, July 27, 1972, EQC Meeting

Chem-Nuclear Environmentally Hazardous Wastes
Disposal Site Application - Authority for Hearing

BACKGROUND

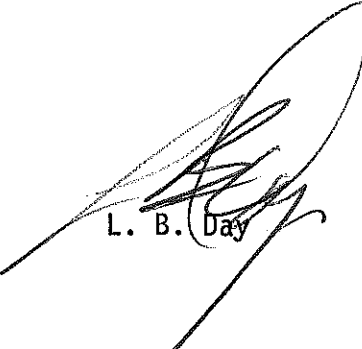
On June 7, 1972, Chem-Nuclear Services, Inc. submitted an application to the Department for a license to establish an environmentally hazardous waste disposal facility at a site located approximately six miles south of Arlington, Oregon. The application proposes establishment of a site for the disposal of low-level radioactive and non-radioactive chemical wastes. Currently the same site is used for storage of low-level radioactive wastes under license from the State Health Division. This application was submitted in accordance with the 60 day time limit prescribed by ORS 459 for such an existing site.

Copies of the application have been forwarded to the State Health Division, the State Fish and Game Commissions, the State Engineer, the Public Utility Commissioner and the Environmental Protection Agency for their review and recommendations. This Department has reviewed the application, and several deficiencies have been noted. The applicant has been notified of these deficiencies and has agreed to submit the necessary additional information on or before July 28, 1972.

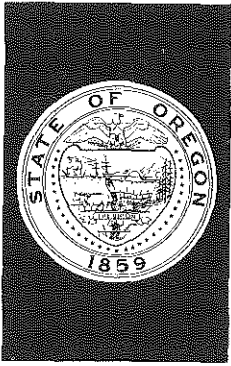
When this additional information has been received from Chem-Nuclear, the application will be considered complete and announcement of the required public hearing can then be made. As specified in ORS 459.550-560, a public hearing on the application is required to be held by the Commission in the county in which the site is located, i.e., Gilliam County, and the Commission shall cause notice of such hearing to be given. The hearing will provide the applicant, the public and any other parties an opportunity to present arguments regarding the license application and will also serve to gather further information which may assist in the Commission's decision concerning the application.

DIRECTOR'S RECOMMENDATION

It is recommended that the Commission authorize the Director to issue appropriate notice of public hearing on this application, such notice to be given on August 3, 1972 for a public hearing to be held September 5, 1972 at Arlington, Oregon. In addition, it is recommended that a special Commission meeting be scheduled for the purpose of conducting this hearing.


L. B. Day

PHW:mm
7-19-72



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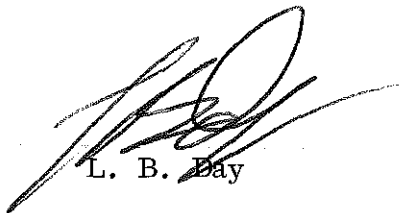
TO: ENVIRONMENTAL QUALITY COMMISSION

FROM: Director

SUBJECT: Agenda Item M for July 27, 1972 EQC Meeting

Air Quality Permit Regulations

A public hearing was held July 18, 1972, and the Hearings Officer's report will be submitted to the Commission for consideration prior to the meeting. Revised proposed air quality permit regulations will also be submitted to the Commission prior to the meeting.



L. B. Day

7/19/72 FAS

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY

In the Matter of the Hearing for
ADOPTION OF AIR CONTAMINANT DISCHARGE }
PERMIT REGULATIONS } HEARING OFFICER'S REPORT, FINDINGS,
SUMMARY AND RECOMMENDATIONS

To: Environmental Quality Commission

Pursuant to directive of the Environmental Quality Commission, the undersigned Hearings Officer, L. B. Day, conducted a public hearing on July 18, 1972, between the hours of 2:00 o'clock p.m. and 4:30 o'clock p.m. in the Second Floor Auditorium of the Public Service Building, Portland, Oregon, to consider any oral or written data, views and comments relative to the adoption of proposed regulations pertaining to air contaminant discharge permits.

Based upon the proposed rules and data and views submitted to me at said hearing, I have prepared the following:

FINDING OF FACT

1. Twenty-one (21) persons, representing themselves, industry, industry associations, agriculture, Regional Air Pollution Authorities, Seed Growers, Oregon Environmental Council, Coalition for Clean Air, presented oral testimony and statements are attached for those that also provided written statements.
2. Three written communications, also attached, were received from individuals who did not present oral testimony.
3. The staff report, as presented at the Hearing, is also attached.
4. A total of eighty-one persons signed the attached attendance sheets.

DISCUSSION OF SUBMITTED WRITTEN AND ORAL DATA AND OF THE PROPOSED RULES

1. Mr. John Neilson, representing the Oregon Environmental Council (written testimony attached) supported the role of the Department of Environmental Quality in reviewing permits as outlined in Section I. Additional provisions were suggested: (a) the regulations should include a provision that requires the Regional Air Pollution Authorities to promptly notify the Department of Environmental Quality of any permit holders that violate the terms of their permits; (b) the proposed regulations should outline procedures

for the revocation, suspension and modification of permits; (c) the procedures should authorize the Department of Environmental Quality to suspend or revoke any permit, including those issued by Regional Authorities, when necessitated by non-compliance, changes in emission or air quality standards, or other causes; (d) the Department of Environmental Quality and Regional Authorities should be authorized to immediately suspend or revoke any permit in the event of serious danger to public health and safety or serious damage to a resource; (e) information concerning emissions and the operation of the permit program be available for public inspection.

In consideration of the Environmental Council's testimony the following is offered: The adopted regulations "Procedures for Issuance, Denial, Modification and Revocation of Permits" provides the procedure for revocation of permits under Oregon law. The Regions have or will adopt similar procedural regulations.

A new section H (5) has been added which requires Regional Authorities to report to the Department of Environmental Quality on a quarterly basis, a list of those permittees that are currently in violation of their respective permits.

The emergency action regulation adopted on January 24, 1972 provides for actions relative to air quality levels of significance to public health and safety.

The public will have access to Department and Regional Authority records and a new Section C has been provided to assure adequate notice to interested parties when a permit application has been accepted for filing and is being reviewed for issuance.

2. Mr. Wilson Bump, representing himself, provided oral testimony discussing pollution, natural and man made, and the issue of field burning. The regulation of agricultural activities was opposed.

3. Mr. Thomas C. Donaca, representing Associated Oregon Industries, read a statement which is attached. Mr. Donaca expressed concern that the permit program would require so much time of the various agency staffs that their field work would suffer. Other comments made by him included: (a) application of the permit law should exempt a source from registration; (b) permits should be standardized as much as possible and not be as lengthy as the Water Quality Division's permits; (c) the section titled "Other Requirements" requiring the submission of plans and agency approval in all cases is too inflexible; (d) where the refunding of a fee is contemplated

such as in section E (10), it may be desirable to have the ability to waive the fee in advance, thereby eliminating the extra burden and effort of refunding same; (e) newly adopted standards which would cause sources operating under current and valid permits to be in non-compliance should not become effective until the existing permits can be modified by inclusion of an appropriate compliance schedule; (f) the proposed regulation should include provisions for temporary permits; (g) the SIC numbers contained in Table A should either be deleted or used for information purposes only; (h) should more than one permit be issued for a given source in a single year, the source should be subjected to only one Permit Compliance Determination Fee in that single year; (i) although agreeing that there must be conformity and consistency between the permits and permit programs of the Department of Environmental Quality and Regions, Section I (2) requiring all permits to be submitted to the Department of Environmental Quality by the Regions 14 days prior to issuance and the necessary response, causes some concern.

Mr. Donaca's written statement and oral views will now be considered in substance:

- (a) The permit regulation does accomplish the avoidance of duplication with the registration law as applicable.
- (b) The Permits will be standardized to the maximum extent practical.
- (c) The section "Other Requirements" has been extensively modified in consideration of Mr. Donaca's recommendation.
- (d) The section relating to the refund of the Application Investigation and Permit Issuing and Denying Fee has been modified in consideration of Mr. Donaca's recommendation.
- (e) The practice regarding the promulgation of new standards will consider the recommendation.
- (f) Provisions for the issuance of a temporary permit have been included in the regulation.
- (g) The SIC numbers contained in Table A are intended to be used mainly for guideline purposes.
- (h) The Permit Compliance Fee was intended to be an annual fee and clarification of this has been included in the regulation.
- (i) The regulation has been modified to provide for the issuance of a temporary permit should the Regional Authorities not be able to issue a permit within the time frame of the regulation or an existing permit.

4. Mrs. George VanLeeuwen provided written testimony which is attached. She was representing herself and 46 others in the agricultural field. The general content of the testimony from the various persons represented by Mrs. VanLeeuwen expressed concern for the amount of notice provided for the hearing and the time of year during which the hearing is being conducted. It was expressed that the amount of pollution from seed cleaning was minimal and fell on the farmer's own property.

The concern expressed by the seed cleaning and agricultural area has been considered and the following actions are incorporated: (a) the fees for seed cleaning listed in Table A of the regulation have, for the present, been reduced to zero; (b) a committee of representative persons will be selected to meet with the Department of Environmental Quality to develop an equitable fee schedule; (c) a public hearing will be scheduled after October 15, 1972 to allow further testimony regarding seed cleaning operations relating to the present situation.

5. Mr. J. Richards, representing LRAPA, presented oral testimony. He requested that the sections requiring the regions to obtain the Department of Environmental Quality approval prior to issuing permits be modified. He recommends that the section be removed and just have notice provided.

The section requiring the Department of Environmental Quality approval of all permits prior to their issuance has been reviewed in full consideration of this testimony and of others and the proposed language is considered to achieve the most uniform application of the proposed regulation and will not unreasonably inhibit the Regional Authorities in the carrying out of their responsibilities.

6. Mr. Mike Roach, representing Mid-Willamette Valley Air Pollution Authority, (written testimony attached) requested the section requiring the regions to obtain Department of Environmental Quality approval prior to the issuance of a permit be modified. Several modifications of the fees in Table A of the regulation were also recommended.

The discussion regarding Department of Environmental approval of all permits has been expressed previously. The recommendation for modification of certain fees in Table A has been considered and a number of fee reductions and modifications have been made.

7. Mr. R. Wilcox, representing Wilcox Feed and Seed, Inc. (no written testimony provided) expressed the opinion that the regulation was discriminatory against industry and should be on a broader base of the people.

The procedure to include greater input from the agricultural section has previously been stated.

8. Mr. Mike Huddleston, representing the Asphalt Pavement Association, (written testimony attached), recommended two modifications to the proposed regulation: (a) relating to the portable asphalt plant, some provision should be included to cover the situation of moving from one jurisdiction to another; and (b) relating to SIC numbers, rock crushers used in conjunction with asphalt plants should be considered as a single source.

The situation of a permit holder moving from one jurisdiction has been considered and a modification to the proposed regulation made by providing a new subsection F (11). The situation of the multiple use permit has been clearly detailed in the regulation by modifying D (1).

9. Mr. Pete Schnell, representing Publishers Paper Co., (no written testimony provided) recommended that integrated plants be issued a single permit by the Department of Environmental Quality and not have two areas within an integrated plant under different jurisdictions. He also endorsed the provision that the Department of Environmental Quality review and approve all permits proposed by the regions to assure the best total environmental effect.

10. Mrs. Hazel Stevens, representing herself, (no written testimony) recommended that the asphalt plants and rock crushers not be included under one permit, and that permits should refer back to zoning ordinances so as not to be in conflict.

The recommendation regarding asphalt plants and rock crushers is covered in the proposed regulation. The use of local zoning information in the issuance of permits will be considered by the Department; however, direct incorporation of zoning ordinances is not proposed at this time.

11. Mr. R. Hatchard, representing Columbia Willamette Air Pollution Authority, (written testimony attached) recommended several changes in the fee schedule as shown in Table A of the proposed regulation including changing the requirement that the region submit all permits to the Department of Environmental Quality for approval prior to issuance.

The recommendations of Mr. Hatchard have been considered in the revised permit rule.

12. Mrs. Nancy Stevens, representing the Coalition for Clean Air, (written testimony attached), expressed general agreement with the proposed regulation but wished to be kept advised of hearings or proposed changes in the regulation.

The modification of the regulation to include the Notice Policy, Section C, achieves the objective requested by Mrs. Stevens.

13. Mr. Dan Brown, representing the American Plywood Association, (no written statement provided) expressed support of the statement of Mr. Donaca and support of the uniformity to be achieved by the review and approval of all proposed Regional permits by the Department of Environmental Quality prior to issuance.

14. Mr. Stanley Cellers, representing Oregon Feed and Seed Supplies, (no written statement provided), expressed concern for multiple fees for each plant, recommended a grandfather clause and felt that agriculture was discriminated against by the system.

The action relating to this regulation and the agricultural interests have previously been discussed.

15. Mr. Scott Lamb, representing the Oregon Seed Council, (written testimony attached) expressed opposition to the regulation and the timing of the hearing. At the same time favor was expressed to maintain the Department of Environmental Quality approval of all permits of the regions prior to their issuance.

16. Mr. Don Wirth, representing himself, requested another hearing due to harvest season and additional notification.

17. Mr. Don Bowers, representing himself and the Oregon Rye Grass Association, expressed opposition to the regulation, the fees, the timing of the hearing and questioned what harm was being done by the dust.

18. Mr. Bert Harrison, representing the Seed Cleaners and Growers, requested seed cleaners be deleted from the permit regulation and felt that there was little pollution from seed cleaning.

19. Mr. Bob Lawrence, representing Mica Feed and Seed Company, requested that all control be with one agency and a committee be formed to set the fees.

20. Mr. Russ Chapin, representing Elliot Feed and Seed, said the dust was not harmful, the dust was heavy and settled on farmers own land, and that tests should only be run on the boundaries of the property.

21. Mr. Joe Spenner, representing himself and neighbors, stated the hearing was at a bad time and asked for another hearing in Salem.

22. Written testimony was submitted by Mr. David Nelson of the Oregon Farm Bureau. This testimony requests the seed cleaning plants be exempt from the regulation and that grain elevators at country shipping points, including small rural communities, be exempt.

The discussion of the seed cleaning industry has been previously stated. In consideration of the location of the country shipping points, a modification has been included in Table A to exempt these locations to some extent.

23. Written testimony has been submitted by Dr. Robert Gay, representing OSPIRG, favoring the procedure whereby the Department of Environmental Quality reviews individual permits to be granted by regional authorities.

24. Written testimony has been submitted by Dr. Robert Cole representing the Sheridan Grain Company, objecting to the regulation proposed by the Department of Environmental Quality as unreasonable and detrimental to the existence of his business.

SUMMARY

The testimony presented, both written and oral, has requested consideration of a number of points in the proposed regulation. The modified regulation which considered the testimony is attached. The hearing draft of the proposed regulation is also attached for reference. A summary of the modifications made in the proposed regulation is as follows:

1. Section C - A notice policy has been included as a new section.
2. Section D (1) - Language has been added clarifying which air contaminant sources are required to have permits.
3. Section F (1) - Clarification has been added to the annual aspect of the Permit Compliance Determination Fee.
4. Section F (10) - Procedures for allowing the permittee not to submit the Application Investigation and Permit Issuing or Denying Fee upon written notice from the applicable authority have been included.
5. Section F (11) - Procedures relating to the relocation of an air contaminant source from one jurisdiction to another have been included.

6. Section F (12) - The handling of the fees for a temporary permit has been clarified.

7. Section R (1) - Clarification of the Notice of Construction requirements has been attempted.

8. Section H (2) - Flexibility as to the requirement for the submission of plans was included.

9. Section J (3) - Procedures for the issuance of a temporary permit have been included.

10. Table A - Clarification of the annual nature of the Annual Permit Compliance Determination Fee and some changes in the individual fees have been made as indicated.

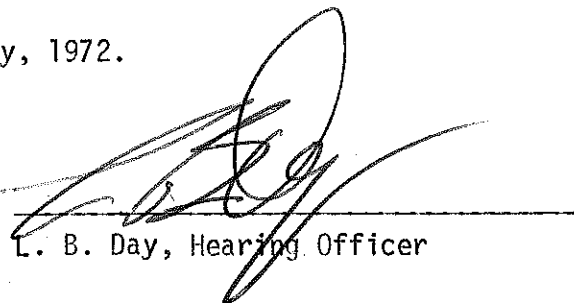
11. Consideration of the agricultural interest testimony was made including:

- (a) exclusion of the grain mill products and grain elevators located outside of special control areas.
- (b) recommendation to further review the seed cleaning source to establish the fee schedule.

RECOMMENDATION

It is the recommendation of the Hearing Officer that the proposed regulation as now presented in the attached July 26, 1972 draft be approved by the Environmental Quality Commission.

Dated this 26th day of July, 1972.



L. B. Day, Hearing Officer

REGULATIONS PERTAINING TO
AIR CONTAMINANT DISCHARGE PERMITS
July 26, 1972

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

A. PURPOSE

The purpose of these regulations is to prescribe the requirements and procedures for obtaining Air Contaminant Discharge Permits pursuant to Chapter 406, Oregon Laws 1971 for stationary sources.

B. DEFINITIONS

As used in these regulations unless otherwise required by context:

(1) "Department" means Department of Environmental Quality.

(2) "Commission" means Environmental Quality Commission.

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

(4) "Permit" or "Air Contaminant Discharge Permit" means a written permit issued by the Department or Regional Authority in accordance with duly adopted procedures, which by its conditions authorizes the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations or prohibitions.

(5) "Regional Authority" means the Columbia-Willamette Air Pollution Authority, Mid-Willamette Valley Air Pollution Authority, or Lane Regional Air Pollution Authority.

C. NOTICE POLICY

It shall be the policy of the Department of Environmental Quality and the Regional Authorities to issue public notice as to the receipt of an application within 15 days after the application is accepted for filing. The public notice shall allow 30 days for written comment from the public and from interested State and Federal agencies.

D. PERMIT REQUIRED

(1) Air contaminant discharge permits shall be obtained for the air contaminant sources, including those processes and activities directly related or associated thereto which are listed in Table A, appended hereto and incorporated herein by reference, in accordance with the schedules set forth in subsections (2), (3), (4), and (5) of this section.

(2) No person shall construct, install, establish, develop or operate any new air contaminant source listed in Table A appended hereto without first obtaining a permit from the Department or Regional Authority.

(3) After January 1, 1973, no person shall operate any air contaminant source (a) through (l) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

(4) After July 1, 1973, no person shall operate any air contaminant source (m) through (hh) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

(5) After January 1, 1974, no person shall operate any air contaminant source (ij) through (uu) as listed in Table A appended hereto, or discharge, emit or allow any air contaminant from said source except as may be authorized by a currently valid permit from the Department or Regional Authority.

E. MULTIPLE-SOURCE PERMIT

When a single site includes more than one of the air contaminant sources listed in Table A, a single permit may be issued including all sources located at the site. Such permits shall separately identify by subsection each air contaminant source included from Table A. Applications for multiple-source permits will not be received by the Department or Regional Authority for processing without prior written agreement between the permit issuing agency and the applicant concerning the overall merit of issuing a multiple-source permit for the site under consideration.

(1) When a single air contaminant source, which is included in a multiple-source permit, is subject to permit modification, revocation, suspension or denial, such action by the Department or Regional Authority shall only affect that individual source without thereby affecting any other source subject to that permit.

(2) When a multiple-source permit includes air contaminant sources subject to the jurisdiction of the Department and a Regional Authority, the Department may require that it shall be the permit issuing agency. In such cases, the Department and the Regional Authority shall otherwise maintain and exercise all other aspects of their respective jurisdictions over the permittee.

F. FEES

(1) All persons required to obtain a permit shall be subject to a three-part fee consisting of a uniform non-refundable Filing Fee of \$25.00, a variable Application Investigation and Permit Issuing or Denying Fee and a variable Annual Permit Compliance Determination Fee. The amount equal to the Filing Fee and the Application Investigation and Permit Issuing or Denying Fee shall be submitted as a required part of the application. The Annual Permit Compliance Determination Fee shall be paid prior to issuance of the actual permit.

(2) The fee schedule contained in the listing of air contaminant sources listed in Table A appended hereto shall be applied to determine the variable permit fees.

(3) The Filing Fee and Application Investigation and Permit Issuing or Denying Fee shall be submitted with each application for a new permit, modified permit, or renewed permit.

(4) Modifications of existing, unexpired permits which are instituted by the Department or Regional Authority due to changing conditions or standards, receipts of additional information or any other reason pursuant to applicable statutes and do not require re-filing or review of an application or plans and specifications shall not require submission of the Filing Fee or the Application Investigation and Permit Issuing or Denying Fee.

(5) Applications for multiple-source permits received pursuant to Section E shall be subject to a single \$25.00 Filing Fee. The Application Investigation and Permit Issuing or Denying Fee and Annual Permit Compliance Determination Fee for multiple-source permits shall be equal to the total amounts required by the individual sources involved, as listed in Table A.

(6) At least one Annual Permit Compliance Determination Fee shall be paid prior to final issuance of a permit. Thereafter, the Annual Permit Compliance Determination Fee shall be paid at least 30 days prior to the start of each subsequent permit year. Failure to timely remit the Annual Permit Compliance Determination Fee in accordance with the above shall be considered grounds for not issuing a permit or revoking an existing permit.

(7) If a permit is issued for a period less than one (1) year, the applicable Annual Permit Compliance Determination Fee shall be equal to the full annual fee. If a permit is issued for a period greater than 12 months, the applicable Annual Permit Compliance Determination Fee shall be prorated by multiplying the Annual Permit Compliance Determination Fee by the number of months covered by the permit and dividing by twelve (12).

(8) In no case shall a permit be issued for more than five (5) years.

(9) Upon accepting an application for filing, the Filing Fee shall be considered as non-refundable.

(10) The Application Investigation and Permit Issuing or Denying Fee need not be submitted upon notice in writing by the permit issuing agency or shall be refunded when submitted with applications for modified or renewed permits if the following conditions exist:

- (a) The modified or renewed permit is essentially the same as the previous permit.
- (b) The source or sources included are in compliance with all conditions of the modified or renewed permit.

