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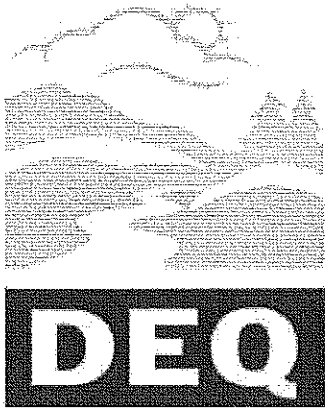
OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS



State of Oregon
Department of Environmental Quality

AGENDA

Environmental Quality Commission Meeting

January 5, 1972

Second Floor Auditorium, Public Service Building

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

9:00 a.m.

A. Minutes of December 6, 1971 Meeting (McPhillips)

B. Project Plans for November 1971 (Weathersbee)

C. Formal Adoption of Animal Waste Regulations (Paul Rath)

D. Proposed Nitrogen Standards (Day or Spies)

E. Ken Rogge Lumber Co., Bandon - Hearings Officer Report (Silver or Waterman)

F. Robert Dollar Lumber Co., Glendale - Implementation Schedule Modification (T.M. Phillips)

G. Knoll Terrace Park Performance Bond (Sawyer)

H. Tax Credit Applications (Sawyer)

1.	ESCO Corporation	T-214	($13,275.39)
2.	Bird & Son Inc.	T-228	($78,893.00)
3.	Tektronix Inc.	T-229	($93,663.00)
4.	Corvallis Sand & Gravel	T-231	($12,608.90)
5.	Hull-Oakes Lumber Co.	T-237	($403,382.92)
6.	Brooks Willamette Corp.	T-246	($34,355.36)
7.	Brooks Willamette Corp.	T-247	($ 4,978.50)
8.	Reynolds Metals Co.	T-249	($147,027.38)
9.	Timber Products Co.	T-250	($26,198.57)
10.	International Paper Co.	T-257	($ 5,000.71)
11.	International Paper Co.	T-258	($10,370.21)
12.	Permapost Products Co.	T-245	($ 5,047.64)
13.	ESCO Corporation	T-251	($17,149.77)

10:00 a.m.

I. Public Hearing re: Oregon's Proposed Clean Air Implementation Plan (Odell)

MINUTES OF THE THIRTIETH MEETING
of the
Oregon Environmental Quality Commission
January 5, 1972

The thirtieth regular meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9:00 a.m., Wednesday, January 5, 1972, in the Second Floor Auditorium, Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon. Members present were B.A. McPhillips, Chairman, Arnold M. Cogan, Edward C. Harms, Jr., George A. McMath and Storrs S. Waterman.

Participating staff members were L. B. Day, Director; E.J. Weathersbee and K.H. Spies, Deputy Directors; Harold M. Patterson, Air Quality Control Division Director; Harold L. Sawyer, Water Quality Control Division Director; F. Glenn Odell, T.M. Phillips and Paul H. Rath, Associate Engineers; and Ray P. Underwood and A.B. Silver, Legal Counsel.

MINUTES OF DECEMBER 6, 1971 MEETING

It was MOVED by Mr. McMath, seconded by Mr. Waterman and carried that the minutes of the twenty-ninth regular meeting of the Commission held in Portland on December 6, 1971 be approved as prepared.

PROJECT PLANS FOR NOVEMBER 1971

It was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that the actions taken by the Department during the month of November regarding the following 19 municipal sewerage, 29 air quality control and 3 solid waste disposal projects be approved:

Water Quality Control

Date	Location	Project	Action
Municipal Projects (19)			
11-9-71	Klamath County	U.S. Forest Service Crescent sewage disposal report	Comments
11-9-71	USA	Change Order No. 3 (Aloha plant)	Approved
11-10-71	St. Helens	Change Order No. G-5 (sewage treatment plant)	Approved
11-16-71	Gresham	Addenda #2 and 3 (sewage treatment plant)	Approved

Water Quality Control - continued

Municipal Projects (19)

Date	Location	Project	Action
11-16-71	Scappoose	Addendum No. 1 (sewage treatment plant)	Approved
11-17-71	Canby	Change Order No. 3 (sewage treatment plant)	Approved
11-17-71	USA	Change Orders No. 1 and 2 (Fanno Creek interceptor)	Approved
11-17-71	USA	Change Order No. 2 (Aloha plant)	Approved
11-18-71	Oak Lodge San. Dist.	Concord Terrace No. 6	Prov. app.
11-18-71	Siletz	Change Order No. 1 (sewerage system)	Approved
11-22-71	Canby	Neff Road sewer extension	Prov. app.
11-22-71	The Dalles	Plant upgrade to 5.0 mgd	Prov. app.
11-22-71	Coos Bay	Hub area sewers	Prov. app.
11-22-71	Inverness	System units 4A and 4B	Prov. app.
11-22-71	Oregon City	River Bluff sewers	Prov. app.
11-22-71	Ukiah	U.S. Forest Service Administrative site proposal	Concurrence
11-24-71	Hillsboro	Change Orders No. 5 and 16 (sewage treatment plant)	Approved
11-24-71	Pendleton	Change Order No. 4 (sewage treatment plant)	Approved
11-29-71	Medford	Change Orders No. 4 and 42 to 58 (sewage treatment plant)	Approved

Air Quality Control

Date	Location	Project	Action
11-2-71	Douglas County	Roseburg Shingle & Stud WWB Modification	Approved
11-4-71	Union County	Boise Cascade Corp., La Grande Proposal for Boiler Schedule of Compliance	Add. inf. req.
11-4-71	Union County	Boise Cascade Corp., Elgin Proposal for Boiler Schedule for Compliance	Add. inf. req.
11-4-71	Wallowa County	Boise Cascade Corp., Joseph Proposal for Boiler Schedule of Compliance	Add. inf. req.
11-5-71	Lincoln County	Toledo Shingle Company Request for Time Extension to December 31, 1971 to Complete WWB Phase Out	Granted
11-8-71	Tillamook County	Diamond Lumber Company Proposal for WWB Schedule of Compliance	Approved

Air Quality Control - continued

Date	Location	Project	Action
11-10-71	Jackson County	Burrill Lumber Company Proposal to Phase Out WWB by March 1, 1972	Approved
11-11-71	Curry County	South Coast Lumber Company Proposal to Modify WWB	Preliminary Approval
11-11-71	Jefferson County	Brightwood Corporation Proposal to Phase Out WWB by December 15, 1971	Approved
11-16-71	Lake County	Dame Lumber Company Proposal to bring WWB into Compliance by July 1, 1972	Approved
11-16-71	Jackson County	Timber Products Company Plans for New Sanderdust Handling System	Approved
11-17-71	Columbia County	Boise Cascade Corp., St. Helens Detailed Plans for Previously Approved System to Control Condensibles	Add. inf. req.
11-18-71	Douglas County	Roseburg Lumber Company Proposal to Install new Hog-fuel Boiler	Add. inf. req.
11-19-71	Grant County	Edward Hines Lbr. Co., Mt. Vernon Plans to Modify WWB by 7/1/72	Approved
11-19-71	Jackson County	Boise Cascade Corp. Documentation of Compliance with Board Products Regulations	Approved
11-19-71	Jackson County	McGrew Bros. Proposal to Phase Out WWB by March 15, 1972	Approved
11-22-71	Union County	Boise Cascade Corp., La Grande Proposal for Boiler Compliance Program	Approved
11-22-71	Union County	Boise Cascade Corp., Elgin Proposal for Boiler and WWB Compliance Program	Approved
11-22-71	Wallowa County	Boise Cascade Corp., Joseph Proposal for Boiler Compliance Program	Approved
11-24-71	Tillamook County	Tillamook Veneer Company Plans to Modify WWB by January 15, 1972	Approved
11-24-71	Jackson County	Mt. Pitt Lumber Co. Proposal to Phase Out WWB by November 24, 1971	Approved
11-24-71	Josephine County	Carolina Pacific Plywood, Inc. Proposal to Phase Out WWB by February 28, 1972 by Incinerating Residues for Veneer Drier Heat	Approved

Air Quality Control - continued

Date	Location	Project	Action
11-24-71	Jackson County	Carolina Pacific Plywood, Inc. Proposal to Phase Out WWB by August 31, 1972, by Incinerating Residues for Veneer Drier Heat	Approved
11-26-71	Union County	Boise Cascade Corp., Elgin Documentation of Compliance with Board Products Regulations	Approved
11-26-71	Union County	Boise Cascade Corp., La Grande Schedule of Compliance for Particleboard Plant with Board Products Regulations	Approved
11-26-71	Douglas County	Robert Dollar Company Plans for New Bark Materials Handling Systems	Approved
11-26-71	Josephine County	Cabax Mills, Grants Pass Proposal to Phase Out WWB by December 31, 1971	Add. inf. req.
11-26-71	Josephine County	Cabax Mills, Kerby Plans for WWB Modification and Boiler Plant Maintenance	Approved
11-30-71	Grant County	Prairie City Timber Company Proposal to Phase out WWB by August 1, 1972	Approved

Solid Waste Disposal

Date	Location	Project	Action
11-3-71	Lane County	Hickethier Quarry Industrial Landfill	Prov. app.
11-16-71	Jackson Co.	Dry Creek Sanitary Landfill	Comm. inc.
11-29-71	Yamhill Co.	Whitson Sanitary Landfill	Comm. inc.

FORMAL ADOPTION OF ANIMAL WASTE REGULATIONS

Mr. Rath reviewed briefly the testimony presented at the public hearings held in Portland on December 6 and in Ontario on December 7 regarding the proposed regulations pertaining to Location, Construction Operation and Maintenance of Confined Animal Feeding or Holding Operations.

Based on that testimony he suggested that two changes be made as follows in Section VI:

1. That the Advisory Committee include a representative from the Oregon Broiler Growers Association, making a total of 13 members.

2. That the last sentence of the last paragraph of Section VI be revised to read "The Department shall not be liable for any of the expenses of the Advisory Committee or its individual members." This change will permit the members employed by the state of Oregon to be compensated for their expenses by their respective agencies.

The Director recommended that with these two amendments the proposed regulations and guidelines pertaining to the control of wastes from confined animal feeding and holding operations be formally adopted.

Chairman McPhillips commented about the satisfactory hearing held in Ontario and he commended both the department staff and the industry for their outstanding cooperative efforts in developing the proposed regulations and guidelines. Mr. Cogan also complimented the staff and industry.

It was MOVED by Mr. Waterman, seconded by Mr. Cogan and carried that the recommendation of the Director in this matter be approved and that the regulations as amended and the proposed guidelines be formally adopted.

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

PROPOSED NITROGEN STANDARDS

The Director presented a proposed amendment to the state's general water quality standards which he said is necessary to establish a maximum limit for dissolved nitrogen in order to protect the fishery resources particularly in the Snake and Columbia Rivers. He requested that authority be granted by the Commission to hold a public hearing at the earliest possible date for the purpose of considering the formal adoption of the proposed amendment.

He pointed out that an estimated $155,800,000 would be required to make the necessary changes or improvements in the existing hydroelectric projects on these two interstate rivers in order to reduce the nitrogen problem. Included in the estimate was $53,000,000 for the installation of 20 turbine generators in the Lower Columbia River dams. He stated that certain interests would claim that the fishery resources do not warrant such a large expenditure.

Chairman McPhillips pointed out that the 20 turbine generators would bring in additional revenue and inquired if estimates were available as to how much it might be. The staff was directed to get such information.

It was then MOVED by Mr. McMath, seconded by Mr. Waterman and carried that the recommendations in this matter by the Director be approved and that a public hearing or hearings be held by the Commission as soon as possible, preferably in February 1972, for the purpose of considering the adoption of the proposed dissolved nitrogen standard for all public waters, including interstate and intrastate waters, of the state of Oregon and further that the Commission support requests to the President and Congress of the United States for authorization and appropriation of adequate funds to finance the necessary research and development and the required modifications to existing structures as well as requests to owners and operators of the public and private dams and power supply and distribution agency to effect full coordination of operations for maximum reduction of the nitrogen problem.

KEN ROGGE LUMBER CO., Bandon

Mr. Waterman who had served as hearings officer in the matter of air pollution caused by the Ken Rogge Lumber Company of Bandon and the Rogge Lumber Sales, Inc. of Port Orford presented his report of the hearing held in Portland on August 25, 1971. Based on the Findings of Fact and Conclusions of Law he proposed that the Commission adopt a formal order requiring that:

1. No later than February 1, 1972, the company shall submit to the Department a compliance schedule setting forth its proposals to either:
   a) Employ a consulting engineer to design modifications for its burners to comply with state emission standards; or
   b) Phase out the use of the burners until and unless they are modified to comply with state emission standards; or
   c) Phase out one burner and modify the other burner, using one burner to serve both mills.
2. In the event modification is proposed for one or both of the burners, the schedule should also set forth tentative dates for completion of preliminary and final engineering plans, commencement of construction, and final completion.

3. Notwithstanding any proposed compliance schedule submitted under Item 1, preliminary engineering plans shall be submitted to the Department for its approval no later than March 1, 1972, and final modification and construction of the wigwam waste burners should be completed no later than May 15, 1972.

Mr. Silver stated that copies of the hearings officer's report had been sent to the company's attorney in November, that the company had been notified of this meeting of the Commission and that the company had decided not to be represented at this meeting.

It was MOVED by Mr. Harms, seconded by Mr. McMath and carried that the formal order proposed by Mr. Waterman in this matter be adopted.

ROBERT DOLLAR LUMBER CO., Glendale

Mr. Phillips presented the Department's report and recommendations in this matter. The company had requested approval to operate until April 15, 1972, its unmodified wigwam waste burner at its veneer plant and sawmill at Glendale in Douglas County. It previously had been instructed to phase out the burner by January 1, 1972.

After discussion of the matter it was MOVED by Mr. Cogan, seconded by Mr. Waterman and carried that as recommended by the Director the request of the company to operate its unmodified waste burner be approved subject to the following conditions:

1. The wigwam waste burner is to be removed from service at the time the decorative bark plant is put "on-stream". At the same time the contract with Roseburg Lumber Company will be initiated for the sale of plywood trim and sawdust. These two programs are to be implemented by not later than April 15, 1972.
2. If the sale of decorative bark does not develop sufficiently to allow continued utilization of all bark during the last six months of 1972, the wigwam waste burner may be reactivated without modification for the disposal of bark only. The number of days the wigwam waste burner operates in the January through April 15, 1972 period is to be subtracted from the end of the allowed period, i.e., if the burner is used all of January 1972, all of December 1972

would be deleted from the allowable time. The company would agree to notify the Department in writing of the intended date that the wigwam waste burner was to be put into service and the expected duration of operation.

3. If the wigwam waste burner is required for the disposal of residue beyond the dates outlined in #1 and #2 above, the burner will be replaced with a wigwam waste burner properly sized, following the criteria developed by the Forest Research Laboratory at Oregon State University and will be operated in compliance with applicable emission standards.
4. No sanderdust will be burned in the wigwam waste burner at any time.
5. Any proposal to landfill residues must have prior approval from the Department.

KNOLL TERRACE PARK PERFORMANCE BOND

Mr. Sawyer presented the Department's report regarding the request of Mr. Kenneth T. Place to post with the Department a $25,000 personal surety bond in lieu of a corporate surety bond of like amount in connection with his proposal to construct a 225-unit trailer park some 1-1/2 miles north of Corvallis, the name of such park to be Knoll Terrace Park.

It was MOVED by Mr. Waterman, seconded by Mr. Cogan and carried that as recommended by the Director the Commission accept a personal bond in a form to be approved by the Attorney General in the amount of $25,000 and containing the following conditions:

1. The owner shall be responsible for proper operation and maintenance of the sewerage facilities and the bond shall remain in force until such time as ownership of the collection and treatment facilities is transferred to a responsible public entity or until the treatment facility is eliminated by connection to an areawide sewerage system.
2. The owner shall contract with a public entity for qualified operation of the facilities for as long as the bond remains in effect.
3. Ownership shall not be otherwise transferred without approval of the Department.
4. Connection to an areawide sewerage system shall be made as soon as such system becomes available.

TAX CREDIT APPLICATIONS

Mr. Sawyer presented the Department's evaluations and recommendations of the 13 tax credit applications covered by the following motions:

It was MOVED by Mr. Cogan, seconded by Mr. McMath and carried that Pollution Control Facility Tax Credit Certificates be issued as follows pursuant to the applications listed:

	Company	Appl. No.	Facility Description	Amount
1.	ESCO Corporation	T-214	Enclosure	$ 13,340.39
2.	Bird & Son, Inc.	T-228	Scrubber, Precipitator	78,893.00
3.	Tektronix Inc.	T-229	Baghouse, Ducts	93,663.00
4.	Corvallis Sand & Gravel	T-231	Scrubber	12,608.90
5.	Hull-Oakes Lumber Co.	T-237	Barker, Hog, Bins	403,382.92
6.	Brooks Willamette Corp.	T-246	Baghouse	34,355.36
7.	Brooks Willamette Corp.	T-247	Enclosure	4,978.50
8.	Reynolds Metals Co.	T-249	Scrubber	147,027.38
9.	Timber Products Co.	T-250	Scrubber	26,198.57
10.	International Paper Co.	T-257	Oxygen Analyzer	5,000.71
11.	International Paper Co.	T-258	Caustic Addition	10,370.21
12.	Permapost Products Co.	T-245	Oil Skimmer, Evaporator	5,047.64

It was MOVED by Mr. Harms, seconded by Mr. McMath and Mr. Waterman and carried that Pollution Control Certificate application T-251 submitted by ESCO Corporation be denied.

PUBLIC HEARING RE: OREGON'S PROPOSED CLEAN AIR IMPLEMENTATION PLAN

Proper notice having been given as required by statutes and administrative rules the public hearing in the matter of adoption of a proposed implementation plan as required under the Federal Clean Air Act, as amended, and of certain proposed rules and regulations relating thereto was called to order at 10:10 a.m. on January 5, 1972, by the Chairman in the Second Floor Auditorium of the Public Service Building, 920 S.W. 6th Avenue, Portland, Oregon. All members of the Commission including Chairman B.A. McPhillips, Arnold M. Cogan, Edward C. Harms, Jr., George A. McMath and Storrs S. Waterman, and L.B. Day, Department Director, were present.

The auditorium was filled to capacity with representatives of the news media, public officials and interested citizens. The entire hearing was recorded on tape.

An opening statement was made by Director Day. Mr. F. Glenn Odell, staff engineer, then presented an hour and twenty minute discussion or explanation of the department's proposed implementation plan. He said when adopted it will constitute Oregon's commitment to meet the requirements of the Federal Clean Air Act as amended by Congress in December 1970, and that it consists of eight sections as follows: Section 1 describes existing Oregon statutes pertaining to air pollution control, including the new laws enacted by the 1971 Legislature. Section 2 describes the control strategy by which the State proposes to meet national ambient air standards and other federal requirements related to control of air contaminant sources. Section 3 demonstrates the adequacy of the control strategy. Section 4 includes the data on which the evaluation of the control strategy was based. Section 5 describes the existing and proposed future monitoring or surveillance systems. Section 6 sets forth the criteria and action guides for dealing with prolonged episodes of high air pollution. Section 7 presents a summary of present and future needs of agency personnel and financial resources and Section 8 describes intergovernmental cooperation, past, present and future.

He said the plan proposes a state-wide control strategy for suspended particulate matter (smoke and dust) consisting primarily of enforcement of existing and proposed new rules which are to be adopted as part of the plan. He discussed the proposed control strategies for sulfur dioxide, and for hydrocarbons, carbon monoxide, nitrogen oxides and photochemical oxidants - the former being primarily a "hold the line" strategy since the SO_2 concentrations are presently well within the national standards and the latter involving control or regulation of the motor vehicle.

He used charts to illustrate the present status and where the state expects to be in 1975 as a result of the proposed control strategies. He discussed briefly the several new proposed regulations including those pertaining to compliance schedules, process equipment, fugitive emissions, upset conditions, sulfur content of fuels, general emission standards for SO_2, open burning, motor vehicle emissions, wigwam waste burners, veneer

drier emission standards, laterite ore production of ferronickel, air pollution emergencies, parking structures, and ambient air standards. He stated that the section of the plan pertaining to surveillance was being extensively revised.

After discussing the motor vehicle strategy he referred to the McPhillips rule (named after Commission Chairman B.A. McPhillips) which is "until a deadline is set nothing is done."

Following the presentation by Mr. Odell the Director announced that the next meeting of the Commission, at which time final action would be taken on the proposed implementation plan, had been changed from Friday, January 28 to Monday, January 24, 1972.

The first witness to testify was Mr. Carl M. Halvorson, P.O. Box 1449, Portland, Oregon 97207 and President of the Portland Chamber of Commerce. He read a prepared statement for that organization. He expressed the opinion that the federal ambient air standards for carbon monoxide are unnecessarily strict. He said the Chamber supports efforts to enhance mass transit and to improve traffic circulation but will oppose moves to prohibit all on-street parking in the central business district and to ban downtown parking structures.

Dr. Robert L. Gay, 408 S.W. 2nd Ave., Portland, Oregon 97204 and Research Coordinator for the Oregon Student Public Interest Research Group (OSPIRG), was the next person to make a statement. He read a 6-1/2 page prepared statement which dealt mostly with suggestions for more effective communication with and more participation in department activities by interested citizens' groups. He was followed by Mrs. Mary Ann Donnell, 830 Medical Arts Bldg., Portland, Oregon and Chairman of the Coalition for Clean Air Oregon/Washington. She read a 6-page prepared statement for that organization. She expressed the opinion that the federal standards are not strict enough for the state of Oregon. She also expressed concern about the control of "fine" particulate matter. She recommended the adoption of a specific "non-degradation" policy.

Dr. Nelson R. Niles, 3030 S.W. Scholls Ferry Road, Portland, Oregon and representative of the Oregon Medical Association, was the fourth witness. He expressed the interest of the medical profession in air pollution control but had no specific comments to make regarding the proposed implementation plan. In reply to a question from the Commission he said that in view of the present state of ignorance he did not think the federal standards for carbon monoxide are too strict.

The hearing was then recessed at 12:05 p.m. and reconvened at 1:30 p.m.

Mr. William P. Hutchison, Jr., 600 Morgan Park Bldg., Portland, Oregon read a 2-page prepared statement in behalf of the Citizens' Advisory Committee to the Downtown Plan. He endorsed the designation of highways and parking facilities in urban areas as "air contamination sources." He expressed concern that the proposed plan as it relates to the city of Portland and the control of motor vehicles is not sufficiently detailed.