(11) When an air contaminant source which is in compliance with the rules of a permit issuing agency relocates or proposes to relocate its operation to a site in the jurisdiction of another permit issuing agency having comparable control requirements, application may be made and approval may be given for an exemption of the Application Investigation and Permit Issuing or Denying Fee. The permit application and the request for such fee reduction shall be accompanied by (1) a copy of the permit issued for the previous location, and (2) certification that the permittee proposes to operate with the same equipment, at the same production rate, and under similar conditions at the new or proposed location. Certification by the agency previously having jurisdiction that the source was operated in compliance with all rules and regulations will be acceptable should the previous permit not indicate such compliance.

(12) If a temporary or conditional permit is issued in accordance with adopted procedures, fees submitted with the application for an air contaminant discharge permit shall be retained and be applicable to the regular permit when it is granted or denied.

(13) All fees shall be made payable to the permit issuing agency and shall be deposited in the State Treasury by the Department of Environmental Quality to the credit of the Department of Environmental Quality Air Emission Permit Account which is continuously appropriated for the purpose of funding the air contaminant discharge permit program covered by these regulations.

G. PROCEDURES FOR OBTAINING PERMITS

Submission and processing of applications for permits and issuance, denial, modification, and revocation of permits shall be in accordance with duly adopted procedures of the permit issuing agency.

H. OTHER REQUIREMENTS

(1) No person shall construct, install, establish, modify or enlarge any air contaminant source listed in Table A or facilities for controlling, treating, or otherwise limiting air contaminant emissions from air contaminant sources listed in Table A without notifying the permit issuing agency as required by ORS 449.712 and rules promulgated thereunder.

(2) Prior to construction, installation, establishment, modification or enlargement of any air contaminant source listed in Table A or facilities for controlling, treating, or otherwise limiting air contaminant emissions from air contaminant sources listed in Table A, detailed plans and specifications shall be submitted to and approved in writing by the Department or Regional Authority upon request as required by ORS 449.712 and rules promulgated thereunder.

I. REGISTRATION EXEMPTION

Air contaminant sources constructed and operated under a permit issued pursuant to these regulations may be exempted from Registration as required by rules adopted pursuant to ORS 449.707.

J. PERMIT PROGRAMS FOR REGIONAL AIR POLLUTION CONTROL AUTHORITIES

Subject to the provisions of this section J, the Environmental Quality Commission authorizes each Regional Authority to issue air contaminant discharge permits for air contamination sources within its jurisdiction.

(1) A regional Authority's permit program, including proposed permits and proposed revised permits, shall be submitted to the Environmental Quality Commission for review and approval prior to final adoption by the Regional Authority. All permits issued by a Regional Authority shall by its conditions authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations, or prohibitions.

(2) All permits proposed to be issued or revised by a Regional Authority shall be submitted to the Department of Environmental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) day period, the Department shall give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. If the Department does not make any such objection, the proposed permit or revised permit may be issued by the Regional Authority.

(3) If as a result of objection by the Department regarding a proposed or revised permit, the Regional Authority is unable to meet the time provisions of either this regulation or those contained in an existing permit, the Regional Authority shall issue a temporary permit for a period not to exceed 90 days.

(4) The Regional Authority shall give written notice to the Department of its intention to deny an application for a permit, not to renew a permit, or to revoke or suspend any existing permit.

(5) A copy of each permit issued by a Regional Authority pursuant to this section shall be promptly submitted to the Department.

(6) The Regional Authority shall prepare and submit to the Department a summary listing of air contaminant sources currently in violation of issued permits. These reports shall be made on a quarterly basis commencing April 1, 1973.

TABLE A - AIR CONTAMINANT SOURCES AND
ASSOCIATED FEE SCHEDULE

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|-----|-------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (a) | Asphalt production by distillation | 2951 | 75 | 50 |
| (b) | Asphalt blowing plants | 2951 | 100 | 75 |
| (c) | Asphaltic concrete paving plants | 2951 | 100 | 100 |
| (d) | Asphalt felts and coating | 2952 | 150 | 100 |
| (e) | Calcium carbide manufacturing | 2819 | 225 | 150 |
| (f) | Alkalies and chlorine manufacturing | 2812 | 225 | 175 |
| (g) | Nitric acid manufacturing | 2819 | 100 | 75 |
| (h) | Ammonia manufacturing | 2819 | 200 | 125 |
| (i) | Secondary lead smelting | 3341 | 225 | 175 |
| (j) | Rendering plants | 2094 | 150 | 100 |
| (k) | Coffee roasting | 2095 | 100 | 75 |
| (l) | Sulfite pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (m) | Grain mill products located in <u>Special Control Areas</u> | 2041 2042 | | |
| | <u>10,000 or more T/yr.</u> | | 250 | 150 |
| | <u>less than 10,000 T/yr.</u> | | 50 | 50 |

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|-----|-------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (n) | <u>Grain elevators located in Special Control Areas</u> | 4221 | | |
| | <u>20,000 or more T/yr.</u> | | 150 | 100 |
| | <u>less than 20,000 T/yr.</u> | | 50 | 50 |
| (o) | Redimix concrete | 3273 | 75 | 50 |
| (p) | Plywood manufacturing | 2432 | 150 | 100 |
| (q) | Veneer manufacturing (not elsewhere included) | 2434 | 75 | 75 |
| (r) | Particleboard manufacturing | 2492 | 300 | 150 |
| (s) | Hardboard manufacturing | 2493 | 200 | 100 |
| (t) | Charcoal manufacturing | 2861 | 200 | 100 |
| (u) | Battery separator manufac- turing | 2499 | 75 | 50 |
| (v) | Furniture and Fixtures 100 or more employees | 2511 | 125 | 100 |
| (w) | Glass manufacturing | 3231 | 100 | 75 |
| (x) | Cement manufacturing | 3241 | 300 | 150 |
| (y) | Lime Manufacturing | 3274 | 150 | 100 |

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determination Fee</u> |
|------|------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------|
| (z) | Gray iron and steel foundries | 3321 3323 | | |
| | 3,500 or more tons per year production | | 300 | 150 |
| | less than 3,500 tons per year production | | 100 | 100 |
| (aa) | Steel works, rolling and finishing mills | 3312 | 300 | 175 |
| (bb) | Incinerators (not elsewhere included) more than 2,000 pounds per hour capacity | | 100 | 100 |
| (cc) | Fuel burning equipment (not elsewhere included) | 4961 | | |
| | Residual oil 5 million or more btu per hour (heat input) | | 100 | 50 |
| | Wood fired 5 million or more btu per hour (heat input) | | 100 | 50 |
| (dd) | Primary smelting and refining of ferrous and non-ferrous metals not elsewhere classified | 3313 3339 | | |
| | 2,000 or more tons per year production | | 300 | 175 |
| | less than 2,000 tons per year production | | 100 | 75 |
| (ee) | Synthetic resin manufacturing | 2821 | 100 | 100 |
| (ff) | Seed cleaning located in <u>Special Control Areas</u> (not elsewhere included) | 0719 | <u>0</u> | <u>0</u> |

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (gg) | Kraft pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (hh) | Primary aluminum production | 3334 | 300 | 175 |
| (ii) | Industrial inorganic and organic chemicals manufac- turing (not elsewhere inc.) | 2810 | 250 | 125 |
| (jj) | Sawmill and planing | 2421 | | |
| | <u>25,000 or more bd.ft/shift</u> | | 75 | 50 |
| | <u>less than 25,000 bd.ft/shift</u> | | <u>25</u> | <u>25</u> |
| (kk) | Mill work | 2431 | 75 | 50 |
| (ll) | Furniture and fixtures less than 100 employees | 2511 | 75 | 50 |
| (mm) | <u>Minerals, earth, and rock ground or otherwise treated (not elsewhere included)</u> | 3295 | 100 | 75 |
| (nn) | Brass and bronze foundries | 3362 | 75 | 50 |
| (oo) | Aluminum foundries <u>(not elsewhere included)</u> | 3361 | 75 | 50 |
| (pp) | Galvanizing | 3479 | 75 | 50 |
| (qq) | Smoke houses | 2013 | 75 | 50 |
| (rr) | Herbicide manufacturing | 2879 | 225 | 175 |

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Annual Permit Compliance Determina- tion Fee</u> |
|------|------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| (ss) | Building board mills (not <u>elsewhere</u> included) | 2661 | 150 | 100 |
| (tt) | Incinerators (not <u>elsewhere</u> included) 2,000 to 400 pounds per hour capacity | | 75 | 75 |
| (uu) | Fuel burning equipment (not <u>elsewhere</u> included) | 4961 | | |
| | Residual oil less than 5 million btu per hour (heat input) | | <u>25</u> | <u>25</u> |
| | Distillate oil 5 million or more btu per hour (heat input) | | <u>25</u> | <u>25</u> |
| | Wood fired less than 5 million btu per hour (heat input) | | <u>25</u> | <u>25</u> |

Rainier, Oregon
Review
(Cir. W-1,000)
JUL 6 - 1972

Allen's P.C.B. Est. 1888

Public Hearing Set on Contamination

PUBLIC HEARING SET
A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.
The regulations proposed by the Dept. of Environmental Quality will bring 46 different classes of air pollutants to coffee roasting into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the DEQ, 1234 SW Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is in the auditorium on the second floor of the Public Service Bldg, 920 SW Sixth, Portland. Hearing officer will be DEQ Director L. B. Day.

McMinnville, Oregon
News-Register
(Cir. 2xW 4,835)

JUL 5 - 1972

Allen's P.C.B. Est. 1888

Air contaminant hearing scheduled for Portland

A public hearing on determination as to permit regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th, Portland. Hearing officer will be DEQ Director L. B. Day.

Coos Bay, Oregon
Empire Builder
(Cir. W 1,579)

JUL 6 - 1972

Allen's P.C.B. Est. 1888

DEQ Proposes Air Discharge

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a 3-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S. W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is

Astoria, Oregon
Columbia
(Cir. 3,000)

JUL 6 - 1972

Allen's P.C.B. Est. 1888

Polluter Permits Hearing Set

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th, Portland. Hearing officer will be DEQ Director L.B. Day.

Or. Statesman

7/18/72

DEQ to Hear Area Argument

An argument against over-centralization of responsibility in the fight against air pollution will be presented by Mid-Willamette Valley Air Pollution Authority Director Michael D. Roach at a hearing in Portland today.

The hearing is to be conducted by the Department of Environmental Quality starting at 2 p.m. in the Public Service Building, 920 SW 6th Ave.

Subject of the hearing involves pending rules under

which classifications of industries would be required to apply for permits within time limits.

Industry representatives are expected to attend in large numbers.

Roach told The Statesman Monday that aspects of the pending permit rules detract from the responsibilities of such regional pollution agencies as his.

The Mid-Valley Authority operates in Marion, Polk, Linn, Benton and Yamhill counties.

He said he will make a pitch for "more local government involvement than DEQ proposes."

OREGON

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PORTLAND

Seattle

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A.O.I. News Digest

Portland, Oregon

JUL - 1972

AIR CONTAMINANT PERMIT HEARING

812
Department of Environmental Quality is conducting a public hearing on adoption of regulations and standards relating to air contaminant discharge permits at 2 p.m. Tuesday, July 18, in the Second Floor Auditorium, Public Service Bldg., 920 S.W. Sixth Ave., Portland. Director L.B. Day will be hearings officer. Those unable to appear at the hearing can submit written testimony to the Office of the Director, Air Quality Control Division, 1234 S.W. Morrison St., Portland 97205.

Tom Donaca, Local Government Director

CITY-COUNTY CONSOLIDATION PROGRESS REPORT

JUN 28 1972

Allen's P.C.B. Est. 1888

Air Contaminant Hearing Planned

PORTLAND — A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison St., Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

The hearing will be in the auditorium on the second floor of the Public Service Building, 920 SW Sixth, Portland. Hearing officer will be DEQ Director L. B. Day.

JUN 29 1972

Allen's P.C.B. Est. 1888

Air pollution hearing set on permit system

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th, Portland. Hearing officer will be DEQ Director L. B. Day.

JUN 29 1972

Allen's P.C.B. Est. 1888

Public Hearing Is Scheduled

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S. W. Morrison St., Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S. W. 6th, Portland. Hearing officer will be DEQ Director

JUN 29 1972

Allen's P.C.B. Est. 1888

DEQ Will Hold Public Hearing

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m., July 18 in Portland. Hearing officer will be DEQ Director L. B. Day.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th, Portland. Hearing officer

Salern, Oregon
Oregon Statesman
(Cir. D 38,)

JUN 24 1972

Allen's P.C.B. Est. 1822

EQ Hearing 812

PORTLAND, Ore. (AP)—
The State Department of
Environmental Quality
(DEQ) will hold a public
hearing July 18 on a pro-
posed regulations that would
result in a uniform statewide
permit system for air contaminant
discharge permits.

Portland, Oregon
Oregon Journal
(Cir. D 137,881)

JUN 27 1972

Allen's P.C.B. Est. 1822

Uniform Pollution Rule Asked

A uniform statewide permit system for controlling 46 different classes of air pollutants would be established by regulations proposed by the State Department of Environmental Quality.

The regulations will be considered at a public hearing set at 2 p.m. July 18 in the auditorium of the Public Service Building, 920 SW 6th Ave., Portland.

UNDER the proposed rules, existing pollutant sources, which range from asphalt plants to coffee roasting facilities, will be phased into the permit system over an 18-month period. After the regulations are adopted, new potential pollution sources or modifications to present plant facilities require permits from DEQ before construction begins.

In the proposal is a three-stage fee system. Fees are charged for filing a permit application, for investigation before permit issuance or denial and for monitoring to assure permit compliance.

APPLICANTS must submit detailed plans and specifications with their applications, either to DEQ or to the appropriate regional air pollution control authority.

Copies of the proposed regulations are available from the

Uniform Pollution Rule Asked

A uniform statewide permit system for controlling 46 different classes of air pollutants would be established by regulations proposed by the State Department of Environmental Quality.

The regulations will be considered at a public hearing set at 2 p.m. July 18 in the auditorium of the Public Service Building, 920 SW 6th Ave., Portland.

UNDER the proposed rules, existing pollutant sources, which range from asphalt plants to coffee roasting facilities, will be phased into the permit system over an 18-month period. After the regulations are adopted, new potential pollution sources or modifications to present plant facilities require permits from DEQ before construction begins.

In the proposal is a three-stage fee system. Fees are charged for filing a permit application, for investigation before permit issuance or denial and for monitoring to assure permit compliance.

APPLICANTS must submit detailed plans and specifications with their applications, either to DEQ or to the appropriate regional air pollution control authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 SW Morrison St., Portland. Comments may be submitted either in writing to DEQ or orally at the public hearing.

Portland, Oregon
The Oregonian
(Cir. D 241,670)

JUN 24 1972

Allen's P.C.B. Est. 1822

Hearing due on permits

The Department of Environmental Quality has scheduled a public hearing on regulations for air contaminant discharge permits. The regulations proposed will bring into a uniform statewide control system 46 different classes of contaminants, ranging from asphalt plants to coffee roasting.

Copies of the regulations are available from the Department of Environmental Quality, 1234 SW Morrison St. Comments may be submitted either in writing to DEQ or orally at the hearing.

The meeting will be at 2 p.m. July 18 in the Public Service Building, 920 SW 6th.

Uniform Pollution Rule Asked

A uniform statewide permit system for controlling 46 different classes of air pollutants would be established by regulations proposed by the State Department of Environmental Quality.

The regulations will be considered at a public hearing set at 2 p.m. July 18 in the auditorium of the Public Service Building, 920 SW 6th Ave., Portland.

UNDER the proposed rules, existing pollutant sources, which range from asphalt plants to coffee roasting facilities, will be phased into the permit system over an 18-month period. After the regulations are adopted, new potential pollution sources or modifications to present plant facilities require permits from DEQ before construction begins.

In the proposal is a three-stage fee system. Fees are charged for filing a permit application, for investigation before permit issuance or denial and for monitoring to assure permit compliance.

APPLICANTS must submit detailed plans and specifications with their applications, either to DEQ or to the appropriate regional air pollution control authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 SW Morrison St., Portland. Comments may be submitted either in writing to DEQ or orally at the public hearing.

JUN 29 1972

JUN 24 1972

JUN 24 1972

JUL 2 - 1972

JUN 24 1972

Allen's P.C.B. Est. 1888

Allen's P.C.B. Est. 1888

Allen's P.C.B. Est. 1888

Allen's P.C.B. Est. 1888

Allen's P.C.B. Est. 1888

DEQ Will Hold Public Hearing

Air quality rules due public airing

DEQ hearing

Air contaminant rules due airing

Hearing set on regulations for permits

A public hearing on regulations for air contaminant discharge permits is set for 2 p.m., July 18 in Portland.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison Street, Portland. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th, Portland. Hearing officer will be DEQ Director L.B. Day.

PORTLAND, Ore. (AP) — A public hearing on proposed regulations that would result in a uniform statewide system for air contaminant discharge permits will be held by the State Department of Environmental Quality July 18.

The hearing is scheduled to begin at 2 p.m. at the Public Service Building auditorium, 920 SW 6th. L. B. Day, the department's director, will be the hearing officer.

The regulations proposed by the department will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half.

New or modified sources will require permits as soon as the regulations are adopted. Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

The Department of Environmental Quality has scheduled a public hearing at 2 p.m. July 18 on regulations covering air contaminant discharge permits. The hearing will be held in the Public Service Building, 920 SW Sixth Ave. The proposed regulations will provide a uniform statewide control system for 46 classes of contaminants.

PORTLAND—A public hearing on regulations for air contaminant discharge permits is set for 2 p.m. July 18 here.

The regulations proposed by the Department of Environmental Quality will bring 46 different classes of air pollutants, ranging from asphalt plants to coffee roasting, into a uniform statewide permit system. Existing sources will be phased in over a year and a half. New or modified sources will require permits as soon as the regulations are adopted.

Included in the proposal is a three-stage fee system. Charges will be made for filing, for application investigation resulting in either issuance or denial of a permit, and for determination as to permit compliance.

Detailed plans and specifications would be submitted with application forms for review and approval to either DEQ or to the appropriate regional air pollution authority.

Copies of the proposed regulations are available from the Department of Environmental Quality, 1234 S.W. Morrison. Comments may be submitted either in writing to DEQ or orally at the time of the hearing.

Location of the hearing is the auditorium on the second floor of the Public Service Building, 920 S.W. 6th. Hearing officer will be DEQ Director

JULY 18, 1972

PLEASE SIGN

HEARINGS ON PROPOSED PERMIT REGULATIONS FOR AIR CONTAMINANT SOURCES - PORTLAND - FPEL Auditorium

| Name | Address | Organization |
|----------------------|------------------------------------------|------------------------------------------|
| Don Butler | 140 SW Columbia | KOIN-TV |
| Paul H. Hanson | PO BOX 22122 | KYXI Radio |
| Joe Spaw... | Stoughton, Oregon Rental Box 277 | Mission County Fairness & Justice |
| Arnold W. Vapthandol | Stoughton R1 Box 277 | Zanaco |
| Margaret Van Handel | Sublimity, Oregon | Zanaco |
| Christine Van Handel | Sublimity, Oreg | Zanaco |
| John D HARTUP | 97208 P.O. Box 5068 Portland | Standard Oil |
| H. H. ECKERT | 97208 P.O. Box 4424 PORTLAND | CHEVRON ASPHALT Co. |
| James R. BEATY | 1200 6th Ave Seattle | EPA, Region X |
| Quelby Scott Ferris | 515 Pioneer Street Bldg Salem, Ore. | Martin Marietta Alumin. |
| R.W. Caspell | PORTLAND, ORE 3640 N.W. St. Helens Rd | TEXACO Inc. |
| E.L. Miller | 11 S. E. Madison St. Portland, Oregon | Oregon Portland Cement |
| R. A. Osborne | 1101 NW Hoyt St. Portland | Burlington Northern |
| Ricardo REID | Covele's 1100 Western Ave | CARM/HELL |
| W. N. Greely | 8th N Columbia Blvd | Rich Men Co |
| Raymond Stevens | 49th St Portland, Ore | Medias Pines |
| PETER SCHWELL | 419 Main OREGON CO | PUBLISHERS PAPER Co. |
| Tim DONNER | 2127 SW Main Portland 97205 | Petrol Assoc OREGON 112205 TR 18 J |

PLEASE SIGN

| Name | Address | Organization |
|------------------|----------------------------------------------------------------------|---------------------------|
| JOHN R. NEWSON | 3005 N.W. Washington | NEWSON CONSULTING COUNCIL |
| Nancy E. Stevens | 4334 S.W. Washouga | Coalition For Clean Air |
| E. J. Nance | 615 31 st Street | Milwaukee Plywood |
| G. J. Nance | RT1 Box 985 Bay City | Oxy. Wash Ply Co. |
| W. H. FERRY | 5500 SW 1 st AVE PORTLAND | COLUMBIA PLYWOOD |
| J. K. Reed | PO Box 2723 ^{Portland} OR 97208 | Hercules Inc. |
| W. Hanson | 1010 NE Couch | Col. Will. APA. |
| BE Hutchins | " | " |
| J. B. Richards | 777 High St Eugene | LANE REGIONAL AIR |
| Emory J. Crofoot | 1010 NE Couch St Portland - Oregon 1618 - SW 1 st . | CWAPA |
| WERNER GARRISCH | PORTLAND | SWAN-WOOSTER ENGR. |
| William GOLDBACH | 14785 SW 104 th TIGARD | PP & L ENVIRON. ENGR |
| Richard Imper | P.O. Box 205 Harrisburg Oregon | Moyer Bros Inc |
| Mike Roach | 2575 State St. SE Salem | MWJAPA |
| Joseph Cole | 280 SE Cannon Portland | Lone Star Industries |
| K. T. Brown | St. Helens Ore. P.O. Box 335 | Muller and Plywood |
| L. R. Runtz | Heston City | Muller and Plywood |
| Lyle McDonald | Portland Oregon | Linnerton Plywood |