Mr. Walter Gadsby, Jr., 900 S.W. Fifth Avenue, Portland, Oregon 97204 and District Manager of the States Steamship Company, appeared and expressed concern regarding the proposed regulation governing sulfur content of fuels and its effect on ships entering Oregon waters.

Mr. Phillip Steinberg, Regional Vice President of the American Institute of Merchant Shipping, 635 Sacramento St., Suite 300, San Francisco, California 94111, read a 5-page prepared statement for that organization. He recommended that the proposed rule on sulfur content of fuels be amended to exempt vessels. He said there is need for a uniform standard throughout the nation for fuels used by vessels.

Mr. Hudson Lothian of 5237 S.E. Oakland, Milwaukie, Oregon and representative of the Portland Steamship Operators Association was the eighth person to testify. He also expressed concern about the effect on vessels of the proposed rule on sulfur content of fuels. He pointed out the serious fire hazard of loading fuel at dock side.

Mr. Neil Marshall, Manager of Environmental Engineering for Shell Oil Company's Western Marketing Region, read a 4-page statement for Shell Oil Company. He asked that flexibility be provided in the implementation plan to permit adaptation to local socio-economic conditions and to local air quality control needs. He expressed the opinion that implementing the

national secondary standards for particulates by 1975 would be unrealistic and he asked that discrimination against liquid fuels pertaining to allowable SO_2 emissions be eliminated.

Mr. Larry Williams, Executive Director of the Oregon Environmental Council, read a 7-page statement for that organization. (Note: The statements presented by Dr. Gay, Mrs. Donnell and Mr. Williams were combined in one publication.) He commented at length regarding the proposed permit system and the proposed motor vehicle strategy. He also submitted additional comments regarding other portions of the plan.

Mr. Richard M. Taylor, Administrative Assistant and Coordinator of Air Conservation Programs for the Oregon TB and Respiratory Disease Association, 830 Medical Arts Bldg., Portland, Oregon read a 1-page statement for that organization. He agreed with the statement submitted by Mrs. Mary Ann Donnell pertaining to "fine" particulate matter.

Mr. C.P. Davenport, Vice President, Pacific Power & Light Company, Portland, Oregon presented a 1-page statement relating to the sulfur content of coal. He said his company believes the 1% sulfur content limitation for coal is unnecessarily restrictive and not related to air quality.

Mr. William Swindells, Jr., Chairman of the American Plywood Association Veneer Dryer Emission Control Committee, 1119 A Street, Tacoma, Washington 98401, presented a 3-page statement for that organization. He said the proposed 20% opacity limit for veneer drier emissions appears to be reasonable although he claimed that methods have not yet been developed to conform to it. He expressed concern, however, about the 0.05 grain per standard cubic foot limitation. He thought the proposed 5% opacity limit for new installations would be unreasonable.

Mr. Chuck Goll of Weyerhaeuser Company, Tacoma, Washington, read a 4-page statement for that company which pertained and objected to the proposed veneer drier regulations.

Ms. Jane Cease, President of the League of Women Voters of Portland, 732 S.W. Third, 308 Senator Bldg., Portland, Oregon 97204, read a 2-page statement urging that the department coordinate its efforts with regional and local governmental agencies. She said they want no more freeways and no more parking structures in downtown Portland.

Mr. Thomas C. Donaca of the Associated Oregon Industries, 2187 S.W. Main, Portland, Oregon, read a 4-page statement for that organization. He commented on the proposed plan or regulations pertaining to fugitive emissions, sulfur content of fuels, open burning, wigwam waste burners, and parking facilities and highways in urban areas.

Mr. Michael D. Roach, Director of the Mid-Willamette Air Pollution Authority, 2585 State Street, Salem, Oregon 97301, read a 2-page statement supporting the efforts of the State as expressed in the proposed implementation plan.

Ms. Gretchen Starke of 308 N.E. 124th Avenue, Vancouver, Washington, read a 1-page statement signed by Carol Westley of the Vancouver League of Women Voters supporting the proposed rule on freeways and parking structures and opposing any open burning.

Mr. A.J. Heitkemper, representative of the Oregon Railroad Association, 628 Pittock Block, Portland, Oregon, submitted a 4-page statement signed by Randall B. Kester for that organization. He asked that the time for compliance with the proposed rule pertaining to sulfur content of fuels be extended for railroads and gave reasons therefor.

Mr. Jack Kalinoski of the Associated General Contractors, 1008 N.E. Multnomah, Portland, Oregon read a 4-page statement for the Oregon-Columbia Chapter of that organization. It criticized the plan and proposed regulations. He claimed the rule on open burning would increase the cost of highway construction by as much as $16,000 per mile.

Mr. Michael Crawford of 8803 S.E. Rhone Street, Portland, Oregon read a 4-page statement for the organization known as STOP (Sensible Transportation Options for People). It basically approved the proposed plan and rules but proposed certain revisions and additions. Mr. Crawford was the last person who asked to be heard at the hearing.

Director Day entered in the record a letter dated January 3, 1972 signed by Donald J. Benson of the Northwest Pulp and Paper Association, 2633 Eastlake Avenue East, Seattle, Washington 98102, and a letter dated December 22, 1971 from James A. Redden, Attorney, 225 West Main Street, Medford, Oregon 97501.

The Portland hearing was adjourned at 4:25 p.m. with the announcement that the Medford hearing would convene at 1:30 p.m. on Friday, January 7, 1972.

The written statements read at the Portland hearing by the following persons have been made a part of the department's permanent files in this matter: (1) Carl M. Halvorson, Portland Chamber of Commerce, (2) Dr. Robert L. Gay, OSPIRG, (3) Mrs. Mary Ann Donnell, Coalition for Clean Air Oregon/ Washington, (4) William P. Hutchison, Jr., Citizens' Advisory Committee to the Downtown Plan, (5) Phillip Steinberg, American Institute of Merchant Shipping, (6) Neil Marshall, Shell Oil Company, (7) Larry Williams, Oregon Environmental Council, (8) Richard M. Taylor, Oregon TB and Respiratory Disease Association, (9) C.P. Davenport, Pacific Power and Light Company, (10) Wm. Swindells, Jr., American Plywood Association, (11) Chuck Goll, Weyerhaeuser Company, (12) Jane Cease, Portland League of Women Voters, (13) Thomas C. Donaca, Associated Oregon Industries, (14) Michael D. Roach, Mid-Willamette Air Pollution Authority, (15) Gretchen Starke, Vancouver League of Women Voters, (16) A.J. Heitkemper, Oregon Railroad Association, (17) Jack Kalinoski, Associated General Contractors and (18) Michael Crawford, STOP.

The following letters or statements not read at the hearing have also been made a part of the record of the Portland hearing:

(a) Donald J. Benson, Northwest Pulp & Paper Assn., January 3, 1972. 1 page.

(b) James A. Redden, Attorney, December 22, 1971. 2 pages plus enclosures.

(c) George Reed, Oregon Wildlife Federation, January 5, 1972. 1 page plus attachments.

(d) Virginia Ferriday, 122 S.W. Marconi Ave., Portland. 1 page.

(e) Neil Goldschmidt, Portland City Commissioner, January 5, 1972. 7 pages.

(f) R.O. Elsensohn, 950 Ridge Drive, Astoria, Oregon. 2 pages.

(g) Jo Barrett, Portland.

(h) William S. Dirker, City of Portland Transportation Coordinator, January 11, 1972. 2 pages.

(i) R.E. Hatchard, Columbia-Willamette Air Pollution Authority, January 12, 1972. 2 pages.

(j) Steven R. Schell, President, Sensible Transportation Options for People, January 11, 1972. 1 page.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

July 1971

Amended December 1971

Statutory Authority: ORS 449.081; 449.082; 449.086 and Chapter 648 Oregon Laws 1971 (HB 1051)

I. PURPOSE

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

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

1. "Department" means the Oregon Department of Environmental Quality.
2. "Confined feeding or holding operation" means the concentrated confined feeding or holding of animals or poultry, including but not limited to horse, cattle, sheep or swine feeding, dairy confinement areas, slaughterhouse or shipping terminal holding pens, poultry and egg production facilities and fur farms, in buildings or in pens or lots where the surface has been prepared with concrete, rock or fibrous material to support animals in wet weather or where the concentration of animals has destroyed the vegetative cover and the natural infiltrative capacity of the soil.
3. "Person" means the state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate or any other legal entity whatsoever.
4. "Waste control facility" means all or any part of a system or systems used in connection with a confined feeding or holding operation for the
   (a) control of drainage,
   (b) collection, retention, treatment and disposal of liquid wastes or contaminated drainage waters, or
   (c) collection, handling, storage, treatment or processing and disposing of manure.

5. "Waters of the State" include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the state of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters) which are wholly or partially within or bordering the state or within its jurisdiction.

III. NEW, MODIFIED OR EXPANDED FACILITIES AND OPERATIONS

A person constructing or commencing to operate a confined feeding or holding operation or waste control facility, or substantially modifying or expanding an existing confined feeding and holding operation or waste-control facility shall first submit detailed plans and specifications for said facility and operation and other necessary information to the Department and obtain approval of the proposed facility and operation from the Department in writing.

1. Plans and specifications and other information to be submitted shall constitute a complete, descriptive proposal and should include, to the extent that such information is pertinent and available, the following:
   (a) Location map showing ownership, zoning and use of adjacent lands and location of the proposed confined feeding or holding facility or operation in relation to residences and domestic water supply sources.
   (b) Topographic map of the proposed site showing the natural drainage pattern and the proposed surface water diversion and area and roof drainage control system or systems.
   (c) Climatological data for the proposed site describing normal annual and seasonal precipitation quantities and patterns, evaporation rates and prevailing winds.
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   (e) Estimated maximum numbers and types of animals to be confined at the site at any one time and estimated volume of wastes to be collected and disposed of.

(f) Detailed plans and specifications and procedures for wastewater and manure collection, handling, retention, storage, treatment and disposal systems.

(g) Details of feed preparation, storage, handling and use and proposed methods and facilities for controlling wastes that are likely to result therefrom.

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2. Unless it can be demonstrated that contaminated drainage can be effectively controlled by other means, or unless a specific written variance is obtained from the Department as provided in Section V, the design, construction, operation and maintenance of confined feeding and holding operations and waste control facilities shall be in conformance with the attached "Guidelines for the Design and Operation of Animal Waste Control Facilities."

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2. The Department may, in accordance with a specific compliance schedule, grant reasonable time for existing confined feeding or holding operations to comply with these regulations.

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2. Oregon Dairymen's Association
3. Oregon Sheep Growers Association
4. Oregon Purebred Swine Growers Association
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6. Oregon State Department of Agriculture
7. Department of Animal Science, Oregon State University
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and divisional representation from:

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

DEPARTMENT OF ENVIRONMENTAL QUALITY

Guidelines for the Design and Operation of Animal Waste Control Facilities

July 1971

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

I. Drainage and Waste Volume Control

A. Roof drainage and uncontaminated surface drainage should be diverted such that it is not allowed to flow through confinement areas or enter waste water holding lagoons, sumps or tanks, unless it can be demonstrated by detailed design and proven operational practices that wastes and contaminated drainage waters can be effectively controlled by other means.

B. Where large winter use confinement areas are exposed to heavy rainfall, and wastewater storage and disposal capacities are limited, such areas should be covered to minimize wastewater volume.

C. Waste collection systems utilizing water for flushing manure from floors should minimize water use, and washwater reuse practices should be employed wherever possible.

D. Animal drinking water and atmospheric control sprays should be managed such that drainage through contaminated areas is minimized.

II. Collection and Storage Facilities

A. Liquid Manure Systems

1. When waste holding lagoons are used to accumulate manure and contaminated drainage waters they should have sufficient usable capacity to contain the maximum accumulated rainfall and manure runoff from the entire collection area for the maximum expected period of accumulation.
   (As a generalized rule of thumb for design, ponds with capacity equal to 1/2 the average annual rainfall over the entire collection area will usually provide adequate operating and reserve capacity to catch 1 in 10 year peak storm runoff from a feedlot.)
2. Waste holding lagoons and collection sumps should be constructed to provide for at least annual removal of accumulated solids to maintain effective storage capacity.
3. Earth dikes should be constructed of good quality soil material, well compacted during construction, with sideslopes consistent with accepted earthfill practices for the materials used and stabilized with vegetation recommended by the Agricultural Extension Service, immediately following construction.
4. Waste holding lagoons or collection sumps with earth dikes should be constructed with overflow relief structures to prevent a washout in the event of failure in other parts of the system.
5. Where unusually windy conditions prevail, or surface aeration equipment is used, dikes should be protected to prevent erosion.
6. Reinforced concrete manure holding tanks should be constructed in accordance with, or at least equivalent to, specifications for steel placement and concrete quality contained in a design which has been prepared by or has been reviewed and found acceptable by a qualified structural engineer.
7. Where seasonal groundwater levels rise above the bottom of a below-ground-level tank, drain tile should be laid at the base of the tank before it is backfilled.

B. Solids Handling Systems

1. Manure solids should be collected, stored, and utilized or disposed of with a minimum of water (or rainfall) addition, in a manner which will prevent water pollution and minimize the production of flies and odors.
2. Where large accumulations of manure are stored during winter months, contaminated drainage collection and holding or disposal facilities should be provided.

III. Conveyance Facilities and Practices

A. Liquid manure irrigation systems should have delivery mains buried wherever practicable to minimize the amount of pipe exposed to the hazards of surface damage and failure.

B. Trucks or tank wagons carrying manure or manure slurry on public roads should be of water tight construction and sufficiently closed or baffled to prevent spillage of any kind.

C. Manure slurry delivery pipelines crossing streams or gullies should be permanently placed with adequate protection from streamflow hazards and/or braced to prevent excessive bending stress in the pipe.

IV. Disposal Facilities and Practices

A. Liquid Manure Disposal

1. When slurry is spread by tank wagon or truck, a predetermined plan of uniform coverage should be established and adhered to. Under no circumstances should a tank be drained when not in motion across suitable receiving land.
2. Liquid manure irrigation systems should be operated according to a predetermined plan of rotation to insure uniform coverage and prevent prolonged ponding or surface runoff from excessive applications. Leaks and sprinkler head malfunctions should be repaired immediately.
3. The selection of equipment for land disposal should be based upon land configuration, labor requirement, and long term dependability of the system and its components.

4. Adequate land should be provided on a year-round basis for effective assimilation of all manure slurry applied, regardless of the method of application used. Land with poor vertical drainage characteristics, high water table, or steep slopes should not be selected for use in a year-round plan of manure disposal.
5. The vegetative cover on disposal land should be harvested or grazed regularly to prevent thatch accumulations of mature grasses and weeds.
6. Livestock should not be permitted to graze the disposal area during periods of saturated soil conditions.
7. Seepage basins should not be used except where it can be demonstrated that groundwater pollution will not result.

B. Solids Disposal

1. Field spreading of manure should be uniform in distribution and limited in quantity to the capacity of the land to retain it.
2. Manure should not be stored or deposited where it can be washed into the surface drainage.
3. Manure solids should not be used as a fill or land raising material where they will pollute ground or surface waters.
4. All dead animals should be promptly collected and disposed of in an approved manner.

V. Incidental Control Practices

A. The application of manure or manure slurry to land areas should be accomplished when air movement is least likely to carry objectionable odors to residential or recreational areas.

B. New confined feeding or holding facilities should not be located where prevailing winds are likely to carry odors into residential or recreational areas. Attention should also be given to expansion of suburban areas and the stability of local zoning restrictions in locating new operations or substantially expanding existing operations.

VI. Sources of Qualified Assistance for Design of Facilities

A. Where drainage control, structural or mechanical facilities are sufficiently large or complex to require specialized professional design, the DEQ may require that detailed plans and specifications be prepared by a qualified engineer for approval prior to construction.

B. Appropriate design services are available through:

1. USDA - Soil Conservation Service
2. USDA - OSU Extension Service and associated plan services.
3. Various equipment manufacturers.
4. Independent consulting engineers.

Useful design information is often available through:

1. County extension offices and Agricultural Experiment Stations.
2. Department of Environmental Quality engineering staff.
3. OSU Departments of Agricultural Engineering and Animal Science
4. Certain power companies and irrigation districts
5. Climatological data reporting services (OSU and state climatologist)
6. Other livestock operations which have waste control facilities in operation
7. Various livestock production associations
8. Soil and Water Conservation District offices

C. Where long range operational planning appears necessary to development of a workable waste control and disposal system, the DEQ may request that special planning assistance be obtained from OSU and recommendations therefrom be included in the proposal submitted.

D. Any dam or dike in excess of ten feet in height, or any impoundment volume in excess of 9.2 acre feet is required by state laws to be designed by a qualified engineer and approved by the office of the State Engineer.

A copy of "Rules and Regulations of the State Engineer", published annually, should be obtained prior to designing a facility of this type.

E. Approval by the DEQ of a confined feeding or holding operation does not relieve the applicant from his obligation to comply with other pertinent federal, state or local statutes, regulations or ordinances.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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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Springfield
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GEORGE A. McMATH
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ARNOLD M. COGAN
Portland

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. B, January 5, 1972, EQC Meeting

Project Plans for November, 1971

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

Water Quality Control

1. Nineteen domestic sewage projects were reviewed
   a) Provisional approval was given to:
      5 plans for sewer extensions
      1 plan for sewage treatment plant
   b) 1 sewage treatment plant report had comments
   c) 1 disposal site concurrence
   d) 11 contract modifications were approved without conditions
2. No industrial waste plan was reviewed

Air Quality Control

1. Twenty-nine air quality proposals were received and reviewed
   a) 16 proposals relative to WWB modification or phase-out
      15 were approved
      1 was provisionally approved
   b) 13 industrial APC proposals other than WWB's were reviewed:
      7 were approved
      6 requested additional information

TELEPHONE: (503) 229-5696

Solid Waste Disposal

1. Three solid waste disposal project plans or specifications and/or reports were reviewed

   1 industrial waste landfill was approved provisionally

   2 sanitary landfill comments incomplete

RECOMMENDATION

It is recommended that the Commission give its confirming approval to staff actions regarding project plans for November 1971.

L.B. Day

PROJECT PLANS

Water Quality Control

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

Date	Location	Project	Action
Municipal Projects (19)			
11-9-71	Klamath County	U. S. Forest Service Crescent sewage disposal report	Comments
11-9-71	USA	Change Order No. 3 (Aloha plant)	Approved
11-10-71	St. Helens	Change Order No. G-5 (sewage treatment plant)	Approved
11-16-71	Gresham	Addenda #2 and 3 (sewage treatment plant)	Approved
11-16-71	Scappoose	Addendum No. 1 (sewage treatment plant)	Approved
11-17-71	Canby	Change Order No. 3 (sewage treatment plant)	Approved
11-17-71	USA	Change Orders No. 1 and 2 (Fanno Creek interceptor)	Approved
11-17-71	USA	Change Order No. 2 (Aloha plant)	Approved
11-18-71	Oak Lodge San. Dist.	Concord Terrace No. 6	Prov. approval
11-18-71	Siletz	Change Order No. 1 (sewerage system)	Approved
11-22-71	Canby	Neff Road sewer extension	Prov. approval
11-22-71	The Dalles	Plant upgrade to 5.0 mgd	Prov. approval
11-22-71	Coos Bay	Hub area sewers	Prov. approval

Date	Location	Project	Action
11-22-71	Inverness	System units 4A and 4B	Prov. approval
11-22-71	Oregon City	River Bluff sewers	Prov. approval
11-22-71	Ukiah	U. S. Forest Service Administrative site proposal	Concurrence
11-24-71	Hillsboro	Change Orders No. 5 and 16 (sewage treatment plant)	Approved
11-24-71	Pendleton	Change Order No. 4 (sewage treatment plant)	Approved
11-29-71	Medford	Change Orders No. 4 and 42 to 58 (sewage treatment plant)	Approved

Industrial Projects (0)

No industrial project plans were processed during the month.

P - 10 PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR NOVEMBER, 1971

DATE	LOCATION	PROJECT	ACTION
2	Douglas County	Roseburg Shingle & Stud WWB Modification	Approved
4	Union County	Boise Cascade Corp., La Grande Proposal for Boiler Schedule of Compliance	Additional information requested
	Union County	Boise Cascade Corp., Elgin Proposal for Boiler Schedule for Compliance	Additional information requested
	Wallowa County	Boise Cascade Corp., Joseph Proposal for Boiler Schedule of Compliance	Additional information requested
5	Lincoln County	Toledo Shingle Company Request for Time Extension to December 31, 1971 to Complete WWB Phase Out	Granted
8	Tillamook County	Diamond Lumber Company Proposal for WWB Schedule of Compliance	Approved
10	Jackson County	Burrill Lumber Company Proposal to Phase Out WWB by March 1, 1972	Approved
11	Curry County	South Coast Lumber Company Proposal to Modify WWB	Preliminary Approval
	Jefferson County	Brightwood Corporation Proposal to Phase Out WWB by December 15, 1971	Approved
16	Lake County	Dame Lumber Company Proposal to Bring WWB into Compliance by July 1, 1972	Approved
	Jackson County	Timber Products Company Plans for New Sanderdust Handling System	Approved
17	Columbia County	Boise Cascade Corp., St. Helens Detailed Plans for Previously Approved System to Control Non-densibles	Additional information requested

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR NOVEMBER, 1971 (Cont.)

DATE	LOCATION	PROJECT	ACTION
18	Douglas County	Roseburg Lumber Company Proposal to Install new Hog-fuel Boiler	Additional information requested
19	Grant County	Edward Hines Lbr. Co., Mt. Vernon Plans to Modify WWB by July 1, 1972	Approved
	Jackson County	Boise Cascade Corp. Documentation of Compliance with Board Products Regulations	Approved
	Jackson County	McGrew Bros. Proposal to Phase Out WWB by March 15, 1972	Approved
22	Union County	Boise Cascade Corp., La Grande Proposal for Boiler Compliance Program	Approved
	Union County	Boise Cascade Corp., Elgin Proposal for Boiler and WWB Compliance Program	Approved
	Wallowa County	Boise Cascade Corp., Joseph Proposal for Boiler Compliance Program	Approved
24	Tillamook County	Tillamook Veneer Company Plans to Modify WWB by January 15, 1972	Approved
	Jackson County	Mt. Pitt Lumber Co. Proposal to Phase Out WWB by November 24, 1971	Approved
	Josephine County	Carolina Pacific Plywood, Inc. Proposal to Phase Out WWB by February 28, 1972 by Incinerating Residues for Veneer Drier Heat	Approved
	Jackson County	Carolina Pacific Plywood, Inc. Proposal to Phase Out WWB by August 31, 1972, by Incinerating Residues for Veneer Drier Heat	Approved

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION FOR NOVEMBER, 1971 (Cont.)