PLEASE SIGN

| Name | Address | Organization |
|---------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------|
| Harold C. Schaffler Everett Cutler | 1146 So th 8 th St. Cottage Cove - Bohemia Twp. | Oregon Railroad Assn. |
| Clinton D. Namensky | Rt 1 Box 78 Sublimity | Farmer |
| Leonard Daeyler | Rt 1 Box 74A Sublimity | Farmer |
| Bob Harrison | Rt 1 Box 447 Amity | Farmer |
| D.V. Hitchcock | Rt #1 Box 76 Sublimity | " |
| E. J. Ambrose | Box 03221 PTLD. | CON MET INC. |
| C. A. Goady | Tillamook Or | Tillamook Veneer |
| J. F. Hannaford | Tillamook Or - e | Tillamook Veneer |
| M. C. Thompson | Shell Ore | Thompson's Milk Co. |
| Anthony Meeker | Amity, Ore. | Burlington Meeker Co. Citizens Advisory Council |
| Bill Aschoff | Albany Oregon | M. W. WAPA |
| Tom [unclear] | ALBANY, OREGON | TELEDYNE WAH CHANG ALBANY |
| Oscar Gustafson | Harrisburg Or | Farmer |
| Paul Robinson | Eugene, Ore. | Farmer |
| Roy B. Wilcox | Harrisburg, Or | Warehousing |
| David Norberg | LEWIS & CLARK ORC. | NOFZIGER SEED CO. LEWIS & CLARK |
| Rowson H. Chapman | Perrydale Or | Essert Food & Seeds Rt. 1, Box 145-3 Amity |

PLEASE SIGN

Name

Address

Organization

| Name | Address | Organization |
|---------------------------|------------------------------------------------------------------|----------------------------------------------------------|
| E.H. Enge | Yamhill, Ore 97148 | Zimmerman Grain Co |
| Edson Paul | P.O. Box 158, Curwens | Curwens Feed Store, Inc Curwens, Ore |
| Wald | 6 | |
| Robert Lorence | P.O. Box 7 Independence, Ore | MICO Feed & Seed Co |
| Leon French | P.O. Box 65 Reickreid, Ore | Derry Warehouse Co. |
| Lowell H. Burt | P.O. Box 319 Amity, Ore | Amity Co-op Store |
| Robert D. Cole | 1478 W. RR St. Seaside | Seaside Grain Co. |
| Marcell Boshert | RT 1 Box 905 Tangent | Seed farmer & cleaner |
| Ernie Schmeckel | RT 1 Box 178 Tangent | Seed farmer & cleaner |
| Donald K. Hutt | RT 1 Box 178 Tangent | Seed Farmer & Cleaner |
| Donald E. Bowen | RT 1 Box 2008 Hornburg | Pigeon Groves Association |
| Mike Huddleston | P.O. Box 2228 | Salem - Ore |
| W.E. HENSALA | 2382 W. First St. Seaside P.O. Box 1526 Seaside, Ore 97138 | Seaside Nat. Grn. Co. |
| Mr. Geo. (Vic) VonKeeuwen | RT 1 Box 139 Halsey - 97348 | Spokesman for 46 Farmers & firm warehousemen |
| Elaine Irwin | RT 1 Box 207 Halsey, Ore 97348 | Teacher, live on Hye Grass Farm Women for Agriculture |
| Doug Green | 362 W. Pender | Oregon Journal |

NAMES OF THOSE TESTIFYING
AT JULY 18, 1972
HEARINGS ON
PROPOSED PERMIT FEES.
FOR AIR CONTAMINANT
SOURCES

PORTLAND - PPEL AUDITORIUM

I wish to make a statement before the Environmental Quality Commission regarding

Rawson H. Chapin, Pres.
Name

Errett Fred & Sons
Representing

Pearydale, Ore.

I wish to make a statement before the Environmental Quality Commission regarding

Jack
Fees and questions

Joe Spangler
Name

neighbors
Representing

I wish to make a statement before the Environmental Quality Commission regarding

Custom Seed Cleaners & Farmers

Bert Harrison

Name

Seed Cleaners & Growers

Representing

I wish to make a statement before the Environmental Quality Commission regarding

Seed Cleaning Regulations

Don Bowen

Name

Oregon

Ryegrow Growers Association

Representing

I wish to make a statement before the Environmental Quality Commission regarding

Soil Cleaning Regulations

Donald R. With

Name

Self

Representing

I wish to make a statement before the Environmental Quality Commission regarding

the proposed regulations on air contaminants,
associated with agriculture,

Bob Lamb
Name

Organic Soil Council
Representing

I wish to make a statement before the Environmental Quality Commission regarding

Air Contaminant Discharge Permits

Name

K. W. Cellers

Representing

Oregon Seed & Supplies Assn.

I wish to make a statement before the Environmental Quality Commission regarding

Proposed regulations to adopt a permit system for air contaminants.

Name

Daniel H. Brown

Representing

American Plywood Assn.

I wish to make a statement before the Environmental Quality Commission regarding

Proposed regulations

Nancy Stevens

Name

Coalition For Clean Air

Representing

I wish to make a statement before the Environmental Quality Commission regarding

Dick Hatfield

Name

Columbia-Willamette Area

Representing

I wish to make a statement before the Environmental Quality Commission regarding

Emissions from Rock Crushers, plus noise

Heidi M. Stevens
Name

Representing

I wish to make a statement before the Environmental Quality Commission regarding

PERMIT PROGRAM

PETER SCHWELL
Name

PUBLISHERS PAPER
Representing

I wish to make a statement before the Environmental Quality Commission regarding

AIR CONTAMINANT DISCHARGE PERMITS

Mike Huddleston
Name

Asphalt Pavement Assoc.
Representing

I wish to make a statement before the Environmental Quality Commission regarding

Roy R. Wilcox
Name
Wilcox Feed & Seed Inc
Representing
Harrisburg, Ore

I wish to make a statement before the Environmental Quality Commission regarding

PERMIT SYSTEM.

Mike Reach
Name

MWEDA
Representing

I wish to make a statement before the Environmental Quality Commission regarding

Procedures on Permits

Joe B Richards
Name

LANE REGIONAL AIR
Representing

I wish to make a statement before the Environmental Quality Commission regarding

In behalf of numerous farmers & warehousemen
regarding regulations

Mrs. Geo. Van Leeuwen
Name

Self & others
Representing

I wish to make a statement before the Environmental Quality Commission regarding

PERMIT FEES - SEVERAL SECTIONS

Tom Dewaco
Name

DOT
Representing

I wish to make a statement before the Environmental Quality Commission regarding

Field burning & seed cleaning

Name

Wilson Bump

Representing

S.I.P.

I wish to make a statement before the Environmental Quality Commission regarding

Industrial pollution in Pittsburgh area

Name

Representing

Tom Wagoner

STATEMENT OF THE OREGON ENVIRONMENTAL COUNCIL BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF OREGON, ON
PROPOSED REGULATIONS PERTAINING TO AIR CONTAMINANT DISCHARGE
PERMITS, JULY 18, 1972, BY JOHN R. NEISON

I am John R. Neilson, representing the Oregon Environmental Council, which maintains an office at 2637 S. W. Water Avenue in Portland.

We appreciate this opportunity to comment on the proposed regulations for air contaminant discharge permits. The Council fully recognizes the importance of a strong permit system in enforcing emission standards and in insuring that Oregon will meet the minimum Federal ambient air standards by 1975. During the preparation of Oregon's Clean Air Act Implementation Plan, the OEC, along with other groups, stressed the need for establishing a strong permit system so that our pollution control authorities would not be, in effect, licensing to pollute, at the expense of emission standards or non-degradation provisions of the law. After thoroughly reviewing the regulations under discussion today, we have concluded that this proposed permit system is a basically sound, workable system that will effectively compliment existing air quality laws. We would like to make it clear, then, from the outset, that we definitely approve of the basic thrust of the proposed regulations and feel that they will provide a useful and necessary tool for air pollution authorities.

Specifically, the proposed regulations outline a functional system for controlling air pollution emissions from stationary sources and require pollution sources to pay fees in conjunction with the operation of the system as provided by Oregon Law. The regulations also contain a realistic timetable for registering sources under the permit system.

In addition to these features, and most importantly, the proposed regulations also clearly spell out the steps involved in reviewing and processing permits prior to their issuance. Section I outlines the Department of Environmental Quality's role in reviewing all permits before they are issued. We strongly support the procedures outlined here for several reasons. Of much concern, this system will insure uniformity, throughout the State, of standards used in issuing permits.

The basic responsibility for granting permits will still rest with the authority actually issuing the permit. However, the fact that the Department of Environmental Quality will have authority to review all permits will help to insure a consistent and equitable application of the law throughout the State. And, as the DEQ will be able to review permits before they are issued, the task of making changes or corrections in permits will be simplified in those exceptional cases where such action may be necessary. Also, these procedures for review are desirable in that they do not create any excessive delays in the issuance of the permit. Further, the system will not involve problems of duplication of function since the primary authority for issuing a permit will be with the issuing authority

Statement by OEC Pertaining to
Air Contaminant Discharge Permits
July 18, 1972 - Page 2

To supplement these strong points in the permit system, we would like to suggest several additional provisions which would, we feel, improve the system. First, we feel that the proposed regulations should include a provision which requires Regional Air Pollution Authorities to promptly notify the DEQ of any permit holders which violate the terms of their permits. This information is necessary to verify that the permit system is operating effectively.

And secondly, we feel that the proposed regulations should outline procedures for the revocation, suspension, and modification of permits by both the Regional Authorities and the DEQ. In addition, these procedures should, we feel, authorize the DEQ to suspend or revoke any permit (including those issued by Regional Authorities) when necessitated by non-compliance, unauthorized changes in operations, falsification of information, changes in emission or air quality standards, or other causes. Further, this provision should authorize the DEQ and Regional Authorities to immediately suspend or revoke any permit in the event of serious danger to public health and safety or serious damage to a resource. Again, we suggest the DEQ be authorized to exercise such emergency powers in cases involving permits issued by all authorities.

Commenting on the actual operation of the permit system, we would like to make two suggestions. The first involves the proposed regulation which allows the issuance of permits for periods of up to five years. While issuing a permit for five years may save unnecessary paperwork in some cases, care should be taken not to issue long-term permits to sources that do not meet existing emission standards or otherwise present special difficulties. The second concern involves public access to information gathered during the operation of the permit system. It is most important that information concerning emissions and the operation of the permit program in general be available for public inspection, as provided for in Oregon's Implementation Plan. We look forward to continued cooperation with the DEQ and Regional Authorities in this regard.

To conclude then, the proposed permit system, with a few additions, should be a very workable tool for both the DEQ and the Regional Authorities. The system's basic strengths, including the DEQ's authority to review all permits will, we feel, be increased by these modifications.

Thank you.

JRN:jai

3

STATEMENT OF ASSOCIATED OREGON INDUSTRIES
ON REGULATIONS RELATING TO
AIR CONTAMINANT DISCHARGE PERMITS
July 18, 1972

I am Thomas C. Donaca representing Associated Oregon Industries.

The proposed regulations before you represent a grave departure from the past operations of your Air Quality Section. You have had a long struggle to keep current on your Water Quality Permit Program. While it has been easy for those not familiar with the difficulties posed by such permit programs to equate the Air Quality Permit Program with the existing Water Quality Permit Program, the accomplishment of the goal is far from an easy task. It poses for you, your staff and those subject to the program the following issues:

We are fearful that the Permit Program will require so much time of your staff particularly at the inception of the program that field work may suffer. Oregon has carried out its Air Quality Program in a manner designed to gain the greatest compliance in the shortest possible time. It has been accomplished by your staff working in the field with those subject to control to determine the problem and assist in the solution. Oregon, being a state of small business as well as geographically large, this program has been of great assistance to those in need of assistance in complying with state programs.

We are concerned that the agency may substitute enforcement action, either by action on the permit or through civil penalties, for the more effective program used heretofore to solve air quality problems, namely staff assistance.

You have become a revenue-raising agency. Up to now you have been solely concerned about gaining compliance with our air quality laws and standards. Now, in addition, you are to charge for your services which will complicate your relationships. This situation will become even more difficult if you in the future simply raise more revenue by raising these proposed fees.

Also, only industrial sources are subject to permits which does not cover many of the sources contributing to air quality. We have indicated our concern with future fee levels, and particularly if only industrial sources are to carry the total burden of air quality control activity in the future.

We note in passing that the initial period of issuing all permits, from January 1, 1973 through January 1, 1974 will bring significant revenue from the Application Investigation and Permit Issuing and Denying Fee, which will not reoccur in the same magnitude again in the life of the program. It will create a surplus of income which will not continue and thus you may not predicate future staffing on that income. We would therefore suggest such funds be used for air monitoring stations and other equipment needed to keep you abreast of changing air quality conditions and which information is required of you by EPA.

Regarding the regulations themselves, we offer these comments.

First, the permit law should have invalidated the registration law for those persons subject to permit. Your regulation Section H proposes to accomplish that objective and we assume by requiring the same information in the permit. This is a good exchange and eliminates the duplication that might otherwise be required.

Second, in order to keep your paper workload to the minimum that you standardize permits as much as possible. At this time we suggest that the permits not be as long or complicated as the water quality permits. We say this because the 1971 Legislature also gave you civil penalties which we believe is the enforcement tool which you will use with greatest frequency because the effect of a permit revocation is essentially the same as obtaining a court injunction, it shuts down the plant and eliminates it as a place of employment. If our assumption is correct, it will allow great streamlining of the permits because where violation of an air quality standard is at issue you can move faster with the civil penalty than against the permit.

Third, we believe that "Section G -- Other Requirements" which calls for submission of plans in all cases and approval in writing by you is too inflexible. We believe the Legislature intended for you to follow the law on advance notice contained in ORS 449.712 and regulated under OAR 20-020 and 20-025 -- Notice of Construction and Approval of Plans. We recommend that you refer to the requirements of OAR 20-020 and 025 as meeting this rule which will provide you with the flexibility you will need in administering this program.

Fourth, Section E(10) contemplates a refund of the Application and Investigation and Permit Issuing or Denying Fee where the renewed or modified permit will be essentially the same permit previously issued, and the source is in compliance. We believe that many permits will fall in this category and would suggest that this particular fee should not be forwarded to you when so advised by you.

Fifth, as a matter of policy when you promulgate new standards or changes in existing standards which will require modification of the source or its controls such standards should not become effective against all but new sources until the source has had his existing permit modified and been granted a compliance schedule. This would eliminate the future potential for a situation arising wherein a permittee could be found in violation of a standard not covered by his permit. This should be avoided.

Sixth, the rules make no provision for a temporary permit. Some provision should be made for such a permit and without requiring any additional fees. Such situations could occur when the agency might feel more information was needed by them, but the applicant had in good faith actually fulfilled his obligation. This will be essential when you consider the tight time schedule you are considering in this regulation.

Seventh, we would recommend that the S.I.C. numbers contained in Table A either be deleted or used for information purposes only. Examples of the difficulties you will find are:

(1.) grain mill products. Here a three number S.I.C. is used which includes not only large flour mills but every small feed mill operation. Use of such a broad classification obviously intended by the size of the fee to be applicable to only large operations is not realistic when applied to all the operations that are really subject to S. I. C. 204.

(y.) gray iron and steel foundaries are not under the same S.I.C. as listed. Gray iron is 3321 but steel foundaries are 3321.

In addition, when applied to the fees suggested in Section E(5) we assumed that E(5) would apply to generic classifications. For instance where on a single plant site there is a sawmill, plywood and hardboard plant. This type of situation we anticipated and recommended be covered by E(5). However, strict use of S.I.C. classifications could cause you to find some plants with several S.I.C. numbers and if E(5) were applied or if individual permits were required there would be a multiplicity of permits over a single operation, and only for revenue and not air quality control purposes.

Also, there are some operations within regional geographic areas that are subject, or should be subject, entirely to DEQ jurisdiction. Use of the S.I.C. numbers could potentially cause this jurisdiction to be divided. For instance a pulp and paper plant is clearly DEQ jurisdiction, and all activities are related to that manufacturing process. Strict application of S.I.C. numbers could be construed to indicate that some activities, such as incineration of waste is really not DEQ but regional jurisdiction. Jurisdiction should not be split solely on the basis of a permit program, but only for air quality control purposes. We see no purpose being served by requiring permits by both DEQ and the regions in such an instance.

Eighth, it should clearly be stated that in the event that more than one permit is granted the same source in one year for any reason, that source should

only be subject to one "Permit Compliance Determination Fee" in any year.

Last, we are concerned about Section I(2) which requires all permits to be submitted to you by regions 14 days prior to issuance, and in that 14 days you must respond in writing on any changes required.

We fully agree that there must be uniformity and consistency between the permits and permit programs of DEQ and the regions.

As we mentioned before, there is no temporary permit provided. If a dispute should occur between the DEQ and the issuing region, it is possible that, under the rule, no permit could be issued. It is essential that permits be issued where justified for we are precluded from operation without one. Some provision must be made for this situation, particularly in view of the tight time schedule at the inception of the program combined with the numbers of permits to be reviewed. We suggest some further modification be made to this portion of the regulation. In addition, we would recommend that you utilize your authority under ORS 449.905, dealing with the continuing authority of DEQ to assure consistency of regional programs with state law, that you institute a program to review the entire regional permit program on a continuing basis, not just the permits themselves.

Read

4

July 18, 1972

To the Environmental Quality Commission:

Re: Proposal to set up "permit to emit" regulations:

My information is minimal. The public notices I have seen (one small article in the paper) did not give any particulars. However, I understand that the proposed regulations have serious long range consequences for agricultural related industries and for agriculture once the so called "exemption" is invalidated.

In view of the importance of full public understanding of the details and consequences of these regulations and of the fact that agricultural interests are currently deeply committed to harvest, I respectfully request that additional hearings be set for later this Fall.

Sincerely,

Charles S. Vizer

Charles S. Vizer

Rt. 2 Box 60

Harrisburg, Oregon

July 17, 1972

basic ★ We wish to take this opportunity to express our disapproval of the "permit to pollute" legislation as passed by the last Legislature. Growers are asked to turn out for the hearing being held on July 18th. This, as you must all know, is the seed farmers harvest season. We are in the midst of harvesting about eighteen hundred acres of grass seed, with most of it yet to be combined. It is urgent that we get it harvested so that we will have some acreage ready to burn when a day comes along that we are allowed to burn. We have already missed the first few burning days as we had not yet started combining then.

It seems that you have set this hearing date at a very inopportune time for the seed grower, as most seed growers feel that they can not leave their crops in the field to attend a hearing at this time of the year.

If the Legislature had the interests of the seed grower at heart, they would either have scheduled this hearing before harvest time or waited until later, so that more growers could attend this hearing and express their views on the subject. Everyone seems to be plotting against the farmer rather than trying to help him find a solution to his problems.

Where would you or anyone be without the farmer?

Very truly yours,

Wilbur Langdon
Hattie Langdon

Wilbur and Hattie Langdon
Route 1 Box 78
Harrisburg, Oregon
97446

Use.

Salisbury, Ore.

To Whom it may Concern -

We are small farmers with a warehouse doing
Custom cleaning for three neighbors - the fees & regulations
are all ready denying us a decent living. The
price of Common Appraisals (and this is the only
crop we can raise is all ready below the price of
production.) What do you suggest we do?

★ We are now paying for the privilege of cleaning
and marketing the seed plus many other fees -

★ Furthermore you have gathered information that
prices 95% of the particulate falls on the farmers own
land.

When agriculture can no longer exist
it will be too late for some of you

People to take a realistic view at the
part agriculture plays in making your life.

★ We just hope you can take another
look at the situation & realize that agriculture

is really essential & it is being driven out
by regulations - law prices - fees - taxes etc.

Willard Keen
Halcyon, Cal.

July 18 - 1972

To members of D.E. Q.

The timing of this hearing on the proposed legislation, is very unfair to us, that it concerns, because we are in the very heart of our harvesting. It is impossible to carry on the activities of agriculture, without causing some sort of air pollution, to some ~~extent~~ degree.

I am not making excuses, I'm just stating a fact.

Before you make or allow to become law, regulations, that will cause all phases of agriculture, unfair restrictions & licensing fees, I would like to ask you each one to try to put yourself in our place, and come up with the fairest measures possible.

We have problems in agriculture, weather, insects, prices, credit to name a few, which cannot be settled by law alone.

a concerned farmer.

Osborne Sisk

Waboy Oregon.

Halsey, Ore.
July 18, 1972

Mid Willamette Valley
Air Pollution Authority
Dear Sirs:

We feel the time ^{date} you
have set for the hearing
is grossly unfair to all the
seed growers and others connected
with our business because
we are harvesting our seed
and cannot possibly make it to
Portland.

We also protest against
the extravagant regulations you
are trying to pass.

For one, seed cleaners do
not cause that much pollution.
We have always cleaned our own
seed and have never been
bothered by the small amount

Read if time! Last paragraph too

of dust it creates so how could anyone else be bothered.

We have several ^{residential} cleaning establishments around this area, private, custom, commercial, and as far as pollution is concerned we hardly know they exist, except to see the buildings. Their dust pollution which is small, stays in their own back yard.

We should make better use of our railroads and use less big trucks on our highways.

How about all the millions of cars that cause deadly fumes from exhausts.

I think everyone is working on pollution problems and doing our best so let's be fair to each other.

Sincerely,
Mrs. Leroy McEwood

Halsey Oregon

July 18, 1972

To Whom It May Concern -

We are sending this letter with Mrs. George Van Fossen to represent us at the busiest time of year -

It is impossible for us to leave our harvest right now. - Why?
Do you have a hearing on farm business at our busiest time?

We strongly protest the regulations set against seed cleaning, elevators, feed mills and virtually every operation that concerns farmers. This is in regard to air pollution. How far does a little dust blow from any such operation?