DATE	LOCATION	PROJECT	ACTION
26	Union County	Boise Cascade Corp., Elgin Documentation of Compliance with Board Products Regulations	Approved
	Union County	Boise Cascade Corp., La Grande Schedule of Compliance for Particleboard Plant with Board Products Regulations	Approved
	Douglas County	Robert Dollar Company Plans for New Bark Materials Handling Systems	Approved
	Josephine County	Cabax Mills, Grants Pass Proposal to Phase out WWB by December 31, 1971	Additional information requested
	Josephine County	Cabax Mills, Kerby Plans for WWB Modification and Boiler Plant Maintenance	Approved
30	Grant County	Prairie City Timber Company Proposal to Phase out WWB by August 1, 1972	Approved

In Summary, the Air Quality Control Staff:

1.	Approved WWB phase-out proposals	7
2.	Approved WWB plans and specifications for modifications	7
3.	Granted preliminary approval for WWB modification	1
4.	Approved request for time extension for submission of WWB compliance program	1
5.	Granted approval to other miscellaneous control programs	4
6.	Requested additional information on other projects	6
7.	Approved documentation of compliance with Board Products Regulations	2
8.	Approved schedules of compliance for Board Products Regulations	1
	Total Actions	29

PROJECT PLANS

SOLID WASTE MANAGEMENT DIVISION

During the month of November, 1971, 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.

Date	Location	Project	Action
Nov. 3	Lane Co.	Rickethier Quarry Industrial Landfill	Prov. approval
Nov. 16	Jackson Co.	Dry Creek Sanitary Landfill	Comments incomplete
Nov. 29	Yamhill Co.	Whitson Sanitary Landfill	Comments incomplete

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Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. C, January 5, 1972, EQC Meeting

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

Background

On December 6 and 7, 1971, public hearings for the adoption of Regulations Pertaining to Location, Construction, Operation, and Maintenance of Confined Animal Feeding or Holding Operations were held in Portland and Ontario, respectively. The majority of testimony received falls into the following categories:

1. Acknowledgement of the cooperative effort between industry representatives and DEQ staff in recommending adoption of the present draft.
2. Urging moderation and reasonability in requiring compliance from existing livestock operations.
3. Requesting that printed informative material and field evaluation services be made available to all affected operations.

Suggestions for the following changes in Sec. VI were made:

1. That the Advisory Committee include a representative from the Oregon Broiler Growers Association, making a total of 13 members.

TELEPHONE: (503) 229-5696

2. That the last paragraph be altered to read that the "Department shall not be liable . . .", to permit the members employed by the State of Oregon to be compensated for their expenses.

These changes have been made as requested. No other changes have been made as a result of testimony received at the public hearings.

Recommendation

It is recommended that the proposed regulations and guidelines pertaining to control of manure, contaminated drainage, and other wastes from confined animal feeding and holding operations be adopted with the above described amendments.

L.B. Day

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

July 1971

Amended December 1971

Statutory Authority: ORS 449.081; 449.082; 449.086 and Chapter 648 Oregon Laws 1971 (HB 1051)

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6. Oregon State Department of Agriculture
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DEPARTMENT OF ENVIRONMENTAL QUALITY

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July 1971

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D. Animal drinking water and atmospheric control sprays should be managed such that drainage through contaminated areas is minimized.

II. Collection and Storage Facilities

A. Liquid Manure Systems

1. When waste holding lagoons are used to accumulate manure and contaminated drainage waters they should have sufficient usable capacity to contain the maximum accumulated rainfall and manure runoff from the entire collection area for the maximum expected period of accumulation.
   (As a generalized rule of thumb for design, ponds with capacity equal to 1/2 the average annual rainfall over the entire collection area will usually provide adequate operating and reserve capacity to catch 1 in 10 year peak storm runoff from a feedlot.)
2. Waste holding lagoons and collection sumps should be constructed to provide for at least annual removal of accumulated solids to maintain effective storage capacity.
3. Earth dikes should be constructed of good quality soil material, well compacted during construction, with sideslopes consistent with accepted earthfill practices for the materials used and stabilized with vegetation recommended by the Agricultural Extension Service, immediately following construction.
4. Waste holding lagoons or collection sumps with earth dikes should be constructed with overflow relief structures to prevent a washout in the event of failure in other parts of the system.
5. Where unusually windy conditions prevail, or surface aeration equipment is used, dikes should be protected to prevent erosion.
6. Reinforced concrete manure holding tanks should be constructed in accordance with, or at least equivalent to, specifications for steel placement and concrete quality contained in a design which has been prepared by or has been reviewed and found acceptable by a qualified structural engineer.
7. Where seasonal groundwater levels rise above the bottom of a below-ground-level tank, drain tile should be laid at the base of the tank before it is backfilled.

B. Solids Handling Systems

1. Manure solids should be collected, stored, and utilized or disposed of with a minimum of water (or rainfall) addition, in a manner which will prevent water pollution and minimize the production of flies and odors.
2. Where large accumulations of manure are stored during winter months, contaminated drainage collection and holding or disposal facilities should be provided.

III. Conveyance Facilities and Practices

A. Liquid manure irrigation systems should have delivery mains buried wherever practicable to minimize the amount of pipe exposed to the hazards of surface damage and failure.

B. Trucks or tank wagons carrying manure or manure slurry on public roads should be of water tight construction and sufficiently closed or baffled to prevent spillage of any kind.

C. Manure slurry delivery pipelines crossing streams or gullies should be permanently placed with adequate protection from streamflow hazards and/or braced to prevent excessive bending stress in the pipe.

IV. Disposal Facilities and Practices

A. Liquid Manure Disposal

1. When slurry is spread by tank wagon or truck, a predetermined plan of uniform coverage should be established and adhered to. Under no circumstances should a tank be drained when not in motion across suitable receiving land.
2. Liquid manure irrigation systems should be operated according to a predetermined plan of rotation to insure uniform coverage and prevent prolonged ponding or surface runoff from excessive applications. Leaks and sprinkler head malfunctions should be repaired immediately.
3. The selection of equipment for land disposal should be based upon land configuration, labor requirement, and long term dependability of the system and its components.

4. Adequate land should be provided on a year-round basis for effective assimilation of all manure slurry applied, regardless of the method of application used. Land with poor vertical drainage characteristics, high water table, or steep slopes should not be selected for use in a year-round plan of manure disposal.
5. The vegetative cover on disposal land should be harvested or grazed regularly to prevent thatch accumulations of mature grasses and weeds.
6. Livestock should not be permitted to graze the disposal area during periods of saturated soil conditions.
7. Seepage basins should not be used except where it can be demonstrated that groundwater pollution will not result.

B. Solids Disposal

1. Field spreading of manure should be uniform in distribution and limited in quantity to the capacity of the land to retain it.
2. Manure should not be stored or deposited where it can be washed into the surface drainage.
3. Manure solids should not be used as a fill or land raising material where they will pollute ground or surface waters.
4. All dead animals should be promptly collected and disposed of in an approved manner.

V. Incidental Control Practices

A. The application of manure or manure slurry to land areas should be accomplished when air movement is least likely to carry objectionable odors to residential or recreational areas.

B. New confined feeding or holding facilities should not be located where prevailing winds are likely to carry odors into residential or recreational areas. Attention should also be given to expansion of suburban areas and the stability of local zoning restrictions in locating new operations or substantially expanding existing operations.

VI. Sources of Qualified Assistance for Design of Facilities

A. Where drainage control, structural or mechanical facilities are sufficiently large or complex to require specialized professional design, the DEQ may require that detailed plans and specifications be prepared by a qualified engineer for approval prior to construction.

B. Appropriate design services are available through:

1. USDA - Soil Conservation Service
2. USDA - OSU Extension Service and associated plan services.
3. Various equipment manufacturers.
4. Independent consulting engineers.

Useful design information is often available through:

1. County extension offices and Agricultural Experiment Stations.
2. Department of Environmental Quality engineering staff.
3. OSU Departments of Agricultural Engineering and Animal Science
4. Certain power companies and irrigation districts
5. Climatological data reporting services (OSU and state climatologist)
6. Other livestock operations which have waste control facilities in operation
7. Various livestock production associations
8. Soil and Water Conservation District offices

C. Where long range operational planning appears necessary to development of a workable waste control and disposal system, the DEQ may request that special planning assistance be obtained from OSU and recommendations therefrom be included in the proposal submitted.

D. Any dam or dike in excess of ten feet in height, or any impoundment volume in excess of 9.2 acre feet is required by state laws to be designed by a qualified engineer and approved by the office of the State Engineer.

A copy of "Rules and Regulations of the State Engineer", published annually, should be obtained prior to designing a facility of this type.

E. Approval by the DEQ of a confined feeding or holding operation does not relieve the applicant from his obligation to comply with other pertinent federal, state or local statutes, regulations or ordinances.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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. D, January 5, 1972 EQC Meeting

Proposed Nitrogen Standards

It is requested that authority be granted to hold a public hearing at the earliest possible date for the purpose of considering the adoption of the attached proposed amendment to Rule 41-025 of Subdivision 1, Division 4, Chapter 340, Oregon Administrative Rules.

Purpose

The purpose of this proposed amendment is to establish a maximum limit for dissolved nitrogen in the public waters, including both interstate and intrastate waters, of the state of Oregon.

Justification

Observations during the last five or six years have shown that:

1. The Columbia and Snake Rivers downstream from hydroelectric dams are significantly supersaturated with dissolved atmospheric gases during periods of high spillway discharge.
2. Nitrogen supersaturation levels above 105 percent produce symptoms of gas bubble disease in fish, and levels above 120 percent are lethal.
3. The spilling of large amounts of water at many main Columbia and Snake River dams causes high supersaturation of dissolved nitrogen in the waters which results in extremely heavy mortality to young and adult salmon, steelhead and other species.

TELEPHONE: (503) 229-5696

4. Such losses in the Columbia River system threaten the very survival of certain upriver runs of fish which have been using these waters for centuries.
5. Steps can and must be taken immediately to reduce significantly these catastrophic losses and to preserve these valuable fishery resources.
6. Nitrogen supersaturation can occur in other streams where water is spilled at dams or in some cases at natural falls.

It is now imperative that sufficient attention be focused on the nitrogen problem and its present and potential threat to the fishery and future economy of Oregon so that without further delay adequate funds will be appropriated by Congress to finance the conduct of research and the correction or modification of certain features at existing dams all of which are urgently needed for the satisfactory solution of this problem.

Research must be conducted to:

1. Define the effects of lower levels of nitrogen supersaturation on fish, with emphasis on eggs, yolk-sac fry and food organisms. Limited information indicates that certain early life stages of salmonid fishes experience stress at nitrogen supersaturation levels starting at 103 percent.
2. Continue development of spillway and other modifications at existing dams to reduce nitrogen supersaturation.
3. Develop improved techniques for getting juvenile salmonids down and adults up the Columbia and Snake Rivers with minimum mortalities during the time it takes to meet the nitrogen standards.