★ If you want to do some good what about the tourists + accidents

Campers up to + down the road - If you
want to do some good - just some
regulations, or some of that foolishness -

* Maybe they would have the time
to meet with you in the middle
of summer.

Sincerely

George C. Miller

Earl Miller

Use

Halsey, Oregon
July 18, 1972

To the chairman of the group holding a hearing today, July 18, regarding a proposal to issue permits to contaminate the air and set fees for this action:

Following are several remarks regarding this.

★ 1. No pollution permits should ever be issued. Set reasonable standards and then see that they are adhered to. After all human life is one big pollution spree from conception until we finally settle into dust.

★ 2. The suggested fees are ridiculous and vicious.

★ 3. This proposal today is simply another tax mislabeled. Frankly I can't stand any more.

★ 4. You have chosen a date and place for this hearing that will prohibit most farmers from attending the meeting. We simply can not afford a day off during our critical harvest season.

Would it be unreasonable to request that you adjourn this meeting until a date when the individuals so vitally concerned could attend? Also, please inform the public well in advance of this meeting. I didn't even know about the meeting today until July 15.

Respectfully,

John Miller

July 18, 1972

DEPartment of Environmental Quality

Gentlemen:

From a recent newspaper report I understand that the DEQ is holding a hearing , among other items, on the possibility of taxing by permit fee and regulating dust emissions from ^{cleaning} seed cleaning plants.

I would like to present these points on the proposal as I understand it:

* First, for the country cleaning plants with which I am to some extent familiar (18 plants including 1 commercial within a 6 to 8 mile radius to the Nor theast, East and Southeast of us), the dust emissions I have observed are very minimal compared with the amount of other common sources such as gravel or dirt road dust, pollens, chimney smoke, campfire smokes, etc. I'm sure our own plant produces far less dust than is produced by $\frac{1}{2}$ mile of gravel road under normal use.

* Second, the dust that these plants do produce are almost totally out of the non-agricultural public view. Except for one, all these plants are on less than secondary roads and seen by very few of the general public. Except for an infinitesimally small amount, the dust settles out on the owners property.

* Third, when the first two factors are combined, (low relative amount of pollution times low population exposure) the result is an insignificant pollution-per-population factor. Outlawing or taxing out of existance fuel oil furnaces and fireplaces and requiring electric or gas heat for all private homes would be a lot more logical in comparison and would certainly be no more ^{unfair} or economically burdening than the proposed regulations and fees would be for ^{cleaning} cleaners.

* Forth, the proposed fee rates are so ridiculosly high that I'm inclined to feel the entire proposal has been conceived more for providing bureaucratic power and financing than effective pollution restriction. If there are any seed growers left who aren't wishing they had never heard of the business, only a few more proposals like this will certainly eliminate ~~a lot of them.~~ ^{in the} As manufacturing industry and housing moves onto the land, you will have ^{more} pollution problems.

Fifth, the time, place, and lack of general publicity concerning the hearing indicate to me that the DEQ members again want a hearing without the general knowledge of those affected. Wonder how our city cousins would react if treated the same way?

* I'm all for as much natural beauty and environment as enough to eat and wear will allow, but why not concentrate on the sources of the bulk of the pollution-- the bulk of the population living in cities--rather than continually picking on the few farmers left?

Sincerely,

Geo. Van Leeuwen

Geo. VanLeeuwen
Rt. 1 Box 139
Halsey, Oregon 97348

July, 18, 1972

George W. Smith
P. O. Box 195
Halsey, Oregon
97348

Hearing on Proposed Seed Regulations
Portland, Oregon

Dear Chairman:

We are writing in protest against regulations being imposed upon private businesses by the last legislature.

In seed cleaning there is some dust, but it does not go off our own property. We feel it does not affect anyone but ourselves.

* This type of regulation is not justified to be imposed upon private country processes. The fees suggested are also extremely high.

Please reconsider this new and viscious regulation.

* Agriculture surely must be allowed to survive or people will someday go hungry.

Sincerely Yours,

George W. Smith
George W. Smith

Halsey, Oregon
July 18, 1972

Mid-Willamette Valley Air Pollution Authority

Dear Sirs:

In regards to the hearing on air pollution caused by farm operated cleaners - it seems that it shouldn't be necessary to charge such a fee for running the cleaners. Especially as the most of the dust falls on the farmers own property.

★ Once started where do you stop on putting controls on dust making equipment? Each combine in the field makes dust - as a rule it disappates before it gets very far.

★ It seems to us that sometimes they are starting on the wrong end of things to stop pollution - why not start on what there's the most of? Referring of course to Cars on trucks.

Please consider seriously before making any more charges against the already struggling farmer.

Sincerely,
Mrs. Charlie B. L.

to the Hearing to whom it may concern

The idea of charging a license to the warehouses for polluting is a new one. If this were adopted why not charge everyone who smokes cigarettes a license to pollute and maybe we could pay off the national debt.

Lloyd Kropp

July 18, 1972

To the Commission

I would like to state my opposition to the proposal of issuing permits and setting fees for air contamination. I realize your concern, but feel this is an unnecessary measure, as business and industry currently are working and investing to eliminate any contamination they might cause.

Mrs. Ray Rabb
Rt. 1, Box 158
Halsey, Oregon 97348

The farmers + warehouse
agreements don't have time
to get to them, if the legis -
lature + are collecting people
were trying to help us they
would have had it at a
different time of the year.

It seems that altho
legislature does is pass more
laws so that the farmers
have to pay far more permits
etc, but gets paid less far
his crops.

Also since the ban on
the use of 1080 poisons, which
was used for control of
mice + rats we have no good
types of control over them.

July 18, 1972

Dear Sirs:

Our family farming
and interest in seed farming
and warehousing, we should like
to know why you have plans
and this meeting on July 18.

During the harvest season,
why didn't you have it in
June or Oct. We must get
our harvest done so we
can burn our fields when
we are allowed to burn.

As we have already
missed the first days we
had with a south wind.

Why we should you
have this meeting when

We have recleaned about
3 car loads 3000 - 100 lbs sacks
because of sacks eaten
full of mouse holes.

It seems that everyone
wants to stop all types of
operations that there a
passible cause of pallution
and then decide a better way
to do it.

Thank you
Yours very truly
Mr + Mrs. George Langdon
Harrisburg, Pa.

July 17, 1972

Dear D.E.A.;

We are very much apposed
at the date of this hearing. It is a
very busy time for the farmer.
It looks like it was set up
at this time so there wouldn't be
any body there to protest it.

We have so many
regulations now we don't know
withter we are coming or going.

Sincerely;

Joseph R. Sinden
R. 1 Box 6
Halsey, Oregon

Mrs. Joseph R. Sinden
R # 1 Box 6
Halsey, Ore. 97348

Halsey, Oregon
July 18, 1972

Dear Chairman:

I understand your concern for pure air. All thinking people desire pure air and a clean environment. However we must all learn to cooperate to to be tolerant.

The industries related to what you call "air contamination" pay many millions of dollars into the economy in payrolls, taxes, machinery purchases, etc. Will you help us to help our good state by being more tolerant?

Could this meeting be postponed until a committee of the people directly involved have time to meet with your committee?

Thank you so much,

Ernie N. Melles

Dear Sir,

We would like to vigorously protest on the unfair date set for this hearing. It is unfair to all seed growers to have a hearing at this time of year when everyone is deeply concerned with getting their crops harvested. Everyone knows this is the busy time of year and growers cannot shut down their harvest at the whim of legislators. Why wasn't this important hearing held in June even when we might have had a chance to attend? Is this the way "fair" legislation must be passed? If so there is nothing fair about it! It is just one more way to cause trouble and create a problem for the seed industry. Surely another date more convenient for everyone, pro and con, can be set so both sides can be heard. For once give the growers a fair and honest break!

Mr. & Mrs. Kenneth Beerly

I would like to see the hearing of July 18, regarding Seed Cleaning Regulations, be postponed until a later date. In as much as the farmers are in the middle of harvest season, I think in all fairness to the farmer, this hearing should be held at a later date.

Norman Knopf

We feel having this meeting in the middle of harvest in various to the farmers & would propose that the meeting be rescheduled later at a time where farmers can attend.

W. Harold Snowford

I would like to see this
having postponed until a later
date since night work is our
I want. It seems unfair to
make this meeting at such a time
when the farmer cannot be there

W B Smucker

I wish to protest the
Meeting for Woodrow
men, at a time when
Woodrow men are to
be very to attend.

W B Smucker

July 18, 1972

We the undersigned protest
the calling of a meeting
at a time when and the
farmers the ones concerned
can not attend due to
harvest. We purpose that
the meeting be rescheduled
later at a time when all can
be present. We feel scheduling
this meeting at this certain time
is a deliberate attempt to silence
the people to who this meeting
concerns.

Wilford Smucker

Earl H. Baker Sr

DAVID C. MALPASS
ROUTE 1, BOX 142
HARRISBURG, OREGON 97446

July 18, 1972

We consider it unfair to schedule a hearing on seed
cleaning warehouse dust pollution at this time when it is
impossible for farmers to attend.

David C. Malpass
Thomas D. Malpass
Hyle K. Malpass
Bruce A. Malpass
Jack M. Clun
Lyle Shelman

July 17, 1972

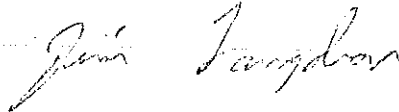
I wish to take this means of making a protest against the hearing being held on July 18th. Why wasn't this hearing scheduled at some other time when it would be convenient for the seed growers to attend? This is their busiest time of the year.

As the living of my family and myself depends upon the growing of grass seed crops, I feel that the Legislature should consider delaying this hearing to a more opportune time for all concerned.

Why aren't the needs and wishes of the farmer considered?

Yours truly,

Jim Langdon

A handwritten signature in cursive script that reads "Jim Langdon". The signature is written in dark ink and is positioned below the typed name.

July 18, 1972

As grass seed growers we protest the time set for this hearing. As harvest time is here, who has the time and who can afford to shut the machines down to attend the hearing. This meeting should be set for a time when harvest is over.

Lena A. Warden

Carl L. Warden

Department of Environmental Quality

Mr. L B Day

The farmer is a small minority group who's Business
Takes every minute of summer's Time! SO if you don't
want the farmer's say — use a summer day — Day

Strongly apposed to
air Pollution control of Warehouse!

Ms. Harold H. Lippin
Polk, Yamhill, & Benton
countys

Mr. L. B. Day
Department of Environment Quality

My husband and I are
opposed to this hearing being
held at a time and place
when those of us who have
warehouses cannot take time out
to attend.

Mr. & Mrs. Paul Mulkey
Polk County

L. B. Day

Dept. of Environmental
Quality

Mr L. B. Day,

I strongly protest your holding a hearing in the middle of harvest. You would have a better representation of all concerned if you scheduled such hearings at a more opportune time.

Mr. Bill McFee

7-17-72

Mr. L. B. Day.

Department of Environmental Quality.

It is a shame to have a hearing of these matters concerning air pollution control, particularly that of warehouses, at this time of year.

Those of us who would like to attend cannot do so because of harvesting + running the warehouse.

Mrs. Gylan Muelky
Pack County

July 17, 1972

Mr. L. B. Day

Dept. of Environment Control

I am apposed to the hearing that is being held July 18, 1972, which is during the busy season of the farmer and warehousemen. If held at a later date I'm sure you would have better representation.

Mrs. Judy Nelson

July 17, 1972

Mr L. B. Day;

I am very much opposed and aggravated as to the hearing you have proposed on warehouses.

This is the harvest season and farmers are much too busy to be able to give this ^{the} attention it so rightly deserves.

An all fairness this hearing should be postponed at a time when it should or could get the proper attention

Sincerely
George Lafayette

⑥

TESTIMONY ON PERMIT SYSTEM
July 18, 1972

TO : ENVIRONMENTAL QUALITY COMMISSION
FROM : Mid-Willamette Valley Air Pollution Authority

Three years ago the Authority was attempting to interest the other regions, DEQ and the House Task Force on Pollution in legislation enabling permits for air contaminant sources. Two years ago the Authority was preparing the initial draft of legislation for permits. One year ago, after adoption of legislation we vigorously supported, the Authority prepared the initial draft of a regulation to implement the permit system. We have been actively interested in this a long time and we want it to work.

The final draft of the regulation at hearing today is not the same as that initiated a year ago. Somewhere along the line those qualities of cooperation and confidence that has exemplified the umbrella relationship of DEQ and the regional authorities has been undermined. The regional agencies provide the "larger view" over local environmental problems while maintaining local community involvement. The State DEQ should continue to support and show confidence in this concept.

The ability to issue a permit is one of the most effective and positive tools that an agency can have in reducing air pollution from stationary sources, providing its "efficiency of operation" is maintained. Section I, subsection (2) of the regulation as proposed would effectively put an administrative straight-jacket on our agency's operation of a permit system. This dyarchy thwarts effective government and in our opinion

is contrary to existing statutes. Additional written testimony on this is attached.

We urge you to restore your confidence in local regional government and to utilize those avenues of viable working cooperation that have been built up between the agencies in the past few years. Our Authority is more than willing to provide you with prior review and will certainly, as we have in the past, consider all your comments. We cannot, however, share jurisdiction with you on the issuance or denial of the permit. The following amendments to Section I are offered to reconcile these differences.

I. PERMIT PROGRAMS FOR REGIONAL AIR POLLUTION CONTROL AUTHORITIES

Subject to the provisions of this Section I, the Environmental Quality Commission authorizes each Regional Authority to issue air contaminant discharge permits for air contamination sources within its jurisdiction.

(1) A Regional Authority's permit program*[, including proposed permits and proposed revised permits,] shall be submitted to the Environmental Quality Commission for review and approval prior to final adoption by the Regional Authority. All permits issued by a Regional Authority shall by its conditions authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge, or dispose of air contaminants in accordance with specified practices, limitations, or prohibitions.

(2) A permit proposed to be issued or revised by a Regional Authority [shall] will be submitted to the Department of Environ-

* [Bracketed] means proposed to be deleted. Underline means proposed to be added

mental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) days period, the Department [shall] will give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. [No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. If the Department does not make any such objection, the proposed permit or revised permit may be issued by the Regional Authority.]

(3) The Regional Authority [shall] will give written notice to the Department of its intention to deny an application for a permit, not to renew, or to revoke or suspend any existing permit at least fourteen (14) days prior to the time the Regional Authority expects to notify the permit applicant or permittee that it will take such action.

(4) A copy of each permit issued by a Regional Authority pursuant to this section shall be promptly submitted to the Department.

The Regional Authorities have had more extensive experience with certain industrial source classes, particularly the smaller sources, than DEQ. From this involvement we urge you to consider changing the fee schedule for certain classes. A revised fee schedule is attached.

Outside of these proposed changes the Authority finds the regulation workable and will support it and work with DEQ. In the area of duality of jurisdiction on multiple source permits, the Authority will review each such class in our area and may

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Testimony
July 18, 1972

at that time request jurisdiction. This and the proposed changes cited will insure local involvement, increase efficiency of operation, and display DEQ's confidence in and cooperation with regional government.

TABLE A - AIR CONTAMINANT SOURCES AND
ASSOCIATED FEE SCHEDULE

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determination Fee</u> |
|-----------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|
| (a) Asphalt production by distillation | 2951 | 75 | 50 |
| (b) Asphalt blowing plants | 2951 | 100 | 75 |
| (c) Asphaltic concrete paving plants | 2951 | 100 | 100 |
| (d) Asphalt felts and coating | 2952 | 150 | 100 |
| (e) Calcium carbide manufacturing | 2819 | 225 | 150 |
| (f) Alkaline and chlorine manufacturing | 2812 | 225 | 175 |
| (g) Nitric acid manufacturing | 2819 | 100 | 75 |
| (h) Ammonia manufacturing | 2819 | 200 | 125 |
| (i) Secondary lead smelting | 3341 | 225 | 175 |
| (j) Rendering plants | 2094 | 150 | 100 |

Discharge Permit Proposed Regulations

June 14, 1972

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Table A continued

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determination Fee</u> |
|---------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|
| (k) Coffee roasting | 2095 | 100 | 75 |
| (l) Grain mill products | 204 | (<i>> 10,000 T/yr</i>) 250 (<i>< 10,000 T/yr</i>) 50 | 150 <i>50</i> |
| (m) Grain elevators | 422 | (<i>> 20,000 T/yr</i>) 150 (<i>< 20,000 T/yr</i>) 50 | 100 <i>50</i> |
| (n) Redimix concrete | 3273 | (<i>> 30,000 T/yr</i>) 75 (<i>< 30,000 T/yr</i>) 50 | 50 <i>25</i> |
| (o) Plywood manufacturing | 2432 | 150 | 100 |
| (p) Veneer manufacturing (not elsewhere included) | 2434 | 75 | 75 |
| (q) Particle board manufacturing | 2492 | 300 | 150 |
| (r) Hardboard manufacturing | 2493 | 200 | 100 |
| (s) Charcoal manufacturing | 2861 | 200 | 100 |
| (t) Battery separator manufacturing | 2499 | 75 | 50 |
| (u) Furniture and fixtures 100 or more employees | 2511 | 125 | 100 |
| (v) Glass manufacturing | 3231 | 100 | 75 |

Discharge Permit Proposed Regulations

June 14, 1972

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Table A continued

| <u>Air Contaminant Source</u> | <u>Standard Industrial Classifica- tion Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determina- tion Fee</u> |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------|----------------------------------------------------------|
| (w) Cement manufacturing | 3241 | 300 | 150 |
| (x) Lime manufacturing | 3274 | 150 | 100 |
| (y) Gray iron and steel foundries: | 3321 | | |
| more than 3,500 tons per year production | | 300 | 150 |
| less than 3,500 tons per year production | | 100 | 100 |
| (z) Steel works rolling and finishing mills | 3312 | 300 | 175 |
| (aa) Incinerators (not otherwise included) more than 2,000 pounds per hour capacity | | 100 | 100 |
| (bb) Fuel burning equipment (not otherwise included) | 4961 | | |
| Residual oil 5 million or more btu per hour (heat input) | | 100 | 50 |
| Wood fired 5 million or more btu per hour (heat input) | | 100 | 50 |
| (cc) Primary smelting and refining of ferrous and non-ferrous metals not elsewhere classified | 3313 3339 | | |

Discharge Permit Proposed Regulations
 June 14, 1972
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 Table A continued

| Air Contaminant Source | Standard Industrial Classification Number | Application Investigation and Permit Issuing or Denying Fee | Permit Compliance Determination Fee |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------|-------------------------------------|
| (cc) 2,000 or more tons cont. per year production | | 300 | 175 |
| less than 2,000 tons per year production | | 100 | 75 |
| (dd) Synthetic resin manufacturing | 2821 | 100 | 100 |
| (ee) Seed cleaning (not otherwise included) | 0719 | 100 <u>25</u> | 100 <u>50</u> |
| (ff) Kraft and sulfite pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (gg) Primary aluminum production | 3334 | 300 | 175 |
| (hh) Industrial inorganic and organic chemicals manufacturing (not elsewhere included) | 2810 | 250 | 125 |
| (ii) Sawmill and planning | 2421 (<i>>25000 bfm</i>) (<i><25000 bfm</i>) | 75 25 | 50 25 |
| (jj) Mill work | 2431 | 75 <u>25</u> | 50 <u>25</u> |
| (kk) Furniture and fixtures less than 100 employees | 2511 | 75 <u>25</u> | 50 <u>25</u> |
| (ll) Minerals and earth ground or otherwise treated | 3295 | 100 | 75 |

Discharge Permit Proposed Regulations
 June 14, 1972
 Page 10
 Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determination Fee</u> |
|------|-----------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|
| (mm) | Brass and bronze foundries | 3362 | 75 | 50 |
| (nn) | Aluminum foundries | 3361 | 75 | 50 |
| (oo) | Galvanizing | 3479 | 75 | 50 |
| (pp) | Smoke houses | 2013 | 75 | 50 |
| (qq) | Herbicide manufacturing | 2879 | 225 | 175 |
| (rr) | Building board mills (not otherwise included) | 2661 | 150 | 100 |
| (ss) | Incinerators (not otherwise included) 2,000 to 400 pounds per hour capacity | | 75 | 75 |
| (tt) | Fuel burning equipment (not otherwise included) | 4961 | | |

| | | |
|------------------------------------------------------------|----------------|----------------|
| Residual oil less than 5 million btu per hour (heat input) | [75] <u>25</u> | [50] <u>25</u> |
| Distillate oil 5 million or more btu per hour (heat input) | [75] <u>25</u> | [50] <u>25</u> |
| Wood fired less than 5 million btu per hour (heat input) | [75] <u>25</u> | [50] <u>25</u> |

The Honorable Lee Johnson
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construction upon the "permit law" which was enacted as Chapter 406, Oregon Laws 1971.

Before discussing the applicable law and to further clarify the matter, I enclose for your information an excerpt from proposed regulations and standards relating to air contaminant discharge permits upon which a hearing will be held before the Director in Portland on July 18, 1972, which excerpt is entitled "Permit Program for Regional Air Quality Control Authorities." You will note that subsection one prescribes the requirements of a regional authorities' permit program. Subsection four requires a copy of each permit issued by the regions to be submitted to the Department. We have no quarrel with these provisions but our concern is particularly with subsection two which states:

"(2) A permit proposed to be issued or revised by a Regional Authority shall be submitted to the Department of Environmental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) day period, the Department shall give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. If the Department does not make any such objection, the proposed permit or revised permit may be issued by the Regional Authority."

The practical operation of the proposed Rule may be questioned such as the manner in which "objections" by EQC are to be resolved. But aside from that, we believe such proposed rule is beyond the statutory duties and authority of EQC and conflicts with duties and powers of Regional Authorities for the following reasons.