It is essential that adequate funds be provided by Congress to finance not only this needed research but also the modifications to the existing physical structures, such modifications to be consistent with the results of research and development projects.

The concentrations of atmospheric gases in the river water are not increased by the passage through turbines. Turbine generator units should therefore be installed in all existing skeleton bays as rapidly as possible so that maximum flows can be passed through the turbines and the discharge over the spillways can be kept to a minimum.

Studies already made have shown that diverting river flow through skeleton bays fitted with slotted bulkheads rather than discharge it over spillways helps considerably to reduce nitrogen supersaturation. Therefore in those cases where turbine generators cannot be quickly installed, the skeleton bays should be fitted with slotted bulkheads and be used to pass as much of the flow as possible.

"Flip lips" can be constructed on the ogee of spillways to absorb most of the energy of spilling waters so that the waters do not plunge to the depths of the stilling basin and do not entrain large volumes of atmospheric gases.

To reduce juvenile salmonid fish losses through powerhouse turbines traveling screen deflectors should be installed at all Columbia River dams.

An estimate of the necessary expenditures required to reduce the nitrogen problem and to help protect the fishery resources is as follows:

1.	Install 20 turbine generators in Lower Columbia River dams	$53,000,000
2.	Install 13 slotted bulkheads in Lower Columbia and Lower Snake River dams	$20,000,000
3.	Install traveling screens	$35,000,000
4.	Construct "flip lips" on spillways	$40,800,000
5.	Conduct fisheries research	$ 7,000,000
	Total expenditures needed	$155,800,000

Summary and Conclusions

The fishery resources of the Columbia River system are being seriously threatened by supersaturation of atmospheric gases in the river water. This supersaturation of gases, including nitrogen, is

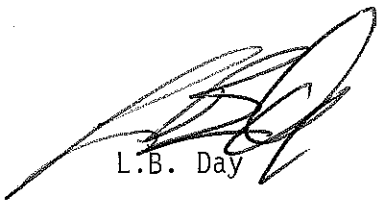
caused by the discharge of large amounts of water over the spillways at hydroelectric dams during periods of high stream flow.

Steps can and must be taken without delay to solve this problem in order to protect the region's valuable fishery resources.

Director's Recommendations

It is recommended that a public hearing or hearings be held by the Environmental Quality Commission as soon as possible, preferably in February 1972, for the purpose of considering the adoption of the attached proposed dissolved nitrogen standard for all public waters, including interstate and intrastate waters, of the state of Oregon.

It is recommended further that the Commission support requests to the President and Congress of the United States for authorization and appropriation of adequate funds to finance the necessary research and development and modification to existing structures, and also requests to owners and operators of the public and private dams and the power supply and distribution agency to effect full coordination of operations for maximum reduction of the nitrogen problem.



L.B. Day

Attached

Proposed Amendment

to

Standards of Quality for Public Waters of Oregon and Disposal Therein of Sewage and Industrial Wastes

It is proposed that Rule 41-025 of Subdivision 1, Division 4, Chapter 340, Oregon Administrative Rules, entitled General Water Quality Standards be amended by adding item (12) so that it will then read as follows (words underlined are new language):

41-025 GENERAL WATER QUALITY STANDARDS. The following General Water Quality Standards shall apply to all waters of the state except where they are clearly superseded by Special Water Quality Standards applicable to specifically designated waters of the state. No wastes shall be discharged and no activities shall be conducted which either alone or in combination with other wastes or activities will cause in any waters of the state:

(1) The dissolved oxygen content of surface waters to be less than six (6) milligrams per liter unless specified otherwise by special standard.

(2) The hydrogen-ion concentration (pH) of the waters to be outside the range of 6.5 to 8.5 unless specified otherwise by special standard.

(3) The liberation of dissolved gases, such as carbon-dioxide, hydrogen sulfide or any other gases, in sufficient quantities to cause objectionable odors or to be deleterious to fish or other aquatic life, navigation, recreation, or other reasonable uses made of such waters.

(4) The development of fungi or other growths having a deleterious effect on stream bottoms, fish or other aquatic life, or which are injurious to health, recreation or industry.

(5) The creation of tastes or odors or toxic or other conditions that are deleterious to fish or other aquatic life or affect the potability of drinking water or the palatability of fish or shellfish.

(6) The formation of appreciable bottom or sludge deposits or the formation of any organic or inorganic deposits deleterious to fish or other aquatic life or injurious to public health, recreation or industry.

(7) Objectionable discoloration, turbidity, scum, oily sleek or floating solids, or coat the aquatic life with oil films.

(8) Bacterial pollution or other conditions deleterious to waters used for domestic purposes, livestock watering, irrigation, bathing, or shellfish propagation, or be otherwise injurious to public health.

(9) Any measurable increase in temperature when the receiving water temperatures are 64°F. or above, or more than 2°F. increase when receiving water temperatures are 62°F. or less.

(10) Aesthetic conditions offensive to the human senses of sight, taste, smell or touch.

(11) Radioisotope concentrations to exceed Maximum Permissible Concentrations (MPC's) in drinking water, edible fishes or shellfishes, wildlife, irrigated crops, livestock and dairy products or pose an external radiation hazard.

(12) The dissolved nitrogen concentration (DN) (a) from the date of adoption of this standard until January 1, 1973 to exceed 110 percent of saturation and (b) after January 1, 1973 to exceed 105 percent of saturation, unless prior to January 1, 1973 the Commission shall by rule extend the 110% saturation limit based on competent research which conclusively demonstrates that the 110% saturation limit is not injurious to the fishery resources.

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item E, January 5, 1972, EQC Meeting

Ken Rogge Lumber Co., Bandon

Formal hearing on this matter was held on August 25, 1971 and the Hearings Officers Report is attached.

L.B. Day

Attached

TELEPHONE: (503) 229-5696

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
OF THE STATE OF OREGON

TO: Members of the Environmental Quality Commission

FROM: Storrs Waterman, Hearings Officer

SUBJECT: Ken Rogge Lumber Co., a Partnership, and Rogge Lumber Sales, Inc., an Oregon Corporation

Pursuant to notice, a hearing was held in Portland, Oregon, on the 25th day of August, 1971, before the undersigned as Hearings Officer, requiring Ken Rogge Lumber Co. and Rogge Lumber Sales, Inc., to appear and show why the Environmental Quality Commission should not enter an order within the purview of the notice and allegations served upon the company.

The hearing was held in Room 36, State Office Building, Portland, Oregon. The original date of hearing was August 11, 1971 and had been postponed at the request of the company. Andrew Newhouse appeared on behalf of Ken Rogge Lumber Co. and Rogge Lumber Sales, Inc., and Arnold B. Silver, Assistant Attorney General, appeared in behalf of the Department of Environmental Quality. For simplicity the parties will be termed the "Company" and the "Department".

Testimony was heard and exhibits were received from both the Company and the Department.

Based upon the testimony, exhibits and records and files introduced and received in this matter, I have made the following:

FINDINGS OF FACT

1. Ken Rogge Lumber Co. is a partnership consisting of Mr. and Mrs. Rogge, who own and operate a wigwam waste burner located approximately two miles south of Bandon, Coos County, Oregon, on Highway 101. Rogge Lumber Sales, Inc. is a corporation which owns and operates a wigwam waste burner located approximately five miles north of Port Orford, Curry County, Oregon, on Cape Blanco

Road. Both burners are outside of special control areas as defined by OAR, Chapter 340, section 21-010.

2. The Environmental Quality Commission has promulgated rules codified in OAR, Chapter 340, as sections 21-005 to 21-025, for the purpose of regulating and controlling visible air contaminant sources. Section 21-015(1) prohibits a person responsible for an existing source outside a special control area from causing an emission of an air contaminant into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringelmann chart or equal to or greater than 40% opacity.

3. The wastes consumed in the Bandon burner consist principally of bark and the wastes consumed in the Cape Blanco burner consist principally of bark and sawdust.

4. The wigwam waste burners are in fair condition and have a form of underfire and overfire forced air systems. The Company has undertaken several "self-improvement" projects to upgrade their wigwam waste burners, including the curtailing of feeding the burners prior to shutdown; accumulation of wastes prior to start-up to assist in the initiation of a "hot" fire; utilization of hot coals from the previous day's fire to start a new fire; the use of diesel oil to aid the wigwam waste burners' start-up when dry fuel and coals are not available; start-ups of the wigwam waste burners about 15 minutes prior to the mill's start-up so as to have a hot fire when fresh waste residues commence coming from the production process; attempts to select and cut dry fir logs during the last hour of each day at each mill so as to have dry fuel on hand for the next start-up; and the addition of blowers to provide more air. However, it is noted if hot coals are left in the wigwam waste burners and new dry material is placed on this hot bed of coals, a smoldering condition will develop and will last until

sufficient temperature and oxygen are available to provide the element's necessary for combustion. Additionally, the installation of a 1/4 inch pipe to blow diesel oil on a fuel pile under minimum air pressure is not an "auxiliary fuel burner" within the common accepted meaning of the term.

These efforts may or may not be valid attempts to insure compliance with Department rules. Since the Company never consulted with departmental staff prior to attempting these modifications, the Department does not have any facts upon which to base a judgment ~~upon~~ as to whether they were accomplished properly or even if they are working at this time. Additionally, since the Company has not consulted with the Department of Environmental Quality prior to making any changes or modifications to their burners, nor sought approval of any proposed alterations there obviously was a violation of ORS 449.712 and the rules adopted thereunder.

5. There are few homes located in the immediate vicinity of each burner and the prevailing winds of the area generally prevent smoke from reaching the cities of Bandon and Port Orford.

6. The Department has made numerous attempts to encourage voluntary cooperation by the Company to minimize smoke from its burners and to develop plans for complying with rules adopted pursuant to ORS Chapter 449, all made in good faith prior to this hearing.

7. Smoke density observations were made by certified smoke observers of the Department of Environmental Quality during February, May, June and August, 1971, and were conducted during early morning, mid-day and evening periods, but not necessarily at all three periods on any one day. Each observation covered a period of about ten minutes.

The observations were made by individuals trained in both Ringelmann smoke readings and equivalent smoke opacity. These

persons were certified by a school sponsored by the Department of Environmental Quality, regional air pollution control authorities and the Department of Ecology, State of Washington. The certifications were only made upon completion of the standard course of study and successful passing of examinations.

Smoke for the training observations conducted during the course was produced by a smoke generator calibrated by using standard sections of photographic film corresponding to the Ringelmann smoke chart. In other words, smoke produced by the generator was based on the Ringelmann smoke chart. Additionally, the school trained observers were required to make and understand equivalent opacity readings. Equivalent opacity readings are simply based upon converting "black smoke" (Ringelmann chart) observations into non-black smoke observations, such as white and blue smoke.

8. Smoke observations were also made by personnel of the Company. The personnel were not trained nor certified for smoke observation and had studied the Ringelmann chart off and on for less than a day. They did not at any time study procedures and methods necessary to make equivalent opacity readings.

9. The testimony, records and files in this matter show that observers Johnson and Fraley made 15 separate readings of the smoke emitted from the burner operated by the Company on Cape Blanco Road, Curry County, between February 18, 1971 and August 4, 1971. Of these observational readings, 9 were found to be in compliance and 6 show the Company emitted air contaminants into the outdoor atmosphere darker than Ringelmann No. 2 or its equivalent opacity for periods longer than three minutes in one hour. The dates of violation of Ringelmann readings and equivalent opacity are as follows:

Date	Ringelmann	Equivalent Opacity
A. May 19, 1971	4.55	greater than 80%
B. June 17, 1971	2.075	greater than 40%
C. June 18, 1971	4.7	greater than 80%
D. June 18, 1971	4.25	greater than 80%
E. June 18, 1971	2.85	greater than 40%
F. June 18, 1971	3.525	greater than 40%

The same observers made 13 separate readings of the smoke emitted from the burner operated by the Company on Highway 101 Coos County, south of Bandon, between February 23, 1971 and August 4, 1971. Of these 13 observational readings, 6 were found to be in compliance and 7 show the Company emitted air contaminants into the outdoor atmosphere darker than Ringelmann No. 2 or its equivalent opacity for periods longer than three minutes in one hour. The dates of violation of Ringelmann readings and equivalent opacity areas follows:

Date	Ringelmann	Equivalent Opacity
A. February 23, 1971	5	100%
B. June 17, 1971	2.2	greater than 40%
C. June 17, 1971	2.525	greater than 40%
D. June 17, 1971	4.2	greater than 80%
E. June 17, 1971	4.25	greater than 80%
F. June 17, 1971	4.85	greater than 80%
G. June 17, 1971	2.125	greater than 40%

I find by substantial reliable evidence the operation of the aforesaid burners on the dates above specified caused emissions in excess of Ringelmann No. 2 and equivalent opacity. It is also unnecessary to find "damage" since there were direct violations of administrative rules.

10. The Department requested compliance schedules of the Company to either phase out their burners or modify them to meet state emission standards. The Company denied the requests on the basis of expense, the unknown value of modification and that one burner operates but one day a week. The latter contention was not verified at the hearing. Additionally, the Company expressed no intention of employing a consulting engineer to design a control system for its burners.

RULING ON OBJECTION

Counsel for the Company objected to the testimony of the Department's observers on the ground they did not compare the burners' smoke emissions with a Ringelmann smoke chart. There is

no requirement in law, or in fact, that a person making smoke readings carry with him a Ringelmann smoke chart to compare with observed emissions. Additionally, smoke observations may be made on the basis of equivalent opacity. The observers were trained in smoke reading and certified as such by a school sponsored by various pollution control agencies in Oregon and Washington and Portland State University. (Their training was in accordance with principles of the Ringelmann smoke chart and equivalent opacity and the use of a calibrated smoke generator.) If the objection has any merit at all, it goes merely to the weight of the testimony and not its admissibility. Accordingly, I recommend overruling the objection.

OPINION

The Company's wigwam waste burners are operating in violation of Department rules. The concept of damage to surrounding homes and people, as advanced by the Company, completely overlooks the fact the burners are operating in violation of law and also the total impact upon the environment of Oregon. If damage is to be considered the sole test of whether a person may with impunity violate rules adopted pursuant to legislative directive, then the air quality of the state must remain static and never be improved or restored. I cannot accept this "defense".

Based upon the foregoing Findings of Fact, I have entered the following proposed Conclusions of Law:

CONCLUSIONS OF LAW

1. The Company has violated Oregon Administrative Rules, Chapter 340, section 21-015(1).

2. The Company has violated ORS 449.712, and rules adopted thereunder.

3. An administrative rule adopted pursuant to statutory authority has the force and effect of law.

Based upon the foregoing Findings of Fact and Conclusions of

Law, I have proposed the following

ORDER

1. No later than February 1, 1972, the Company shall submit to the Department a compliance schedule setting forth its proposals to either:

a) Employ a consulting engineer to design modifications for its burners to comply with state emission standards; or

b) Phase out the use of the burners until and unless they are modified to comply with state emission standards; or

c) Phase out one burner and modify the other burner, using one burner to serve both mills.

2. In the event modification is proposed for one or both of the burners, the schedule should also set forth tentative dates for completion of preliminary and final engineering plans; commencement of construction and final completion.

3. Notwithstanding any proposed compliance schedule submitted under Item 1, preliminary engineering plans shall be submitted to the Department for its approval no later than March 1, 1972, and final modification and construction of the wigwam waste burners should be completed no later than May 15, 1972.

Dated this 22nd day of November, 1971.

Storrs Waterman

Storrs Waterman, Hearings Officer

Copy mailed to:
Mr. Andrew J. Newhouse
Attorney at Law
Box 119
Coos Bay, Oregon 97470

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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Portland

GEORGE A. McMATH
Portland

ARNOLD M. COGAN
Portland

Memorandum

To: Environmental Quality Commission

From Director

Subject: Agenda Item No. F, January 5, 1972 EQC Meeting

Robert Dollar Lumber Co., Glendale, - Implementation Schedule Modification

At the July 23, 1971 meeting of the Environmental Quality Commission, approval was granted for the Robert Dollar Company to proceed with the installation of a decorative bark plant in order to permit the phase out of their wigwam waste burner.

The company now requests a change in the compliance dates approved at that meeting. (The request is attached.)

BACKGROUND

The Robert Dollar veneer plant and sawmill is located on the northern edge of the town of Glendale in Douglas County. Glendale is located approximately 25 miles north of Grants Pass and 10 miles west from Interstate 5. During 1970 the company, through improved utilization of residues, phased out three (3) of the four (4) wigwam waste burners at the Glendale plant. The remaining 80 foot wigwam waste burner is in very poor structural and mechanical condition.

CURRENT PROGRAM

Since approval by the Commission on July 23, 1971, the new decorative bark plant work has been progressing at a satisfactory rate. The site preparation work is complete; the major component contracts have been let; and the sanderdust collection system has been relocated. The sale of plywood trim and sawdust will not be

TELEPHONE: (503) 229-5696

completed until early 1972 due to delays at the new Roseburg Lumber Company particleboard plant.

FACTUAL ANALYSIS

1. The company is making adequate progress on the new bark plant, but will not complete construction until early 1972.
2. The sale of plywood trim and sawdust will not be possible until January 1, 1972.
3. The wigwam waste burner cannot be removed from service by January 1, 1972, as proposed to the Environmental Quality Commission on July 23, 1971.
4. The company requests approval to operate the unmodified wigwam waste burner until April 15, 1972.

DIRECTOR'S RECOMMENDATION

Since the company is progressing on an approved plan to phase out the use of the wigwam waste burner and to establish a new product line utilizing wood wastes, it is recommended that the request by the company to operate the unmodified wigwam waste burner be approved subject to the following conditions:

1. The wigwam waste burner is to be removed from service at the time the decorative bark plant is put "on-stream". At the same time the contract with Roseburg Lumber Company will be initiated for the sale of plywood trim and sawdust. These two programs are to be implemented by not later than April 15, 1972.
2. If the sale of decorative bark does not develop sufficiently to allow continued utilization of all bark during the last six months of 1972, the wigwam waste burner may be reactivated without modification for the disposal of bark only. The number of days the wigwam waste burner operates in the January through April 15, 1972 period are to be subtracted from the end of the allowed period, i.e., if the burner is used all of

January 1972 all of December 1972 would be deleted from the allowable time. The company would agree to notify the Department in writing of the intended date that the wigwam waste burner was to be put into service and the expected duration of operation.

3. If the wigwam waste burner is required for the disposal of residue beyond the dates outlined in #1 and #2 above, the burner will be replaced with a wigwam waste burner properly sized, following the criteria developed by the Forest Research Laboratory at Oregon State University and will be operated in compliance with applicable emission standards.
4. No sanderdust will be burned in the wigwam waste burner at any time.
5. Any proposal to landfill residues must have prior approval from the Department.

L.B. Day

THE ROBERT DOLLAR CO.

FOREST PRODUCTS DIVISION
AREA CODE 503
TELEPHONES
OFFICE 832-5050 SALES 832-5820
GLENDALE, OREGON

HEAD OFFICE
311 CALIFORNIA STREET
SAN FRANCISCO 4

November 5, 1971

Department of Environmental Quality
Air Quality Control Division
1400 S. W. 5th Avenue
Portland, Oregon 97201

ATTEN: Mr. T. M. Phillips

Gentlemen:

Re: Extension of time for Wigwam Burner Compliance.

At the July 23, 1971 meeting of the Environmental Quality Commission, approval of our air pollution compliance plan was granted. It has now become evident that our bark plant start up will be delayed until April 15, 1972. We have also been informed that the Roseburg Lumber Company particleboard plant will not accept our entire volume of sawdust and plywood trim until early 1972. For these reasons we hereby request permission to operate our present wigwam burner until April 15, 1972.

We are actively moving towards completion of our compliance plan as evident by our installation of the sanderdust conversion portion of the plan. April 15, 1972 will be a firm date for start up of this plant. The prime components, bark dryer and firing device, have been ordered and their startup dates backed by a penalty clause.

We respectfully submit this request for your approval.

Yours very truly,
THE ROBERT DOLLAR CO.

T. H. Mehl III
Assistant Manager

THM/jr
Encl: Purchase orders for bark dryer and Wellons furnace.
Plans mailed under separate cover

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. G, January 5, 1972 EQC Meeting

Knoll Terrace Park Performance Bond

Background:

1. ORS 449.400 requires every person proposing to construct and operate a privately owned sewerage system to file a surety bond of a sum not to exceed $25,000 with the EQC. Such bond is to be forfeited in whole or in part for failure to construct, operate or maintain the system in accordance with Department requirements.

2. ORS 449.400 (2) provides that the EQC may permit the substitution of other security for the bond; however, the Attorney General must approve the form of such security.

3. The purpose of the bond is to enable the State to correct problems with a private sewerage system in the event the owner fails to properly construct, operate, or maintain the system.

4. Mr. Kenneth T. Place proposes to build a 225 unit trailer park approximately 1 1/2 miles north of Corvallis. The name of the proposed park is Knoll Terrace Park.

TELEPHONE: (503) 229-5696

5. Mr. Place, by letter dated October 26, 1971, has requested approval of a personal surety bond in the amount of $25,000 in lieu of a corporate surety bond of the same amount since he has had difficulty obtaining such bond.

Evaluation

1. Discussions relative to the development of the trailer park were initiated with the filing of a preliminary engineering report on March 23, 1971.
2. A waste flow of 67,500 gallons per day was projected from a 225 unit mobile home park.
3. A lagoon type treatment facility with 6 months storage capacity was proposed. Treated, disinfected waste would be discharged to Frazier Creek, a tributary to the Willamette River only during the wet weather winter months. No waste would be discharged during dry weather summer months.
4. The Benton County Planning Commission has approved the land use concept for Knoll Terrace Park based on eventual annexation to the city of Corvallis and elimination of the waste treatment ponds when sewers are available.
5. The long range plans of the city of Corvallis show trunk sewer service to the area between 1975 and 1980.
6. An application for a Waste Discharge Permit has been submitted and is pending at this time.
7. Detailed plans have not been approved.
8. Some construction work has already been done at the site.
9. By letter dated October 28, 1971, the department requested that all sewerage construction be halted until:
    a. The plans and specifications have been approved.
    b. Bond negotiations have been successfully completed.
    c. A waste discharge permit has been issued.

Sewerage construction has ceased on the project.