The basic jurisdiction and function of a regional air quality authority is found in ORS 449.855 (2) reading in part:

The Honorable Lee Johnson
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"When authorized to do so by the Environmental Quality Commission, a Regional Air Quality Control Authority formed under this section shall exercise the functions vested in the Environmental Quality Commission by ORS 449.781, 449.785 and 449.800 except as to establish or alter areas, insofar as such functions are applicable to the conditions and situations of the territory within the Regional Authority and shall carry out these functions in the same manner provided for the Environmental Quality Commission to carry out the same functions. *** However, no Regional Authority is authorized to adopt any rule or standard that is less strict than any rule, regulation or standard of the Environmental Quality. In addition the Regional Authority must submit to the Environmental for its approval, all quality and purity of air standards adopted by the Regional Authorities prior to enforcing any such standards.

(3) When a Regional Air Quality Control Authority is exercising functions under (2) of this section, the Environmental Quality Commission shall not exercise the same functions in the same territory and the Regional Authorities' jurisdiction shall be exclusive except as provided in ORS 449.905 or 449.910. * * *

It was pursuant to the above basic law that the three Regional Air Quality Control Authorities were formed and have been exercising their air pollution control programs. By Chapter 406, Oregon Laws 1971, the permit law was enacted, the pertinent provisions of which are as follows:

Section 3 provided in part:

"Without first obtaining a permit from the Department of Environmental Quality or appropriate regional air quality control authority pursuant to this 1971 Act no person shall:

(1) Discharge, emit or allow any air contaminants for which a permit is required * * *"
(Codified as ORS 449.731)

Section 10 of the act provided

"(1) The Environmental Quality Commission may

The Honorable Lee Johnson
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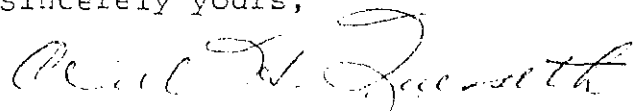
by rule authorize Regional Air Quality Control Authorities to issue permits for air contamination sources within their areas of jurisdiction.

(2) Permit programs established by regional authorities pursuant to (1) of this section shall be subject to review and approval by the Environmental Quality Commission (Codified as ORS 449.883)."

It is noticed from the above section that it is the permit "program" that is subject to review and approval by the Environmental Quality Commission, and this conforms to prior established procedures; i.e. submission of regional air quality standards to EQC for approval prior to enforcing such standards. If the Environmental Quality Commission authorizes a region to issue permits, then it is the "program" of the regional authority that is to be reviewed and approved by EQC. We fail to see how the permit Act can be interpreted to mean anything beyond that. To say that EQC can require each permit issued by a region to be first reviewed and approved and objections resolved before issuance by the regions, is a strained construction of the express language of the statute. The permit function would not then be exercised or regulated by the regions; rather it would be only the conduit from the permittee to EQC.

In short, we submit that the authority to require approval of "permit programs" by the Environmental Quality Commission does not grant the additional authority to require every permit within the region to be first submitted and approved by the Environmental Quality before its issuance. To interpret ORS 449.883 as such would be to nullify the language in ORS 449.855 vesting exclusive jurisdiction in regional air pollution control authorities over air contamination sources within their jurisdiction. We respectfully ask that you review your Opinion No. 6918 in light of the foregoing.

Sincerely yours,



CECIL H. QUESETH

cc: Mr. L. B. Day, Director, EQC
Mr. Ray Underwood, Assistant Attorney General
Mr. Michael D. Roach, Director, Mid-Willamette
Valley Air Pollution Authority
Mr. Joe Richards, Attorney, Lane County Air
pollution Authority
Mr. Emory Crofoot, Attorney, Columbia-Willamette
Air Pollution Authority

I. PERMIT PROGRAMS FOR REGIONAL AIR POLLUTION CONTROL AUTHORITIES

Subject to the provisions of this section I, the Environmental Quality Commission authorizes each Regional Authority to issue air contaminant discharge permits for air contamination sources within its jurisdiction.

(1) A Regional Authority's permit program, including proposed permits and proposed revised permits, shall be submitted to the Environmental Quality Commission for review and approval prior to final adoption by the Regional Authority. All permits issued by a Regional Authority shall by its conditions authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations, or prohibitions.

(2) A permit proposed to be issued or revised by a Regional Authority shall be submitted to the Department of Environmental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) day period, the Department shall give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. If the Department does not make any such objection, the proposed permit or revised permit may be issued by the Regional Authority.

(3) The Regional Authority shall give written notice to the Department of its intention to deny an application for a permit, not to renew a permit, or to revoke or suspend any existing permit at least fourteen (14) days prior to the time the Regional Authority expects to notify the permit applicant or permittee that it will take such action.

(4) A copy of each permit issued by a Regional Authority pursuant to this section shall be promptly submitted to the Department."

TESTIMONY

MIKE HUDDLESTON, MANAGER
ASPHALT PAVEMENT ASSOCIATION OF OREGON

HEARING: AIR CONTAMINANT DISCHARGE PERMITS

JULY 18, 1972

PORTLAND, OREGON

Mr. Day, members of the Board, members of the staff, and ladies and gentlemen.

MY NAME IS MIKE HUDDLESTON, I AM MANAGER OF THE ASPHALT PAVEMENT ASSOCIATION OF OREGON; 3421 - 25th ST. S. E., SALEM, OREGON. I REPRESENT 35 ASPHALT PLANT OWNERS THROUGHOUT THE STATE WHO PRODUCE APPROXIMATELY 70 % OF THE TONNAGE USED IN OREGON.

THERE ARE TWO MAJOR POINTS IN THE PROPOSED REGULATIONS THAT I WISH TO DISCUSS WITH YOU TODAY.

FIRST OFF LET ME SAY THAT WE ARE NOT AGAINST THE "PERMIT TO EMIT SYSTEM" AS PROPOSED PROVIDING THE PERMITS REPLACE THE REGISTRATION SYSTEM AND PROVIDING THE REGULATION ARE AMENDED TO INCLUDE THE INDUSTRY RECOMMENDATION I WILL OUTLINE. ALSO, PROVIDING THE REGIONS AGREE AND ADOPT A LIKE SYSTEM.

MY FIRST POINT HAS TO DO WITH THE PORTABLE ASPHALT PLANT OR ANY PORTABLE SOURCE THAT WOULD MOVE WITH IN A JURISDICTION OR FROM ONE JURISDICTION TO ANOTHER.

I HAVE REVIEWED THE PROCEDURE FOR ISSUANCE, DENIAL, MODIFICATION OF PERMITS, AND REVOCATION ADOPTED MARCH 24, 1972, AND I HAVE REVIEWED THE REGULATION PROPOSED TODAY AND DO NOT BELIEVE THIS SITUATION IS COVERED. I WOULD PROPOSE TO YOU THAT SECTION "J"

BE ADDED TO THE REGULATIONS. SECTION "J" WOULD BE TITLED "TRANSFER OF PERMITS WITHIN AN AUTHORITY OR BETWEEN AUTHORITIES."

THIS SECTION WOULD READ AS FOLLOWS:

AIR CONTAMINANT SOURCES OPERATING UNDER A PERMIT ISSUED PURSUANT TO THESE REGULATIONS MAY BE TRANSFERRED WITHIN THE AREA OF A JURISDICTION OR INTO ANOTHER JURISDICTION BY FILING OF AN APPLICATION OF TRANSFER TO THE PROPER AUTHORITY HAVING NEW JURISDICTION. WITHIN 15 DAYS OF RECEIPT OF THE APPLICATION THE AUTHORITY SHALL ISSUE A PERMANET TRANSFER PERMIT WHICH WILL BECOME EFFECTIVE UPON PAYMENT OF A \$15.00 TRANSFER FEE. IN CASE THE AUTHORITY DOES NOT ACT WITHING 15 DAYS ON A PERMANET TRANSFER PERMIT A PROVISIONAL TRANSFER PERMIT SHALL BE ISSUED. NO ADDITIONAL FEES WILL BE REQUIRED.

I MIGHT ADD AT THIS TIME THAT THE TIMING OF THESE PERMITS AND BY TIMING I MEAN THE TIME ELAPSED BETWEEN APPLICATION AND APPROVAL SHOULD NEVER BE OVER 20 DAYS. CONTRACTS LET BY ALMOST ALL PUBLIC AGENCIES NEED THIS TYPE OF SERVICE TO COMPLY TO THEIR SPECIFICATIONS AND REGULATIONS.

MY SECOND POINT RELATES TO THE STANDARD INDUSTRIAL CLASSIFICATION NUMBERS AND MULTIPLE USE PERMITS.

UNDER TABLE 'A' LETTERS DOUBLE (LL) SIC # 3295 THE TITLE IS "MINERALS AND EARTH GROUND" OR OTHERWISE TREATED. THAT FANCY TITLE TO ME GENTLEMEN MEANS ROCK CRUSHING PLANTS - A CHECK WITH YOUR STAFF INDICATES THIS IS TRUE.

I SINCERELY BELIEVE THAT CRUSHING PLANTS SHOULD NOT BE CONSIDERED AS A SOURCE AT ALL AND SHOULD BE EXCLUDED FROM THIS REGULATION AND BE CONTROLLED BY YOUR PRESENT REGULATIONS FOR FUGITIVE EMISSIONS, SCAVENGER EMISSIONS OR VISIBLE EMISSIONS AS YOU SEE FIT. THE EMISSIONS FROM THESE PLANTS ARE NOT MEASURABLE BY AN ECONOMICAL METHOD, THEY ARE NOT REGULATED BY A PROCESS WEIGHT AND GENERALLY DO NOT BELONG IN THIS REGULATION ANY MORE THAN THE DUST CREATED BY 100 LOG TRUCKS A DAY DOWN AN UNPAVED ROAD. WHO DO YOU ISSUE A PERMIT TO IN THIS CASE. NOR WOULD WE ISSUE A PERMIT TO DUMP AND STOCKPILE WOOD CHIPS OR SAWDUST.

MY POINT ON MULTIPLE USE PERMITS IS SIMPLY THIS. I CAN VISUALIZE MANUFACTURING SITES WHERE A SINGLE COMPANY WOULD HAVE MANY SOURCES COMPLETELY DIVORCED FROM EACH OTHER AS RELATED TO MANUFACTURING A COMMON PRODUCT OR BY SIC NUMBERS AS FAR AS THAT GOES. IN THIS CASE THE MULTIPLE USE PERMIT SYSTEM SHOULD GO INTO EFFECT.

HOWEVER, IN THE CASE OF ROCK QUARRY USED IN CONJUNCTION WITH AN ASPHALT PLANT THEY SHOULD BE CONSIDERED A SINGLE SOURCE AND ISSUED A SINGLE PERMIT AT THE ASPHALT RATE. ASPHALT CONCRETE CONSISTS OF TWO INGREDIENTS; ASPHALT AND ROCK AND I DO NOT SEE HOW YOU CAN JUSTIFY THE SEPERATION OF THE TWO INGREDIENTS INTO TWO SEPERATE SOURCE PERMITS WHEN THEY ARE MANUFACTURED, COMBINED AND PRODUCED ON A SINGLE SITE.

I WISH TO THANK YOU FOR YOUR TIME AND PRIOR TO ARRIVING AT YOUR DECISION I HOPE YOU WILL GIVE SERIOUS CONSIDERATION TO THESE POINTS.

SINCERELY YOURS,


MIKE HUDDLESTON

COLUMBIA-WILLAMETTE AIR POLLUTION AUTHORITY

1010 N.E. COUCH STREET PORTLAND, OREGON 97232 PHONE (503) 233-7176

18 July 1972

Environmental Quality Commission
State of Oregon
1234 SW Morrison
Portland, Oregon 97205

Attention: L. B. Day, Director
Department of Environmental Quality

BOARD OF DIRECTORS

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Columbia County
- Richard E. Hatchard
Program Director

Gentlemen:

For nearly a year the CWAPA staff has participated with DEQ and the staffs of the Mid-Willamette and Lane Regional Air Pollution Authorities in the development of the proposed regulations relating to Air Contaminant Discharge Permits.

The proposed regulations have evolved through many discussion meetings and several draft proposals. Many difficult situations have been resolved and in their present form, the regulations will create major new administrative, technical and enforcement tools. We believe, however, that several revisions are required to conform with the legislative intent incorporated in Chapter 406 OL 1971, and offer the following for further consideration.

1. In Table A, the permit fee schedule proposed for several Air Contaminant Sources exceed our estimated cost for the Application, Investigation and the Permit Compliance Determination. We have submitted recommended fees based upon considerable experience with the costs involved in similar work.

Therefore, we recommend the fees be reduced as noted in pages 9 and 10 of Table A, for Air Contaminant Sources jj, kk and tt. (attached)

2. Section I - Several revisions are required to conform both with Sections 10 (1) and (2) of Chapter 406 OL 1971 and also the provisions of Chapter 449.855 (2) and (3) ORS which relate to the jurisdiction of regional air pollution authorities. Also enclosed is a copy of the letter dated 13 July 1972 to the Attorney General of the State of Oregon from Emory J. Crofoot, General Counsel, CWAPA.

The necessary revisions are shown as follows:

18 July 1972

I. PERMIT PROGRAMS FOR REGIONAL AIR POLLUTION CONTROL AUTHORITIES

Subject to the provisions of this section I, the Environmental Quality Commission authorizes each Regional Authority to issue air contaminant discharge permits for air contamination sources within its jurisdiction.

(1) A Regional Authority's permit program, [~~including proposed permits and proposed-revised-permits,~~] shall be submitted to the Environmental Quality Commission for review and approval prior to final adoption by the Regional Authority. All permits issued by a Regional Authority shall by its conditions authorize the permittee to construct, install, modify or operate specified facilities, conduct specified activities, or emit, discharge or dispose of air contaminants in accordance with specified practices, limitations, or prohibitions.

(2) A permit proposed to be issued or revised by a Regional Authority [~~shall~~] will be submitted to the Department of Environmental Quality at least fourteen (14) days prior to the proposed issuance date. Within the fourteen (14) day period, the Department [~~shall~~] will give written notice to the Regional Authority of any objection the Department has to the proposed permit or revised permit or its issuance. [~~No permit shall be issued by a Regional Authority unless all objections thereto by the Department shall be resolved prior to its issuance. - If the Department does not make any such objection, - the proposed permit or revised permit may be issued by the Regional Authority.~~]

(3) The Regional Authority [~~shall~~] will give written notice to the Department of its intention to deny an application for a permit, not to renew a permit, or to revoke or suspend any existing permit at least fourteen (14) days prior to the time the Regional Authority expects to notify the permit applicant or permittee that it will take such action.

(4) A copy of each permit issued by a Regional Authority pursuant to this section [~~shall~~] will be promptly submitted to the Department."

Environmental Quality Commission
Page 3
18 July 1972

The changes in Section I are proposed by CWAPA to enable an effective permit system to be administered and meet the performance required in the Oregon Implementation Plan. After the Air Contaminant Discharge Permit regulations are adopted and the regional authorities' programs have been approved by the Environmental Quality Commission, there will be a need for continuing coordination in establishing the permit system throughout the three regional authorities and the remainder of the state. We recommend that the existing coordinating committee composed of one member of the Commission and one member of the governing body for each authority and the staff directors of each, provide this coordination. We believe that significant problems will be avoided by careful consideration in advance of the problems involved in particular air contaminant source categories.

May we express our appreciation for the opportunity of presenting these recommendations for consideration.

For the Board of Directors.

Respectfully submitted,

RE Hatchard
R. E. Hatchard.

REH:jl
Attachments

Discharge Permit Proposed Regulations

June 14, 1972

Page 9

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determination Fee</u> |
|------|--------------------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|
| (cc) | 2,000 or more tons cont. per year production | | 300 | 175 |
| | less than 2,000 tons per year production | | 100 | 75 |
| (dd) | Synthetic resin manufacturing | 2821 | 100 | 100 |
| (ee) | Seed cleaning (not otherwise included) | 0719 | 100 | 100 |
| (ff) | Kraft and sulfite pulp and paper production | 2611 2621 2631 | 300 | 175 |
| (gg) | Primary aluminum production | 3334 | 300 | 175 |
| (hh) | Industrial inorganic and organic chemicals manufacturing (not elsewhere included) | 2810 | 250 | 125 |
| (ii) | Sawmill and planing | 2421 | 75 | 50 |
| (jj) | Mill work | 2431 | 75 (25) | 50 (25) |
| (kk) | Furniture and fixtures less than 100 employees | 2511 | 75 (25) | 50 (25) |
| (ll) | Minerals and earth ground or otherwise treated | 3295 | 100 | 75 |

Discharge Permit Proposed Regulations

June 14, 1972

Page 10

Table A continued

| | <u>Air Contaminant Source</u> | <u>Standard Industrial Classification Number</u> | <u>Application Investigation and Permit Issuing or Denying Fee</u> | <u>Permit Compliance Determination Fee</u> |
|------|-----------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|
| (mm) | Brass and bronze foundries | 3362 | 75 | 50 |
| (nn) | Aluminum foundries | 3361 | 75 | 50 |
| (oo) | Galvanizing | 3479 | 75 | 50 |
| (pp) | Smoke houses | 2013 | 75 | 50 |
| (qq) | Herbicide manufacturing | 2879 | 225 | 175 |
| (rr) | Building board mills (not otherwise included) | 2661 | 150 | 100 |
| (ss) | Incinerators (not otherwise included) 2,000 to 400 pounds per hour capacity | | 75 | 75 |
| (tt) | Fuel burning equipment (not otherwise included) | 4961 | | |
| | Residual oil less than 5 million btu per hour (heat input) | | 75 (25) | 50 (25) |
| | Distillate oil 5 million or more btu per hour (heat input) | | 75 (25) | 50 (25) |
| | Wood fired less than 5 million btu per hour (heat input) | | 75 (25) | 50 (25) |

COLUMBIA-WILLAMETTE AIR POLLUTION AUTHORITY

1010 N.E. COUCH STREET PORTLAND, OREGON 97232 PHONE (503) 233-7176

13 July 1972

The Honorable Lee Johnson
Attorney General
Department of Justice
100 State Office Building
Salem, Oregon 97310

Re: Your Opinion No. 6918 dated 18 May 1972

Dear Mr. Johnson:

I would like to comment on the conclusions reached in the above referenced opinion. My comments will be confined to the action of the Legislature in promulgating and adopting HB 1066 which became Chapter 406, Oregon Laws 1971.

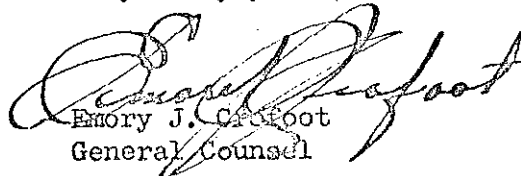
You will find enclosed herewith a copy of "PROPOSED AMENDMENTS to HB 1066". The proposed amendments were offered by the EQC/DEC and the testimony on the proposed amendments was given by a high ranking staff member of the Department.

You will note from reading Chapter 406 that the proposed amendments contained in paragraphs (1) and (2) were adopted by the Legislature and included in Chapter 406. You will also note from reading Chapter 406 that paragraph (3) was rejected by the Legislature and not included in the bill.

I full well realize that the language in the proposed amendment which was rejected by the Legislature is not precisely the same as the language in the proposed EQC rule pertaining to regional permit programs. Even though the language does contain slight differences, there can be no question but what there is sufficient similarity to convey an identical intent. The Legislature expressed its intent when the proposed amendment was rejected.

I assume your office did not have the benefit of the above information when rendering your opinion. I also assume that you will want to re-consider your position now that the information has been brought to your attention.

Very truly yours,


Emory J. Crafoot
General Counsel

EJC:jl

Enclosure

An Agency to Control Air Pollution through Inter-Governmental Cooperation

BOARD OF DIRECTORS

Francis J. Ivancie, Chairman
City of Portland

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Washington County

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A.J. Ahlborn
Columbia County

Richard E. Hatchard
Program Director

PROPOSED AMENDMENTS to HB 1066

On page 2 of the printed bill, delete lines 9 and 10.

On page 4, delete Section 10 and insert:

"(1) The Environmental Quality Commission may by rule authorize regional air quality control authorities to issue permits for air contamination sources within their areas of jurisdiction.

"(2) Permit programs established by regional authorities pursuant to subsection (1) of this section shall be subject to review and approval by the Environmental Quality Commission.

"(3) Permits issued by regional authorities pursuant to this section shall be subject to review by the Department of Environmental Quality and the Department of Environmental Quality is authorized to approve, deny, or modify the conditions of any permit issued by a regional authority.

July 18, 1972

Department of Environmental Quality
State of Oregon

Re: Proposed Regulations Pertaining to Air Contaminant Discharge Permits

The Coalition for Clean Air is in agreement in general with the proposed regulations pertaining to discharge permits. We do wish to ask that room be left for future clarification and possible additions to the regulations, and that the Coalition and all other prominent interested environmental groups be notified of important hearings either with respect to individual contaminating sources or proposed changes in the regulations.

Nancy Stevens
Chairman
Coalition For Clean Air

Oregon Seed Council

Office of Coordinator

1349 CAPITOL ST. N.E.
SALEM, OREGON
97303

Testimony by W. Scott Lamb on behalf of the Oregon Seed Council at the public hearing re licensing and fee schedule for air contaminant sources at 2 p.m. July 18, 1972 in the Public Service Building, Portland, Oregon.

Mr. Chairman my name is Scott Lamb. I am Executive Secretary of the Oregon Seed Council. I have been authorized to make a statement on behalf of the Oregon Seed Council pertaining to the proposed regulations and standards relating to air contaminants.

The Oregon Seed Council represents approximately 2,000 grass seed growers in the state of Oregon.

The proposed standards and regulations as set forth in the proposal to be reviewed today is of concern to grass seed growers. The normal pattern of such regulations is to begin with a minority group and then to spread throughout the industry. In this case, it is aimed at the commercial seed cleaners. It is quite obvious the permit system is aimed totally at an economic scheme to force compliance by limiting the extent of the permits issued and consequently leveling more charges on those who the department feels are not cooperating.

The problems of dust control in agriculture opens a Pandora Box which could add multiple problems to the farming industry. Beginning with seed cleaning plants, fertilizer handling, feed milling, lime spreading and many other normal farm operations, the authority could (and based on other governmental programs, will) eventually cover all phases of agriculture. The added expense cannot be passed on to consumers since agriculture competes with agriculture of other states and nations.

The timing of this hearing to coincide with seed harvest is cause for suspicion as to the desire for hearing from those affected. The seed council wishes to protest this public hearing on the grounds it was not given proper notice and that it was set at a time when growers can not be present without economic loss.

The Seed Council opposes the intent and language of the proposed regulation because of the effect it will have on all agriculture.

While the Seed Council opposes the intent of the proposed regulations the Council favors maintaining Section I of the Proposed Regulations as stated in the proposal should the regulations go into effect.

The Oregon Farm Bureau Federation asked that I announce their opposition to the proposed regulations.

15
 RECEIVED
 JUL 19 1972
 AIR CONTAMINANT CONTROL
 DIVISION
 PORTLAND, OREGON

Oregon Farm Bureau Federation

22

1730 Commercial Street S.E. P.O. Box 2209
SALEM, OREGON 97308
(503) 581-1486

July 18, 1972

Mr. L. B. Day, Director
Department of Environmental Quality
720 State Office Bldg.
Portland, Ore. 97201

Dear Mr. Day:

Since conflicting schedules prevent us from appearing at the hearing relative to the air contaminant discharge permits, July 18, we wish to submit our recommendations by letter.

We recommend that seed cleaning plants be exempt from the list of the air contaminants sources listed in Table A of the proposed regulations. Much of the seed cleaning is done by country cleaners. Other plants are located in predominantly rural communities which have a high dependence on agriculture for maintenance of their economic well being.

Cost factors, which have been quoted to make these establishments dust free, are economically unfeasible as the Oregon seed industry must compete for sales on highly competitive national and international markets. Any additional costs to the industry will be reflected in lower producer prices. As you are well aware, the Oregon seed growers have been faced in recent years with very depressed price levels. Any further reduction would be disastrous to producers.

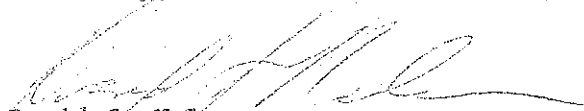
We note also that grain elevators are included among the air contaminant sources. We recommend that grain elevators at country shipping points, including small rural communities be exempt. Many of these facilities are operated by farmers cooperative associations, which also do a limited amount of grain processing for feeds, seed, and other agriculture uses. The small amount of dust created poses no problem in the many facilities in Eastern Oregon and the rural shipping points in the Willamette Valley. As grains also move in interstate and international commerce, any additional cost to handling and storage facilities will be reflected in lower producer prices.

Mr. L. B. Day
July 18, 1972
Page 2

If operators of either seed or grain handling facilities cease or reduce operations because they cannot meet certain standards or afford increased costs, producers in the community will be victims of these circumstances. Oregon cannot afford to lose any agricultural production or processing facilities that help contribute to the new wealth received from out-of-state markets.

Serious consideration of this request for exemption of seed and certain grain handling facilities will be appreciated.

Sincerely,



David S. Nelson
Executive Vice President

DSN:ah

OREGON STUDENT PUBLIC INTEREST RESEARCH GROUP

"a balance for the public interest"

411 GOVERNOR BUILDING · 408 SW 2ND AVENUE
PORTLAND, OREGON 97204 (503) 222-9641

July 18, 1972

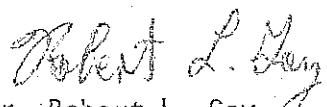
Mr. L. B. Day, Director
Department of Environmental Quality
1234 S.W. Morrison Street
Portland, Oregon

Dear Mr. Day:

Please add the following comments to those of the hearing record regarding the discharge permit system for air pollutants, which hearing was held on July 18, 1972. Based on my own research on behalf of the Oregon Student Public Interest Research Group (OSPIRG), I favor a procedure whereby the State Department of Environmental Quality reviews individual permits granted by Regional Air Pollution Authorities. While I have confidence in the regional authorities, such a system would insure that regional officials could not become the sole object of pressure or lobbying efforts by individuals who wished to resist compliance--such individuals should have the full state system to convince whenever they suggest that theirs is a special case. Also, state review should insure a more uniform system of compliance throughout the state.

I appreciate the opportunity to comment.

Sincerely yours,



Dr. Robert L. Gay
Assistant Director, OSPIRG

RLG:ss

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUL 23 1972
AIR QUALITY CONTROL

Oregon Student Public Interest Research Group: Clatsop Community College/ Eastern Oregon College/ Lane Community College/ Oregon College of Education/ Oregon State University/ Oregon Technical Institute/ Pacific University/ Portland Community College/ Portland State University/ Southern Oregon College/ Southwestern Oregon Community College/ University of Oregon/ University of Portland/ Willamette University.



SHERIDAN GRAIN COMPANY
INCORPORATED

147 S. W. Railroad Street • Phone 843-4542
SHERIDAN, OREGON

July 17, 1972

In a regular meeting of the Sheridan Grain Co., a totally farmer owned Cooperative organized under the laws of the State of Oregon it was resolved that rules and regulations proposed by Department of Environmental Quality, on a meeting notice of June 14, 1972 and held on July 18, 1972 be strenuously objected to as being unreasonable and detrimental to the existance of our business by adding costs beyond our ability or the ability of others in the same agricultural endeavor to pay. The order has been promulgated without proper consideration being given to the basic agricultural economy of the state of Oregon. Moved by Werth Seconded by Knutson this resolution be adopted and presented to said hearing.

C. M. Morris Jr.
President

Robert D. Cole
Manager

Mrs Hazel M. Stevens
Route 1, Box 169 B.,
Eagle Creek, Oregon 97022

July 21, 1972

L. B. Day - Director of Environmental Quality
1234 S. W. Morrison Street
Portland, Oregon 97205

RE: AUG. 18, 1972 DEPARTMENT OF ENVIRONMENTAL
QUALITY, PUBLIC HEARING: ISSUANCE OF PERMITS
TO ROCK CRUSHERS, CONCRETE AND OR ASPHALT
BATCH PLANTS; WITHIN THE CLACKAMAS RIVER
CORRIDOR (ZONED 1964).

Mr Day, Members of the Department of Environmental Quality;

My name is Hazel M. Stevens, I live in Eagle Creek, Oregon and I wish to follow up my testimony given at the August 18, 1972 public hearing and to explain my, as well as many other peoples feelings on the issuance of these permits.

We feel a rock crushing operation, concrete and or asphalt batch plant are very different from a mill, farm or seed processing plant, where the area is not destroyed, such as we see with the rock crushing operations in and along the river.

A Permit Should NOT be issued by your department until the extractive industry can furnish proof that a public hearing and ZONE CHANGE has been furnished by the County. Then and ONLI then should the permit be issued.

Permits to Rock Crushers, concrete batch plants and OR asphalt plants should be (3) three separate permits (NOT a combination such as the minning industry would like).

Permits should not allow these operations to move from SITE to SITE, in other words, under no consideration should these permits allow a ROVEING OPERATIONAL PERMIT.

If your department issues a permit with out prior clearance by a public hearing before our Governing Officials it will make our work very time consuming and costly.

We the Citizens of Clackamas County have worked very hard to protect the beautiful Clackamas River and its Corridor for the domestic water supply and the scenic and recreational aspects and we hope that your department will assist us towards reaching this end.

Please submit this letter as part of my testimony for the public hearing.

Thank you,

Hazel M. Stevens
Mrs Hazel M. Stevens

Wm. E. Sanderson
Rt. 2, Box 999
Estacada, Ore. 97023

July 24, 1972

Department of Environmental Quality
Air Control Division

Subject; Proposed Air Contaminant Discharge Permits;
Proposed Regulations pertaining to - - ,etc.

After reviewing the Background Report presented at the Public Hearing on July 18, and the Proposed Regulations pertaining to the issuance of Air Contaminant Discharge Permits dated June 14, 1972, and CH. 340, Subdivision 4, we offer the following comments.

1. We believe that direct mention of the legal and moral rights of the PUBLIC and the public's interests in the authorization "to construct, install, modify or operate - - facilities - - or emit, discharge or dispose of wastes - - " should be made in the procedures for issuance of permits, and in addition that the regulations spell out just what recourse is, under the proposed regulations, open to disagreeing citizens, or communities that may become, through the issuance of such permits, the unwilling host to an air contaminating activity.
2. We believe that specific mention should be made of the necessity of the applicant for a Permit under these proposed regulations to show evidence of LOCAL CLEARANCE with such local authorities as city or county Planning Departments. Too often, in the past companies or persons whose operations, (or profits) depend upon the amount of pollution and ecological damage they can get away with, USE possession of a "permit" type of authority as proof of their "right" to operate a local or neighborhood nuisance.
3. We believe that the definitions (14-010) and descriptions of the various types of permits, (14-015) and the (1), (2) and (3) pars. of 14-020 should be used to supplement the requested revisions of 14-015 with regards to spelling out these suggested requirements, limitations and conditions. For an example, we believe that specific mention should be made of a requirement that all applications for permits should include a prior clearance from a city or county planning authority that it was located, - or to be located -, in an area consistent with the zoning for that area.

(NOTE:) One of the incredible things about existing operations such as gravel plants, sawmills, etc. is the situation where such operations have become "conditional uses" in because of their existance prior to zoning. Expansions and additions thru the mis-use of vt

(NOTE) Cont. - of such terms as "accessory uses" are, in some cases expanding these non-conforming operations beyond all recognition of their original status.

Thanks for the opportunity to comment on the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Wm. E. Sanderson', written in a cursive style.

Wm. E. Sanderson



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

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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, July 27, 1972, EQC Meeting

Proposed Detergent Labeling Regulations (Status Report)

Background

The Oregon Legislative Assembly in 1971 enacted ORS 449.137 which requires that all synthetic cleansing agents sold in the State of Oregon be "biodegradable." The statute requires the Department of Environmental Quality to adopt regulations governing the labeling requirements. The purpose of the labeling is to aid in the assessment of phosphorus entry to the environment from detergents and the effects of that entry.

ORS 449.137 provides as follows:

- "(1) No synthetic cleansing agent shall be sold for use in this state unless the agent will normally decompose when acted upon by biological means or will degrade in a secondary sewage treatment plant.
- (2) All synthetic cleansing agents that are sold in this state under subsection (1) of this section must be labeled as to percent of phosphorus by weight,

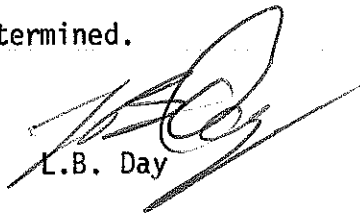
including equivalency in grams of phosphorus per recommended use level.

- (3) The Department of Environmental Quality shall adopt rules and regulations governing the labeling requirements imposed by subsection (2) of this section.
- (4) Violation of subsection (1) or (2) of this section is a misdemeanor."

The attached proposed regulations have been prepared as a means of implementing the 1971 legislation.

DIRECTORS RECOMMENDATION

It is recommended that the Commission authorize the Director to hold a public hearing on this proposed regulation on a date and at a location yet to be determined.


L.B. Day

PROPOSED REGULATIONS FOR LABELING
SYNTHETIC CLEANSING AGENTS

Add the following as Division 9, Subdivision 1, Chapter 340,
Oregon Administrative Rules:

A. PURPOSE

(91.005) The purpose of these regulations is to prescribe requirements for labeling all synthetic cleansing agents sold in Oregon as required by ORS 449.137.

B. DEFINITIONS

(91.010) As used in these regulations unless otherwise required by context:

(1) "Synthetic cleansing agents" means all soaps, detergents and additives that by themselves or in conjunction with another agent are used for cleaning, degreasing, bleaching, disinfection or other cleansing use.

(2) "Biodegradable" means capability of synthetic cleansing agent normally to decompose when acted upon by organisms in a secondary sewage treatment plant or equivalent biological system.

(3) The symbol "P" means elemental phosphorus.

(4) "Secondary sewage treatment" means the treatment of sewage by biological methods after primary treatment by sedimentation, usually resulting in 85% reduction in biochemical oxygen demand (BOD) and suspended solids.

C. LABELING OF SYNTHETIC CLEANSING AGENTS (91.015)

(1) All synthetic cleansing agents permitted by Oregon law to be sold in the State of Oregon shall bear on the label the following notation:

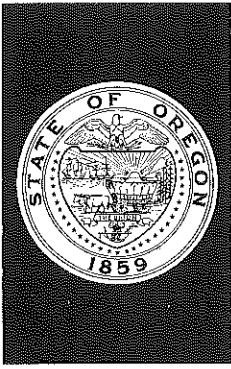
This product is BIODEGRADABLE as required by ORS 449.137.

(2) All synthetic cleansing agents permitted by Oregon law to be sold in the State of Oregon shall bear on the label a notation showing the percentage of phosphorus in the cleansing agent as follows:

Phosphorus as P ____% by weight.

Grams of Phosphorus as P per each recommended use level ____ grams.

(3) The size of type of such label notation shall be one-eighth inch minimum height and the label notations shall be in bold, black letters. No impediment to the view of such label shall be superimposed in the manufacturing, warehousing or merchandising of synthetic cleansing agents by stamps, price tags or otherwise.



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. McPILLIPS
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. 0, July 27, 1972, EQC Meeting
Proposed Administrative Procedures Regulations
Authorization for Hearing

Background

The 1971 Legislature revised the State Administrative Procedures Act. Consistent with the revised act, the Attorney General has prepared model rules of practice and procedure under the act.

The Department's existing Rules of Practice and Procedure were adopted on November 24, 1959 and are not consistent with new procedural requirements.

Evaluation and Proposal

In order to comply with the Administrative Procedures Act, it will be necessary for the Department to repeal its existing Rules of Practice and Procedure and adopt new rules consistent with the Attorney General's model rules for:

- a. Adoption, amendment, or repeal of rules.
- b. Agency Declaratory Rulings.
- c. Practice in contested cases.

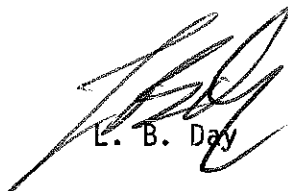
The Department also wishes to adopt a rule establishing procedures for public notice for cases where notice is desirable

and statutory notice provisions are not otherwise specified. This would be used initially for notice of permit applications, and notice prior to certification as required by Section 21 b of the Federal Water Quality Act that proposed actions will not violate water quality standards.

Proposed rules have been drafted and are currently being reviewed within the Department. As soon as this internal review is completed, the Department desires to proceed to hearing before a hearings officer at the earliest practicable date.

Director's Recommendation

It is recommended that the Director be authorized to schedule a hearing on proposed administrative procedures regulations, said hearing to be held before the Director or a hearings officer named by him at a time and place to be established by the Director.



L. B. Day

HLS:1jb

7/20/72



DEPARTMENT OF ENVIRONMENTAL QUALITY

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I. B. DAY
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ARNOLD M. COGAN
Portland

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item P, July 27, 1972, EQC Meeting
Proposed Performance Bond Approval Procedure

Background

ORS 449.400 requires every person proposing to construct a domestic sewerage system (privately owned) to file with the Environmental Quality Commission a surety bond of a sum required by the commission, not to exceed \$25,000. The bond must be executed in the favor of the State of Oregon and shall be approved as to form by the Attorney General.

This statute also provides that the Environmental Quality Commission may permit the substitution of other security for the bond, in such form and amount as the Environmental Quality Commission deems satisfactory, the form of which shall be approved by the Attorney General.

The Department is receiving more and more requests for acceptance of alternate security. A procedure for responding to such requests in a more rapid and efficient manner is needed.

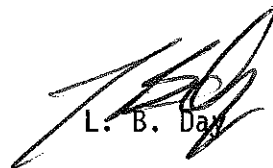
Evaluation

ORS 449.395 requires commission approval of plans and specifications for sewage and industrial waste facilities. In practice, the Department reviews and approves plans subject to ratification by the commission at its next scheduled regular meeting. A similar procedure could be instituted relative to performance bonds to speed response to requests.

Director's Recommendation

It is recommended that the Director be authorized to approve substitution of alternate security subject to approval of the Attorney General, ratification by the commission at its next regularly scheduled meeting, and the following:

1. The approved security shall provide assurance that the principal shall properly operate and maintain the domestic sewerage system in accordance with the rules, regulations, permits, and orders of the Department of Environmental Quality.
2. The approved security shall remain in full force and effect until such time as a responsible city, county, sanitary district or other public body acquires ownership, or assumes full liability and responsibility for operation and maintenance, of the domestic sewerage system or until the domestic sewerage facility is connected to an area wide sewerage system.
3. The principal shall not transfer ownership of the domestic sewerage system without first obtaining the written approval of the Department of Environmental Quality.
4. The principal shall agree to connect the domestic sewerage system to an area wide sewerage system as soon as such area wide sewerage system becomes physically available.


L. B. Day

HLS:ljb

7/20/72



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

L. B. DAY
Director

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GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

MEMORANDUM

To: Environmental Quality Commission (EQC)

From: Director

Subject: Agency Item No. Q, July 27, 1972, EQC Meeting

Pollution Control Bonds (Authorization for Bond Sale)

Background

1. On March 24, 1972 at their regular meeting, the EQC adopted a resolution 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 year.
2. On June 30, 1972, the Director advised the Environmental Protection Agency that the Department of Environmental Quality desires to resume immediately a matching grant program in Oregon for all projects funded or to be funded by EPA in Oregon during fiscal years 1970, 1971 and 1972.

3. On July 11, 1972, the Attorney General's office determined that the Department of Environmental Quality has authority to reinstate the 50 percent (Federal) 25 percent (State) grant program.
4. On July 12, the Environmental Protection Agency advised that their requirements for reinstating the 25 percent state matching grant were satisfied and that the proposed revision to the Fiscal Year 1972 priority list limiting grants only to those municipalities that have proceeded or are ready to proceed was acceptable.
5. On July 4, 1972, the Director announced publicly the return to the matching grant program and identified 29 high priority projects which need to get under construction in the near future.
6. Special Federal appropriations will be required to raise the Federal grant share from the present level of 30-33% to the matching grant level of 50%.

Evaluation

1. Present legislation permits the Environmental Quality Commission to issue and sell up to \$100,000,000 in State Pollution Control Bonds and expend up to \$30,000,000 of the proceeds for grants. Legislation also limits the expenditure of Bond proceeds as follows:
 - \$80,000,000 for construction of sewage treatment facilities
 - \$1.00 for construction of solid waste facilities
 - \$1.00 for planning of facilities or methods relating to the disposal of solid waste and of facilities for sewage treatment

(Emergency Board action required on each planning and solid waste project to approve use of more than \$1.00 in funds.)

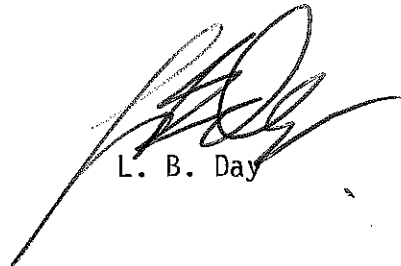
2. \$45,000,000 in bonds were sold April 6, 1971. Of the proceeds of this bond sale the commission may expend not to exceed \$13,500,000 for grants.
3. Estimated present and future needs for sewerage works grants under the reinstated matching program is \$25,000,000 (based on 99 projects with total eligible cost of approximately \$100,000,000).
4. Present and foreseeable needs for loans to communities for eligible construction costs total approximately \$50,000,000.
5. Some funds are needed in reserve to finance project cost increases or accelerated projects. \$5,000,000 are projected to cover this need.
6. \$10,000,000 are projected as necessary to cover planning and solid waste needs.
7. Since projected needs require a total of \$90,000,000 available funds from the sale of Pollution Control Bonds, it is necessary to proceed immediately to sell an additional \$45,000,000 in bonds.

Conclusion

An additional sale of Pollution Control Bonds is necessary to meet the projected requirements of the Construction Grant and Solid Waste Management Programs.

Director's Recommendation

It is the recommendation of the Director that the EQC pass the attached resolution authorizing the issue and sale of Forty-Five Million Dollars (\$45,000,000) for the purpose of carrying out the provisions of Article XI-H of the Constitution of the State of Oregon and of said statutes.



L. B. Day

WEG:HLS:cas
7-19-72

A meeting of the Environmental Quality Commission was held at the _____ on the _____ beginning with the hour of _____ Pacific Daylight Time pursuant to Chapter 662, Section 1, 1971 Oregon Laws.

The following-named members of the Environmental Quality Commission were present:

The following-named members were absent:

Among other business, the following was transacted at said meeting; Upon motion duly made by _____, and seconded by _____ the following transcribed resolution was unanimously adopted;

RESOLUTION

BE IT RESOLVED by the Environmental Quality Commission, in session regularly assembled, that, of the bonds authorized by Article XI-H of the Constitution, of the State of Oregon and by Chapter 662, 1971 Oregon Laws, FORTY-FIVE MILLION DOLLARS (\$45,000,000) par value, with the approval of the State Treasurer thereof shall be issued and sold October 25, 1972, for the purpose of carrying out the provisions of the said Article of the Constitution and of the said statutes; and

BE IT FURTHER RESOLVED that the principal of and the interest on all of the bonds issued pursuant to this resolution be paid upon the due dates thereof with the approval of the State Treasurer at the fiscal agency of the State of Oregon in the City and State of New York, and that the said bonds be known and designated as "OREGON POLLUTION CONTROL BONDS, SERIES 1972" and be numbered consecutively from one (1) to nine thousand (9,000) inclusive, in denominations of FIVE THOUSAND DOLLARS (\$5,000) each; and

BE IT FURTHER RESOLVED that the said bonds be in coupon form, and bear interest payable semiannually upon May 1, and November 1 of each year during which they are outstanding; and

BE IT FURTHER RESOLVED that the said bonds be issued to bear date of November 1, 1972, and to mature serially in numerical order in principal installments of \$450,000 on November 1, 1975; \$1,350,000 on November 1, 1976; \$1,800,000 on November 1, 1977; \$2,500,000 on November 1, 1978; \$2,500,000 on November 1, 1979; \$2,250,000 on November 1, 1980; \$2,250,000 on November 1, 1981; \$2,700,000 on November 1, 1982; \$2,700,000 on November 1, 1983; \$2,700,000 on November 1, 1984; \$2,700,000 on November 1, 1985; \$2,700,000 on November 1, 1986; \$2,700,000 on November 1, 1987; \$2,700,000 on November 1, 1988; \$3,150,000 on November 1, 1989; \$3,150,000 on November 1, 1990; \$3,600,000 on November 1, 1991; \$3,600,000 on November 1, 1992; and

BE IT FURTHER RESOLVED that the Environmental Quality Commission also reserves the right to redeem said bonds for retirement or refunding on any interest payment date on or after November 1, 1986; and

BE IT FURTHER RESOLVED that, with the approval of the State Treasurer of the State of Oregon, the said bonds be sold at public sale pursuant to publication of notice thereof given not less than ten (10) days prior to proposed sale date, in one issue of the Daily Bond Buyer, a financial newspaper printed and published in the City and State of New York, and in one issue of the Daily Journal of Commerce, a daily newspaper of general circulation printed and published in the City of Portland, Multnomah County, Oregon; and

BE IT FURTHER RESOLVED that, as recommended and approved by the State Treasurer of the State of Oregon, the said bonds be sold at not less than par for each \$100 par value, and accrued interest, if any, to the bidder offering to the state the lowest effective rate of interest upon the bonds not exceeding a net effective rate of seven percent (7%) per annum payable semiannually; that the difference between the highest and lowest coupon rates specified in any bid shall not exceed two percent (2%); and

BE IT FURTHER RESOLVED that the bonds bear interest at such rate or rates, in multiples of 1/4 of 1% or 1/10 of 1%, as shall be designated in the accepted bid for the bonds, and that each maturity of the bonds shall have only one interest rate, and that the bonds shall have but one coupon for the interest due on any interest-paying date; and

BE IT FURTHER RESOLVED that the said notice of sale specify that the Environmental Quality Commission will receive and open bids for the Bonds offered for sale, at the time and place indicated in said public notice, but that the Environmental Quality Commission reserves the right to reject any and all bids for said bonds; and

BE IT FURTHER RESOLVED that, under the terms of the notice of sale of the bonds issued pursuant hereto, each bidder for the bonds be required to deposit with his bid a certified or cashier's check upon a solvent bank, in favor of the Environmental Quality Commission of the State of Oregon, in the sum of \$225,000.00, the deposit not to draw interest but to be forfeited to the State of Oregon as liquidated damages in the event that the bidder, should his bid be accepted fail to complete his purchase of the bonds bid for, in accordance with the terms of the bid; and

BE IT FURTHER RESOLVED that in order to facilitate the ascertainment by the Environmental Quality Commission of the most favorable bid received for the said bonds, each bidder be requested to indicate in his bid the total interest cost upon the bonds to the State of Oregon, computed to the final maturity date of the bonds; and

BE IT FURTHER RESOLVED that in the public sale of the aforesaid bonds, the State of Oregon through the Environmental Quality Commission furnish to the purchaser thereof, without cost to him the written opinion of Rankin, Walsh and Ragen, bond attorneys in the City of Portland, County of Multnomah, State of Oregon certifying to the legality and the validity of the bonds sold, and that said opinion be printed upon each of the said bonds; and

BE IT FURTHER RESOLVED that, subject to such changes as may be necessary to conform to the interest rates offered by bidders, the bonds issued pursuant to this resolution be of uniform tenor, be direct general obligations of the State of Oregon, and be in substantially the following form prepared by the Attorney General of the State of Oregon;

| | | |
|---------|--------------------------------|---------|
| Number | UNITED STATES OF AMERICA | Number |
| | STATE OF OREGON | |
| \$5,000 | OREGON POLLUTION CONTROL BONDS | \$5,000 |
| | SERIES 1972 | |

KNOW ALL MEN BY THESE PRESENTS, that the State of Oregon acknowledges itself to owe and for value received hereby promises to pay to the bearer hereof the principal sum of

FIVE THOUSAND DOLLARS

(\$5,000) on the first day of November, 197__, with interest on said sum from the date hereof until paid, at the rate of PER CENT (%) per annum payable semiannually on the first day of May and on the first day of November in each year, as evidenced by, and upon the presentation and surrender of, the interest coupons hereto annexed, as they severally become due. Both the principal of and the interest upon this bond are payable at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America.

The bonds of the issue of which this bond forms a part, maturing on and after November 1, 1987, may be redeemed at the option of the State of Oregon on and after November 1, 1986, at par and accrued interest, on any interest-paying day or days in regular numerical order or in the entire amount of the issue outstanding at call date, upon notice given by the Treasurer of the State of Oregon at least thirty (30) days prior to the redemption date specified therein, by publication thereof in one issue of a newspaper or financial journal of general circulation printed and published within the City and State of New York, and one issue of a newspaper of general circulation printed and published within the City of Salem, Oregon. From the date of redemption designated in any such notice, interest on the bonds so called for redemption shall cease.

This bond is issued by the State of Oregon in conformance to its Constitution and under and by virtue of and in all respects in full and strict compliance with its laws, and in particular Article XI-H of the Constitution and Chapter 662, 1972 Oregon Laws.

The faith and credit of the State of Oregon hereby irrevocably pledged for the punctual payment of the interest upon and the principal of this bond respectively, as the same become due and payable as aforesaid.

IN TESTIMONY WHEREOF, the State of Oregon has caused this bond to be signed by the Governor and by the Secretary of State with their facsimile signatures, and by the State Treasurer, and sealed with the seal of the State of Oregon, and has caused the annexed interest coupons to be executed with the facsimile signatures of its said officers, all as of the first day of November, 1972.

Governor

(SEAL)

Secretary of State

State Treasurer

FORM OF COUPON

On May 1, 1973

\$ _____

THE STATE OF OREGON

will pay the bearer the amount shown hereon at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which, at the time of payment is legal tender for the payment of public and private debts within the United States of America, for six month's interest then due on Oregon Pollution Control Bonds, Series 1972, No. _____

State Treasurer

Secretary of State

Governor

No. _____

FORM OF COUPON

(for coupons maturing after November 1, 1986)

May 1, 1987

NO. _____

unless the bond hereinafter designated shall have been called for previous redemption and due provision made for the payment thereof,

THE STATE OF OREGON

will pay the bearer the amount shown hereon at the fiscal agency of the State of Oregon in the City and State of New York, in any coin or currency which, at the time of payment is legal tender for the payment of public and private debts within the United States of America; for six month's interest then due on Oregon Pollution Control Bonds, Series 1972, No. _____

State Treasurer

Secretary of State

Governor

No. _____

BE IT FURTHER RESOLVED that the said FORTY-FIVE MILLION DOLLARS (\$45,000,000) in bonds authorized be advertised for sale by the Environmental Quality Commission and that the notice of sale provided for herein shall be given so that bids for said bonds may be opened at a regular meeting of the Environmental Quality Commission to be held

Chairman

Member

Member

Member

Member

ATTEST

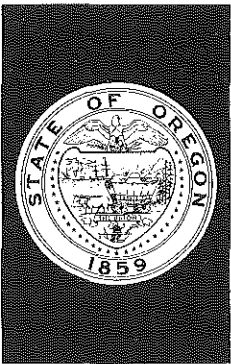
Director

STATE OF OREGON)
)
County of Multnomah)

ss.

I, L. B. Day, Director, being first duly sworn,
depose and say that I am the duly appointed qualified and
acting Director of the Environmental Quality Commission,
and that the foregoing is a true and exact copy of that
part of the minutes of a meeting of said Commission held

L. B. Day, Director



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

L. B. DAY
Director

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Portland

ARNOLD M. COGAN
Portland

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. R, July 27, 1972, EQC Meeting

Tax Credit Applications

Attached are review reports on 27 Tax Credit Applications.
These applications and the recommendations of the director are summarized on the attached table.


L. B. Day

HLS:ak

July 20, 1972

Tax Credit Applications

| <u>Applicant</u> | <u>Appl. No.</u> | <u>Facility</u> | <u>Claimed Cost</u> | <u>% allocable to Poll. Control</u> | <u>Director's Recommendation</u> |
|----------------------------------------|------------------|-------------------------------------------------|---------------------|-------------------------------------|----------------------------------|
| Willamette Industries, Albany | T-171 | Truck dump enclosure & baghouse | \$ 22,711.42 | 80% or more | Issue |
| Gould, Inc., Salem | T-217 | Dust Collector | 7,632.00 | 80% or more | Issue |
| Gould, Inc., Salem | T-218 | Baghouse | 15,576.22 | 80% or more | Issue |
| Weyerhaeuser Co., Cottage Grove | T-302 | Powerhouse smoke controls | 290,292.00 | 80% or more | Issue |
| Weyerhaeuser Co., Cottage Grove | T-303 | Conveyor modifications (To phase out burner) | 26,384.00 | 60% or more & less than 80% | Issue |
| Weyerhaeuser Co., Cottage Grove | T-304 | Hog and related conveyors, etc. | 103,880.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-305 | Boiler Controls | 28,324.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-307 | Baghouse | 43,435.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-308 | Vaposphere Top replacement | 16,523.00 | -- | Deny |
| Crown-Zellerbach, Lebanon | T-321 | Gas/oil fired boiler | 239,327.00 | 80% or more | Issue |
| Oregon Portland Cement, Lake Oswego | T-328 | Paving for dust control | 4,220.63 | 80% or more | Issue |
| B. H. Fronssen, Coquille | T-211 | Manure facilities | 7,795.92 | 80% or more | Issue |
| Gould, Inc., Salem | T-215 | Backflow preventer | 2,028.00 | -- | Deny |
| Fred Messerle & Sons, Inc. | T-293 | Manure facilities | 9,987.18 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-309 | Effluent drain extension | 2,932.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-310 | White water reuse facility | 11,252.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-311 | Atomic absorption Spect. | 9,746.00 | 40% or more & less than 60% | Issue |
| Weyerhaeuser Co., Springfield | T-312 | 3 - 75 HP Aerators | 47,780.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-313 | Cooling water separation | 4,343.00 | 80% or more | Issue |
| Weyerhaeuser Co., Springfield | T-314 | Effluent reuse system | 5,781.00 | 80% or more | Issue |
| James Pitney, Junction City | T-334 | Manure facility | 7,086.00 | 80% or more | Issue |
| Stayton Canning, Dayton | T-335 | Land for waste disposal | 36,400.00 | (1967 Act) | Issue |
| Stayton Canning, Stayton | T-336 | Land disposal facilities | 137,923.97 | (1967 Act) | Issue |
| International Paper, Gardiner | T-342 | Piping and pumps | 16,982.29 | 80% or more | Issue |
| Western Kraft, Albany | T-358 | Secondary Treatment | 263,118.92 | 80% or more | Issue |
| Olson Lawyer Lumber | T-255 | Water recirculation system | (\$ 21,372.64) | 80% or more | Revoke Cert.232 and reissue |
| Olson Lawyer Timber | T-256 | Wood waste burning system | (\$1,307,513.00) | 80% or more | Revoke Cert.243 and reissue |

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Willamette Industries, Inc.
Albany Division (Duraflake)
1002 Executive Building
Portland, Oregon 97204

The applicant operates a facility at Albany that produces particle-board.

This application was received on October 1, 1970, and, by company request, action was deferred until a truck dump facility was completed in June, 1971. The company requested that this application be reactivated on April 10, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described as a truck dump enclosure with a negative air pressure and bag house filtering system.

The bag house was completed in May, 1970, and the Truck Dump enclosure was completed in June, 1971.

Certification is claimed under the 1967 Act and the percentage claimed is 100%.

Facility cost: \$22,711.42 (Accountant's certification was provided).

3. Evaluation of Application

The claimed facility was required by regulations in order to control particulate emissions to the atmosphere during truck unloading operations. The bag house operates at an efficiency of 99+%.

The company will not earn any return on this investment.

It is concluded that the facility operates to reduce particulate emissions to the atmosphere and the cost allocatable to pollution control should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility certificate bearing the cost of \$22,711.42 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-171.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Gould, Inc.
Automotive Battery Division
8550 W. Bryn Mawr Avenue
Chicago, Illinois 60631

The applicant owns and operates a lead acid automotive type storage battery manufacturing plant at 576 Patterson Avenue, N. W. in Salem, Oregon.

The application was submitted on March 31, 1972.

2. Description of Claimed Facility

The claimed facility in this application is described to include a Pangborn #1500-CN dust collector which is used to clean air exhausted from machines and work stations.

The facility was completed in October, 1970.

Certification is claimed under the 1969 act, the percentage claimed is 100%.

Facility cost: \$7,632.

An accountant's certification was submitted to document the cost.

3. Evaluation of Application

The facility removes lead particulate matter from air exhausted from machinery and work stations. Mid-Willamette Valley Air Pollution Authority, in a letter received May 22, 1972, stated that they required installation of the facility and reviewed plans of the facility prior to construction. The facility was constructed in accordance with the approved plans, and an inspection of the facility on May 15, 1972, indicated there were no visible emissions. The collected lead particulate is shipped to a smelter. The value of the lead is \$250 per year, to offset operating costs of \$350 per year and annual depreciation of \$916 per year. Therefore, it is concluded that the facility was installed and operated for pollution control purposes.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$7,632 be issued for the facility claimed in Tax Application T-217 with more than 80% allocated to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Gould, Inc.
Automotive Battery Division
8550 W. Bryn Mawr Avenue
Chicago, Illinois 60631

The applicant owns and operates a factory for making automotive-type lead acid storage batteries at 576 Patterson Avenue, N. W. in Salem, Oregon.

The application was submitted on March 31, 1972.

2. Description of Claimed Facility

The claimed facility is described to be an American Air Filter baghouse model #1-166L amertube dust collector.

Facility Cost: \$15,576.22. (Accountants certification was provided.)

The facility was completed and placed in operation in January, 1970. Certification is claimed under the 1969 act. The percentage claimed is 100%.

3. Evaluation of the Application

The facility in this application cleans lead dust from air collected in a system of hoods over machinery and work areas in the plant. The system originally exhausted directly to the atmosphere.

Mid-Willamette Valley Air Pollution Authority has indicated, in a letter received May 22, 1972, that this facility was not required by them, and that its planning and construction were completed before they instituted a plan review program. They further indicated that an inspection on May 15, 1972, revealed that there were no visible emissions from this facility.

The value of the lead collected by this facility is stated to be \$250 per year. Operating costs alone are stated to be \$735 per year, so that a negative return is indicated. Therefore, it is concluded that the facility was installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$15,576.22 be issued for the facility claimed in Tax Application T-218, with more than 80% allocated to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The applicant operates facilities at Cottage Grove that produce lumber, plywood, particleboard and other miscellaneous wood products.

This application was received by the Department on February 15, 1972. The report from Lane Regional Air Pollution Authority was received on March 24, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described as "powerhouse smoke and cinder abatement" equipment for the Cottage Grove Plant. The facility is an addition to the two (2) existing 1242 h. p. hog fuel boilers that were installed to reduce particulate emissions and consists of the following items:

- a) Two (2) forced draft over-fire air fans and ducts.
- b) Two (2) induced draft fans and fly ash collectors.
- c) Two (2) fly ash conveying and screening systems.
- d) Two (2) combustion control systems.

The facility was completed in March, 1970.

Certification is claimed under the 1969 Act and the percentage claimed for pollution control is 100%.

Facility cost: \$290,292 (Accountant's certification was provided.)

3. Evaluation of Application

The installation of this equipment was required and reviewed by the Lane Regional Air Pollution Authority as stated in their letter dated March 22, 1972.

The facility was installed to provide more complete combustion control and to reduce particulate emissions from the hog fuel boiler stacks and this objective was attained through this installation.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

The company has through this installation, effected a moderate increase in steam production and is able to sell a portion of the collected fly ash. However, the company still will not have any significant return on their investment in this facility.

It is concluded that this facility does operate to significantly reduce particulate emissions to the atmosphere and that the costs allocatable to pollution control should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certification bearing the cost of \$290,292 with 80% or more of the cost allocated to pollution control be issued for this facility claimed in Tax App. T-302.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The applicant operates facilities at Cottage Grove that produce lumber, plywood, particleboard and other miscellaneous wood products.

This application was received on February 15, 1972. The report from the Lane Regional Air Pollution Authority was received on March 24, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described as two (2) widened infeed belts and drop chutes to the waste wood chippers.

The facility was completed in August, 1970.

Certification is claimed under the 1969 Act and the percentage claimed for pollution control is 85%.

Facility cost: \$26,384 (Accountant's certification was provided).

3. Evaluation of Application

This installation was required by the Lane Regional Air Pollution Authority as stated in their letter dated March 22, 1972.

The claimed facility was installed as a necessary step in the company's compliance program to phase-out their wigwam waste burner which was a major source of air pollution.

Through the use of this facility, the company is able to convert larger pieces of wood waste into chips that can be sold or utilized as hog fuel for the boilers. The company has estimated that this increased utilization of wood waste residue yields a benefit of about 15% of the equipment costs over the expected equipment life.

T-303
6/29/72
Page 2

It is concluded that this equipment does operate satisfactorily and did reduce particulate emissions to the atmosphere by facilitating the phase-out of the wigwam waste burner. It is further concluded that the cost allocable to pollution control should be 60% or more and less than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$26,384.00 with 60% or more and less than 80% of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-303.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The applicant operates facilities at Cottage Grove that produce lumber, plywood, particleboard and other miscellaneous wood products.

This application was received February 15, 1972. The report from the Lane Regional Air Pollution Authority was received March 24, 1972.

2. Description of Claimed Facility

The facility claimed in this application which eliminated a wigwam waste burner is described to consist of the following:

- a) Jefferies Hammer Hog Motor and Starter.
- b) 40 ft. cross transfer chain.
- c) Roll case additions and modifications.
- d) Belt sweep for 30" chip belts.
- e) (1) 60 ft. slasher saw belt conveyor and
(2) 30 ft. belt conveyors.
- f) Wood Sawdust Separator by-pass belt.

The facility was completed in August, 1970.

Certification is claimed under the 1969 Act and the percentage claimed for pollution control is 98%.

Facility cost: \$103,880.00 (Accountant's certification was provided).

3. Evaluation of Application

The installation was required by the Lane Regional Air Pollution Authority as stated in their letter dated March 22, 1972.

The claimed facility was installed as a necessary step in the company's compliance program to phase-out their wigwam waste burner which was a major source of air pollution.

This facility enabled the company to convert larger pieces of wood waste into chips and to separate the sawdust from the other wood waste residues. It also enabled the company to eliminate the existing conveyor to the wigwam waste burner and to phase-out the wigwam waste burner.

The company will not be able to earn any significant return on this investment even though they are able to salvage a small percentage of the chips for hog fuel or other manufactured products.

It is concluded that this facility does operate satisfactorily and did reduce smoke and particulate emissions to the atmosphere by enabling the phase-out of the wigwam waste burner. It is further concluded that the cost allocatable to pollution control should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the costs of \$103,880.00 with 80% or more of the costs allocated to pollution control be issued for the facility claimed in Tax App. T-304.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The applicant operates facilities at Springfield that produce lumber, plywood, particleboard and other miscellaneous wood products.

This application was received February 15, 1972 and the report from the Lane Regional Air Pollution Authority was received on March 24, 1972.

2. Description of Claimed Facility

The facility claimed in this application is described as hog fuel boiler firing controls for the Springfield plant and consists of:

- a. 5 recorders
- b. 5 constant voltage transformers
- c. 5 #UL 5000A Right sources and 5 #UB 5000A Blometers
- d. 5 class GL 110 Receivers
- e. 5 Class A 10AD Pilot Tubes
- f. 3 Clarage Fans
- g. 3 Motors and controls
- h. Steel duct work, dampers and conduit and wiring.

The facility was completed in September 1968.

Certification is claimed under the 1967 Act and the percentage claimed for pollution control is 100%.

Facility cost: \$28,324.00 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was installed to provide greater combustion control and burning efficiency, thereby reducing particulate emissions to the atmosphere.

The Lane Regional Air Pollution Authority states in their letter dated March 22, 1972 that this equipment was required and was installed in an approved manner and is operating properly.

The Company will not be able to earn any return on this investment.

Tax Application T-305

June 13, 1972

Page 2

It is concluded that the claimed facility is required to achieve the best level of boiler operation to reduce particulate emissions to the atmosphere and the cost allocable to pollution should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$28,324.00, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-305.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
P. O. Box 275
Springfield, Oregon 97477

The applicant operates facilities at Springfield that produce lumber, plywood, particleboard and other miscellaneous wood products.

This application was received February 15, 1972 and the report from the Lane Regional Air Pollution Authority was received March 24, 1972.

2. Description of Claimed Facility

The claimed facility in this application is described as a complete bag house filtering system.

The facility was completed in August, 1970.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: \$43,435.00 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility collects and filters out the sanderdust and prevents emission of these particulates into the atmosphere. The efficiency of this installation is 99+%. The sanderdust was a major air pollutant at this facility.

Lane Regional Air Pollution Authority, in their letter dated March 22, 1972, states that this system was required and was installed under their review.

It is concluded that this installation operates to reduce particulate emissions to the atmosphere and that the cost allocable to pollution control should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$43,435.00 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Application T-307.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Meyerhaeuser Company
P.O. Box 275
Springfield, Oregon 97477

The applicant owns and operates an unbleached kraft pulp and paperboard plant in Springfield.

The application was received on February 15, 1972. Additional information and documentation was received on June 6, 1972.

2. Description of Claimed Facility

The facility is described to be a replacement top for the vaposphere.

Facility Cost: \$16,523 (Accountant's certification was provided.)

The facility was completed and placed in operation in July, 1969.

Certification is claimed under the 1969 act. The percentage claimed is 100%.

3. Evaluation of Application

The vaposphere, an important part of the company's non-condensable gas control, was originally built of mild steel in 1954. The top half corroded through in several spots, and was replaced with a fiberglass-resin structure. Tax relief was claimed for the cost of this new top.

The replacement part is claimed to function better than the mild steel unit it replaces by being more resistant to corrosion and by not requiring painting, according to the "Appropriation Request Summary" submitted as supporting documentation. The same document also mentions that the new unit is less costly than a replacement of mild steel would be.

It is concluded that, although the facility functions solely for pollution control, the facility in this application is essentially maintenance, and is not a "new" facility in terms of a more costly improvement to a facility.

4 Directors Recommendation

It is recommended that a Pollution Control Facility Certificate be denied for the facility claimed in tax credit application T-308.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Crown Zellerbach Corporation
Lebanon Division
P. O. Box 486
Lebanon, Oregon 97355

The applicant operates a pulp mill at Lebanon that produces paper.

This application was received on February 25, 1972, and the report from the Mid-Willamette Valley Air Pollution Authority was received on June 2, 1972.

2. Description of Facility

The facility claimed in this application is described as a complete gas/oil fired package boiler.

The facility was completed in November, 1971.

Certification was not claimed under either act by the company. However, certification must be made under the 1969 Act due to the November, 1970, construction start date. The percentage claimed for pollution control is 100%.

Facility cost: \$239,327.00 (Accountant's certification was provided).

3. Evaluation of Application

The claimed facility was installed to replace two (2) old hog fuel boilers and to reduce the steaming rate on two other existing hog fuel boilers.

The company attempted various modifications to the existing four (4) hog fuel boilers during 1969 and 1970, but were unable to bring the boiler stack emissions into compliance with the Mid-Willamette Valley Air Pollution Authority's regulations.

Tax Relief Application T-321
June 14, 1972
Page 2

The Mid-Willamette Valley Air Pollution Authority in their letter dated May 30, 1972, states that the claimed installation was required and that they had reviewed and approved the plans for the new boiler.

The new gas/oil boiler and the two remaining hog fuel boilers are now operating in compliance.

It is concluded that the facility operates to reduce particulate emissions to the atmosphere and that the cost allocatable to pollution control should be 80% or more.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$239,327.00 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-321.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Oregon Portland Cement Company
111 S. E. Madison Street
Portland, Oregon 97214

The applicant owns and operates a Portland-Cement manufacturing facility along the Willamette River at Lake Oswego.

The application was submitted on March 13, 1972. Comments were requested from CWAPA on March 16, 1972, and a reply received on June 14, 1972.

2. Description

The facility is described to be paving of approximately 6000 square feet of plant grounds in the Ag-Lime Department.

Facility Cost: \$4,220.63 (Copies of invoices were submitted).

The facility was completed and placed in operation on October 25, 1971.

Certification is claimed under the 1969 act, with the percentage claimed 100%.

3. Evaluation

The paving in this application is similar to that in tax applications T-39 and T-155. The paving serves two pollution-abatement functions. First, it reduces the entrainment of dust into the air by vehicular traffic, and it also makes possible cleaning up spilled dust before it gets dispersed by winds.

Paving traveled areas of the plant grounds was required of the company by the Sanitary Authority before jurisdiction was relinquished to CWAPA. In their letter of June 12, 1972, CWAPA commented that the "paved section of roadway has enabled minimizing of road dust emissions."

It is concluded that this facility was installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$4,220.63 be issued for the facility claimed in Tax Application T-328 with more than 80% allocated to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

B. H. Franssen
Rt. 1, Box 1370
Coquille, Oregon 97423

The applicant owns and operates an 80 cow dairy at the above address in Coos County.

2. Description of Claimed Facility

A liquid manure disposal system consisting of a 27,000 gallon concrete manure tank and 30 HP electric pump and agitator.

The claimed facility was completed and placed in operation November 1, 1970.

Certification is claimed under the 1969 Act with 100% of the cost allocated to pollution control.

Facility cost: \$7,795.92 (Documentation was submitted).

3. Evaluation of Application

Prior to the installation of the claimed facility, manure was stored in the open and carried by rainwater into a drainageway to the Coquille River. Claimed facility allows animal manures to be spread on the fields in a manner so as to minimize runoff.

It is concluded that this facility was installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Certificate bearing the cost of \$7,795.92 with 80% or more allocable to pollution control be issued for the facilities claimed in Application No. T-211.

Harold L. Sawyer
ak

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Gould, Inc.
Automotive Battery Division
8550 W. Bryn Mar
Chicago, Illinois 60631

The applicant owns and operates a lead-acid type battery manufacturing plant at 576 Patterson Avenue N.W. in Salem.

2. Description of Claimed Facility

Beeco 4-inch model 6L backflow prevention valve installed on water supply line.

The valve was installed in 1970.

Certification is claimed under the 1969 Act with 100% claimed for pollution control.

Facility cost: \$2,028.00 (accountant's certification was provided).

3. Evaluation

The claimed facility was installed at the request of the City of Salem to prevent contamination of its water supply.

Since the water within the city water system is not waters of the state within the context of ORS 449.075, the facility does not function to prevent, control or reduce pollution of waters of the state by industrial wastes and is therefore not eligible for certification as a pollution control facility.

A similar application submitted by another industry has been denied.

4. Director's Recommendation

It is recommended that the certificate requested in Application T-215 be denied.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Fred Messerle & Sons, Inc.
Anchor Ranch, Farm No. 3
Rt. 3, Box 34
Coos Bay, Oregon 97420

The applicant owns and operates a 100 cow dairy located at Rt. 3, Box 110, Coos Bay, Oregon, Coos County.

2. Description of Claimed Facility

A liquid manure disposal system consisting of a circular 8 ft. by 24 ft. steel reinforced concrete tank, a Mitchell manure pump Model MNR-30 WH-7 with 30 HP motor, 2900 ft. of buried 5 in. PVC pipe and 1000 ft. of 4 in. portable irrigation line.

The claimed facility was placed in operation October 20, 1971.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$9,987.18 (Accountant's certification was submitted).

3. Evaluation of Application

Prior to the construction of the facility, all liquid drainage from the milking parlor, stall barn and holding areas emptied into a drainage ditch which connected to Catching Slough, a part of the Coos Bay estuary. With the claimed facility, animal wastes are disposed of on land and in a manner so as to minimize any run-off. Investigation reveals the facility is well designed and well operated. No problems were observed last winter during heavy rainfall periods.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$9,987.18 with 80% or more of the cost allocated to pollution control be issued for the facilities claimed in Tax Application No. T-293.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P. O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

No. 2 machine effluent drain extension consisting of the installation of 260 ft. of 10 in. concrete pipe to convey spilled fiber from the dry end of the No. 2 paper machine to the primary treatment pond.

The claimed facility was completed and placed in operation in June 1969.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$2,932.00 (Accountant's certification provided).

3. Evaluation of Application

Prior to installation of this line, fiber bearing wastewaters from the dry end of the No. 2 paper machine were discharged directly to the effluent line to the river.

It is concluded that the facility functions for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-309, such certificate to bear the actual cost of \$2,932.00 with 80% or more allocated to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P. O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

The claimed facility consists of a pump, motor and base and related piping installed for the purpose of conveying white water from the No. 2 paper machine to be used as wash water on the pulp mill pulp washers.

The claimed facility was completed and placed in operation in July 1969.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$11,252.00 (Accountant's certification provided).

3. Evaluation of Application

By using paper machine white water on the pulp washers, the waste effluent from the paper making process is reduced and the raw BOD to the waste treatment facilities is reduced. The applicant estimates that approximately 800 pounds of BOD per day are kept out of the treatment system by this facility. As a result the wastes discharged to the McKenzie River would be reduced.

It is concluded that the facility was installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Certificate be issued for the facilities claimed in Application T-310. Such certificate to bear the actual cost of \$11,252.00 with 80% or more of the cost allocable to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P.O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

Atomic Absorption Spectrophotometer.

Claimed facility was placed in operation in August 1969.

Certification is claimed under the 1969 Act with 60% of the cost claimed for pollution control.

Facility cost: \$9,746.00 (Accountant's certification provided).

3. Evaluation of Application

Claimed facility is used in the laboratory for rapid analytical determination of inorganic elements in waste samples, washer filtrate, pulp, aeration basin sludge, particulates in stack emissions, raw materials, process stream flows, etc.

The applicant claims 60% of the cost of the instrument allocable to pollution control based on an estimate of the number of tests related to pollution control.

It is concluded that pollution control efforts are enhanced by availability of the Atomic Absorption Spectrophotometer for pollution control monitoring and testing purposes.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-311. Such certificate to bear the actual cost \$9,746.00 with 40% or more and less than 60% of the cost allocable to pollution control. With this range certified, actual tax relief would be based on 60% of the cost allocated to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P. O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

Three 75 HP surface aerators installed in the aeration basin.

The claimed facilities were installed and placed in operation in April 1970.

Certification is claimed under the 1969 Act with 100% of the cost allocable to pollution control.

Facility cost: \$47,780.00 (Accountant's certification provided).

3. Evaluation of Application

The claimed aerators were installed to increase the treatment efficiency of the secondary treatment system, thus, the claimed facility functions only for pollution control.

4. Director's Recommendation

It is recommended that Pollution Control Facility Certificate be issued for the facilities claimed in Application T-312, such certificate to bear the actual cost of \$47,780.00 with 80% or more allocated to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P. O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

The claimed facility described as No. 2 machine cooling water piping consists of piping installed for the purpose of separating uncontaminated cooling waters from contaminated waste flows.

The claimed facility was completed and placed in operation February 1970.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility Cost: \$4,343.00 (Accountant's certification provided).

3. Evaluation of Application

By separating the uncontaminated cooling water from the contaminated flows, the overall waste volume to be treated in the secondary treatment facility is reduced. This increases the detention time in the treatment facility and thus improves treatment efficiency.

It is concluded that the claimed piping was installed for pollution control purposes.

4. Director's Recommendation

It is recommended that Pollution Control Facility Certificate be issued for the facilities claimed in Application T-313, such certificate to bear the actual cost of \$4,343.00 with 80% or more allocable to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Weyerhaeuser Company
Paperboard & Packaging Group
P. O. Box 275
Springfield, Oregon 97477

The applicant owns and operates a pulp and paperboard plant at 785 N. 42nd St., Springfield, Oregon, Lane County.

2. Description of Claimed Facility

System to recycle treated wastewater from the aeration basins to the pulp mill for reuse consisting of foundation and wiring for installation of an existing pump and installation of approximately 2,000 ft. of piping to an effluent re-use surge tank.

The claimed facility was completed and placed in operation in May 1970.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$5,781.00 (An accountant's certification was submitted).

3. Evaluation of Application

The facility allows for recycling of treated wastewater to the pulping operations. The total quantity of wastewater discharged to the McKenzie River is thus reduced. The applicant indicates the pounds of BOD discharged to the river are reduced by approximately 250 pounds per day. The applicant also indicates that a small savings in chemicals results from the claimed facility, however, such savings would not pay for the power consumed in pumping the wastewater for reuse.

It is concluded that the facility was installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-314, such certificate to bear the cost of \$5,781.00 with 80% or more of the cost allocable to pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

James B. and Betty Z. Pitney
Star Route
Junction City, Oregon 97448

The applicants own and operate a 90 cow dairy producing 2500-3000 pounds of milk daily at the above address in Lane County.

2. Description of Claimed Facility

Animal waste collection, storage and land disposal facilities consisting of a 54,000 gallon covered, reinforced concrete liquid manure tank, a Vaughn non-clog manure chopper pump powered by an Int. Farmall M tractor, 1500 feet of 4 inch aluminum irrigation pipe and a 1 inch nozzle Wright rain sprinkler.

The claimed facility was placed in operation in December 1970.

Certification is claimed under the 1969 Act with 83.3 to 100% of the cost allocated to pollution control.

Facility Cost: \$7,086 (accountant's certification was provided).

3. Evaluation of Application

Prior to the installation of the claimed facilities, animal wastes were pushed off a concrete slab into a low lying area drained by a small open ditch. In the summer when the ditch dried up, the manure remaining was loaded out and spread on land. With the claimed facility, all animal wastes, including the washdown waters from the milk parlor and bulk milk storage room, are collected on a year round basis and applied on 100 acres of cropland depending on soil and weather conditions.

The facilities, as installed, are 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-334, such certificate to bear the actual cost of \$7,086 with 80% or more of the cost allocable to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Stayton Canning Co., Cooperative
Dayton Plant
930 W. Washington Street
Stayton, Oregon 97383

The applicant owns and operates a plant for processing frozen fruits and vegetables including strawberries, green beans and corn, located five miles south of Dayton on Oregon Highway 221 in Yamhill County.

2. Description of Claimed Facility

Sixty-four acres of land purchased for waste disposal.

The claimed land was purchased and first used for waste disposal in 1968.

Certification is claimed under the 1967 Act.

Facility cost: \$36,400.00 (Accountant's certification provided).

3. Evaluation of Application

When Stayton Canning Co., Cooperative acquired the Alderman Processing Plant and property, the land actually owned was inadequate to handle the volume of wastewater, it was therefore necessary for the company to purchase additional acreage to provide for adequate disposal of wastewaters.

It is concluded that the claimed facility is used for pollution control.

4. Director's Recommendation

It is recommended that Pollution Control Facility Certificate be issued for the facilities claimed in Application T-335, such certificate to bear the actual cost of \$36,400.00, with the principal purpose being pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Stayton Canning Co., Cooperative
Stayton Plant
930 W. Washington Street
Stayton, Oregon 97383

The applicant owns and operates a canning and freezing plant for fruits and vegetables located at the above address in Marion County.

2. Description of Claimed Facility

Claimed facility consists of an addition to the previous wastewater field spray irrigation facility including 77.33 acres of land, excavation, grading and land preparation, installation of irrigation piping and facilities, installation of wastewater pumps and pumping facilities, including the electrical, wastewater sampling, measuring and testing equipment and related engineering and overhead costs.

Construction and installation of the claimed facilities began in April 1967 and were completed and in full operation by June 30, 1971.

Certification is claimed under the 1967 Act.

Facility cost: \$137,923.97. (Accountant's certification was provided.)

3. Evaluation of Application

Wastewater control and disposal facilities at the plant were generally inadequate to meet increased plant production and waste flow needs. As a result, a portion of the wastewater was discharging into the channel of the North Santiam River. As a result of Department requirements, Stayton Canning has enlarged the irrigation disposal area, regraded land to minimize runoff, installed facilities to recirculate wastewaters, thus reduce volumes for disposal and instituted a sampling, measuring and monitoring program.

It is concluded that the claimed facilities were installed for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-336, such certificate to bear the actual cost of \$137,923.97, with the principal purpose being pollution control.

Harold L. Sawyer

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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

International Paper Company
Long-Bell Division - Gardiner Branch
P.O. Box 43
Gardiner, Oregon 97441

The applicant owns and operates a plywood plant located at 810 Highway 101, Gardiner, Oregon in Douglas County.

2. Description of Claimed Facility

The claimed facility consists of collection piping, two pumps and delivery piping for conveying plywood plant wastewater to the Gardiner Paper Mill wastewater system.

The facility was completed and placed in operation in September 1971.

Certification is claimed under the 1969 Act with 100% of cost allocated to pollution control.

Facility cost: \$16,982.29 (Accountant's certification provided).

3. Evaluation of Application

Prior to installation of the claimed facility, steam vat condensate was discharged directly to the Umpqua River. Veneer dryer wash water went to a septic tank and thence to the river. Glue spreader washdown was pumped to a large holding basin which would overflow through a natural drainageway to the Umpqua River during wet weather periods. The Department approved the company's proposal for conveying these wastewaters to the International Paper Co. pulp mills deep water disposal system.

It is concluded that the facilities were installed with the Department's approval to eliminate a pollution problem in the Umpqua River.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-342, such certificate to bear the actual cost of \$16,982.29 with 80% or more allocated to pollution control.

Harold L. Sawyer

ak

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Western Kraft Corporation
Albany Mill Division
P. O. Box 339
Albany, Oregon 97321

The applicant owns a kraft pulp and paper mill located 3 miles north of Albany in Linn County.

2. Description of Claimed Facility

Secondary treatment system consisting of land, earthen stabilization basin, with 8-50 Hp aerators, pump and piping to convey wastes from primary pond to the aerated basin and related facilities.

The facility was placed in operation with 4 aerators in February 1970 and completed in July 1971.

Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$263,118.92 (accountant's certification provided).

3. Evaluation

The claimed facilities were installed to meet Department of Environmental Quality requirements for providing treatment and reducing discharges to the Willamette River. The facilities are well designed, well operated and are in compliance with department requirements.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in Application T-358, such certificate to bear the actual cost of \$263,118.92 with 80% or more allocated to pollution control.

ljb

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

Background

1. On April 21, 1972 the Environmental Quality Commission issued Certificate No. 232 to Olson Lawyer Lumber Company for a water recirculating system costing \$21,372.64
2. On June 8, 1972, the Environmental Quality Commission issued Certificate No. 243 to Olson Lawyer Timber Company for wood waste handling and burning facilities costing \$1,307,513.00.
3. Although the Environmental Quality Commission approved both applications, the applicant questioned the procedures of the Department and petitioned the Jackson County Circuit Court for review of the matter.
4. Since there were no questions regarding eligibility of the facilities for certification, the department stipulated to entry of an order to issue the certificates.
5. The applicant, through his attorney, returned the original certificates to the Department with copies of the stipulated order by letter dated June 23, 1972.

Evaluation

In order to clarify the records and complete the required actions in this matter, it will be necessary to revoke the original certificates (Nos. 232 and 243) and issue new certificates.

Director's Recommendation

It is recommended that Pollution Control Facility Certificates 232 and 243 be revoked and new certificates be issued pursuant to the stipulated order.

ljb



DEPARTMENT OF ENVIRONMENTAL QUALITY

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

TOM McCALL
GOVERNOR

L. B. DAY
Director

MEMORANDUM

ENVIRONMENTAL QUALITY COMMISSION

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Chairman, McMinnville

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Springfield

STORRS S. WATERMAN
Portland

GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. S, July 27, 1972, EQC Meeting
City of Hillsboro Sewerage Outfall Proposal

Background

The city of Hillsboro requires the expansion of the Rock Creek sewage treatment plant in order to withstand the developmental pressures in the city and the need for sewers stemming from this source. An expansion is planned to provide a total capacity of 3.0 MGD. Existing capacity is 1.25 MGD. The expanded capacity is projected to 1980 or 1985 depending on area growth.

The outfall considerations are as follows:

Provide:

1. 80 feet of 30-inch line to Rock Creek to handle 3.0 MGD.
2. 700 feet of 36-inch line and 650 feet of 54-inch to Tualatin River with a capacity of 12.0 MGD in 1979.
3. 1350 feet of 36-inch line in 1979 and parallel line in 1990 of 650 feet of 36-inch, together capacity would be 24 MGD.

Items one and two are sequential. Item three could be done now to handle 12.0 MGD and the parallel line done when the expansion to 24.0 MGD is necessary.

The city of Hillsboro, by letter of March 16, 1972, has requested that the Department of Environmental Quality allow the construction of the short outfall line to Rock Creek and defer the construction of the outfall to the Tualatin River until the 12.0 MGD expansion is required, approximately 1979.

A major item not covered explicitly under this request is the program of sewerage development of Washington County by the Unified Sewerage Agency. Among its many scheduled projects is the Beaverton-Rock Creek interceptor which will carry sewage to the Rock Creek regional plant. This sewer, scheduled for completion by 1977, is planned to be used as an outfall sewer to the Tualatin River for the Aloha sewage treatment plant until the Rock Creek 1979 expansion is on-line. The Aloha sewage treatment plant would then be eliminated in favor of the regional Rock Creek plant. This diversion would necessitate the early construction of an outfall to the Tualatin River.

Evaluation

Two basic alternatives are possible and each requires action by the Environmental Quality Commission.

1. Allow the construction of the outfall to Rock Creek with restrictions on duration of use.
2. Require construction of an outfall to Tualatin River in conjunction with presently proposed plant expansion.

Alternative No. 1 requires a variance from the Special Water Quality Standards for Tualatin River tributary streams. Current standards require

- a) Effluent concentrations not to exceed 5 mg/l biochemical oxygen demand and suspended solids,
- b) Effluent biochemical oxygen demand concentration in mg/l divided by the dilution factor shall not exceed 1.0,
- c) Dissolved oxygen level in the discharged effluent shall not be less than 6 mg/l

It is unlikely that any of these criteria can be met with the proposed facilities.

Alternative No. 2 assumes that the future Rock Creek plant layout is established and will not be changed during the interval between now and the time the plant expansion to 12.0 MGD is required. In fact, changes associated with current waste treatment research and with experience gained from low-flow augmentation practices in the Tualatin River could have very real effect on the selection of waste treatment processes. These may affect the location of the outfall line.

Finally, the effects on water quality in Rock Creek from the discharge of highly treated secondary effluent with sand filtration as proposed should be of little adverse significance until the upstream sewage plant discharges are phased out according to the master plan schedule.

Director's Recommendation

It is the Director's recommendation that:

1. The city of Hillsboro be allowed to construct a treated effluent outfall line to Rock Creek provided an outfall to the Tualatin River will be constructed when:
 - a) The Beaverton-Rock Creek interceptor is constructed as proposed in the Tualatin Basin Water and Sewerage Master Plan adopted for implementation by the Unified Sewerage Agency, or;
 - b) The Rock Creek plant is expanded beyond 3.0 MGD, or;
 - c) The year 1979 is reached,whichever occurs first.
2. A temporary variance from the Special Water Quality and Waste Treatment Standards for the Tualatin River Basin be granted allowing a lesser quality effluent to be discharged to Rock Creek between now and the time that conditions of Number 1 above dictate the construction of an outfall to the Tualatin River.


L. B. Day