10. Proper operation and maintenance of privately owned sewerage systems can be a problem, therefore, some mechanism is necessary to insure that the owner maintain full responsibility and liability for continuous operation and maintenance of the system until it is either eliminated or until ownership is transferred to a public entity.

Conclusions

1. The department has generally approved the concept of the Knoll Terrace Park development with the understanding that the proposed facilities are consistent with local planning and will be eliminated as soon as connection can be made to an area wide system.

2. The proposed interim facilities are considered adequate to protect water quality providing proper operation and maintenance is assured.

3. A Waste Discharge Permit can be issued as soon as the bond question is resolved.

4. A number of options are available to resolve the bond question:

    a. Require a $25,000 corporate bond.

    b. Accept a $25,000 personal bond from the developer (form to be prepared by the Attorney General to hold the owner responsible until ownership is transferred to a public agency or the facility is eliminated.)

    c. Require cash in escrow or trust.

    d. Accept other security or a combination of the above with such other conditions as may be desirable.

Director's Recommendation

It is recommended that the Commission accept a personal bond in a form to be approved by the Attorney General in the amount of $25,000 containing the following conditions:

1. The owner shall be responsible for proper operation and maintenance of the sewerage facilities and the bond shall remain in force until such time as ownership of the collection and treatment facilities is transferred to a responsible public entity or until the treatment facility is eliminated by connection to an area wide sewerage system.
2. The owner shall contract with a public entity for qualified operation of the facilities for as long as the bond remains in effect.
3. Ownership shall not be otherwise transferred without approval of the department.
4. Connection to an area wide sewerage system shall be made as soon as such system becomes available.

L. B. Day

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Memorandum

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. H, January 5, 1972, EQC Meeting

Tax Credit Applications

Attached are review reports for thirteen tax credit applications.

A capsule summary of each application and the Director's recommendation is as follows:

	Company	Appl. No.	Facility Description	Claimed Cost	Director's Recommendation
1.	ESCO Corporation	T-214	Enclosure	$ 13,340.39	Issue
2.	Bird & Son, Inc.	T-228	Scrubber, Precipitator	78,893.00	Issue
3.	Tektronix Inc.	T-229	Baghouse, Ducts	93,663.00	Issue
4.	Corvallis Sand & Gravel	T-231	Scrubber	12,608.90	Issue
5.	Hull-Oakes Lumber Co.	T-237	Barker, Hog, Bins	403,382.92	Issue
6.	Brooks Willamette Corp.	T-246	Baghouse	34,355.36	Issue
7.	Brooks Willamette Corp.	T-247	Enclosure	4,978.50	Issue
8.	Reynolds Metals Co.	T-249	Scrubber	147,027.38	Issue
9.	Timber Products Co.	T-250	Scrubber	26,198.57	Issue
10.	International Paper Co.	T-257	Oxygen Analyzer	5,000.71	Issue
11.	International Paper Co.	T-258	Caustic Addition System	10,370.21	Issue
12.	Permapost Products Co.	T-245	Oil Skimmer, Evaporator	5,047.64	Issue
13.	ESCO Corporation	T-251	Backflow Preventers	17,149.77	Deny

L. B. Day

HLS

TELEPHONE: (503) 229-5696

Appl T-214

Date 11/10/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

ESCO Corporation
Foundry
2141 N. W. 25th Avenue
Portland, Oregon 97210

The applicant produces high alloy steel castings and does some fabrication work.

This application was initially received on April 9, 1971. Additional information was received on October 22, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a new enclosure and duct work for containing emissions arising from removing gates and risers from castings with a cutting torch. The claimed facility is connected to a baghouse which removes the emissions from the exhaust stream. (The baghouse is not claimed in this application.) The claimed facility operates within compliance with the rules of Columbia-Willamette Air Pollution Authority.

The facility was completed in July, 1970.

Certification must be made under the 1969 Act. The company has claimed 100% of the cost as being allocable to pollution control.

Facility Cost: $13,340.39. (Cost documentation was submitted.)

3. Evaluation of Application

The claimed facility is necessary to control smoke-like particulates during the riser and gate removal. It serves no other purpose than pollution control and meets the CWAPA regulations.

The collected material (mainly iron oxide) is placed in plastic bags and eventually used as landfill.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $13,340.39 be issued for the facility claimed in Tax Application T-214, with more than 80% allocated to pollution control.

FAS

Appl T-228

Date 11/10/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Bird and Son, Inc.
6350 N. W. Front Avenue
Portland, Oregon

The applicant produces asphalt roofing materials.

This application was initially received on June 1, 1971. Additional information was received on November 12, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to include a wet scrubber, electrostatic precipitator and associated hoods and ducting in 3 asphalt saturators.

The facility was completed in December, 1968.

Certification is claimed under the 1967 Act.

Facility Cost: $78,893.00 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility collects an estimated 80 gallons per day of asphalt fumes at about 98% efficiency. The collected hydrocarbon material is separated from the scrubber water and burned in steam boilers. The claimed facility is in compliance with rules of the Columbia-Willamette Air Pollution Authority. The annual dollar value of the collected material as a fuel ($1,350) is insufficient to make the project economical.

It is concluded that the facility was installed for the principal purpose of reducing air pollution.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $78,893.00 be issued under the 1967 Act for the facility claimed in Tax Application T-228.

FAS

Appl T-229

Date 11/24/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Tektronix, Inc.
P. O. Box 500
Beaverton, Oregon 97005

The applicant manufactures precision scientific electronic measuring equipment.

This application was initially received on June 15, 1971. Additional information was received on November 23, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a baghouse and associated duct work, fan and motor for removing ceramic dust in an atmospheric discharge from building No. 13, the ceramic building.

The facility was completed on February 15, 1970.

Certification must be made under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $93,663.00 (An accountant's certification was provided.)

3. Evaluation of Application

The claimed facility serves to collect and remove ceramic dust particles generated during the ceramic mixing, grinding and finishing operations. The removal and containment of this dust are necessary to protect the product, production equipment, and employees from the abrasive nature and potential health hazard of the material. (The solution of this requirement can lead to an air pollution problem if not properly controlled.)

The company's solution to both the inside and the outside environmental problems includes a well designed pick-up and complicated duct system connected to a baghouse with a single exhaust point. This approach is highly desirable from an air quality viewpoint. However, it also serves to greatly complicate the control system and increase the installed cost.

The collected dust is put in drop boxes and hauled away by the local sanitary service.

The claimed facility has been inspected by the Columbia-Willamette Air Pollution Authority. That agency determined that the claimed facility complies with all of the applicable CWAPA rules and regulations.

It is concluded that the facility operates to a great extent for reducing atmospheric emissions. It is also concluded that, although the facility could be considered as serving an internal environmental need, the complexity and the resulting cost of the facility are directly related to reducing atmospheric emissions. Thus, the portion of the cost allocable to pollution control should be greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $93,663.00, with more than 80% of the cost allocable to pollution control, be issued for the facility claimed in Tax Application T-229.

FAS

Appl T-231

Date 11/11/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Corvallis Sand and Gravel Company
1445 S. E. Crystal Lake Drive
(P.O. Box 987)
Corvallis, Oregon 97330
Phone: 753-7355

The applicant produces sand and gravel products. This application pertains only to the asphalt paving material production process.

This application was initially received on June 17, 1971. Additional information was received on November 11, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a wet tube scrubber (BLH Madsen Model 6609, Serial S-363) plus a high pressure pump and necessary piping to remove particulates from the exhaust stack.

The facility was completed on June 11, 1969. Construction started on May 7, 1969.

Certification is claimed under the 1967 Act.

Facility Cost: $12,608.90 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility serves to control the particulate emissions sufficiently to be in compliance with the regulations of the Mid-Willamette Valley Air Pollution Authority. The liquid discharge from this air pollution control device is subjected to settling prior to discharge.

Since construction was started after April 30, 1969, the facility is not eligible for certification under the 1967 Act. It is eligible under the 1969 Act, however.

It is concluded that the principal purpose for installing the facility was to reduce atmospheric emissions and that 100% of its cost is allocable to pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $12,608.90, with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Application T-231.

FAS

Appl T-237

Date 11/12/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Hull-Oakes Lumber Co.
Rt. 1
Monroe, Oregon

The applicant operates a sawmill.

This application was initially received on August 1, 1971. Additional information was received on October 26, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to include a ring debarker, hammer hog, conveyors and fuel bins.

The facility was completed on March 15, 1971.

Certification is claimed under the 1969 Act. The percentage claimed is 100%.

Facility Cost: $403,382.92 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility was necessary to allow the complete phaseout of a wigwam waste burner. The debarker allows for the utilization of waste wood fiber as chips. The hammer hog reduces the size of the bark so it can be used as a fuel. The fuel bins are used to store bark.

The income from the claimed facility results from the sale of chips and sawdust. No income is derived from the bark. Even with an annual income of $60,000, the evidence indicates an operating loss of such magnitude that even with the tax credit the facility would not become economically attractive.

The claimed facility resulted from attempts to comply with the rules of the Mid-Willamette Valley Air Pollution Authority.

It is concluded that the claimed facility operates to a substantial extent for reducing atmospheric emissions and that the portion of the cost allocable to pollution control is greater than 80%.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $403,382.92, with more than 80% allocated to pollution control, be issued for the facility claimed in Tax Credit Application T-237.

FAS

Appl T-246

Date 12/14/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Brooks Willamette Corporation
Bend Division
P.O. Box 1245
Bend, Oregon

The applicant operates a particle board plant in Bend.

This application was initially received on September 9, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a cloth bag dust collector installed on an air system handling sander dust.

The facility was completed on March 23, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $34,355.36 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility serves to replace a cyclone.

The claimed facility serves as a high efficiency dust-air separator, thus reducing the discharge of wood particles to the atmosphere.

It is concluded that the facility operates to reduce the discharge of wood particles to the atmosphere and that the portion of 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 $34,355.36, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-246.

FAS

Appl T-247

Date 12/14/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Brooks Willamette Corporation
Bend Division
P.O. Box 1245
Bend, Oregon

The applicant operates a particle board plant in Bend.

This application was originally received on September 9, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a metal building enclosing a transfer point and shaker screen in the belt conveyor system handling raw materials. Two dust pickups are included.

The facility was completed on February 5, 1971.

Certification is claimed under the 1969 Act. The percentage claimed for pollution control is 100%.

Facility Cost: $4,978.50 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility serves to prevent wood particles from becoming windblown.

It is concluded that the facility operates to reduce wood particulate from becoming windblown, and that the portion of 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 $4,978.50, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-247.

FAS

Appl T-249

Date 11/22/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Reynolds Metals Company
Sundial Road
Troutdale, Oregon 97060

The applicant produces primary aluminum metal in pre-bake type reduction cells.

This application was initially received on October 4, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to consist of four scrubber towers, and associated ducts from fans to towers, pump, piping, and spray nozzles. The facility is designated as Tower Nos. 5-T-1, 5-T-2, 5-T-3, and 5-T-4, which treat the collected reduction pot exhausts from pot room buildings 4 and 6.

The majority of the facility was completed during March, 1970. The basin pump was installed during February, 1971.

Certification is claimed under the 1969 Act. The percentage claimed is 100%.

Facility Cost: $147,027.38 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility is a part of an approved program of replacing wooden courtyard scrubbers with improved design metallic units. The facility represents the second 25% of the scrubber modernization program. (The first 25% of this program was the subject of Tax Application T-139.)

The claimed facility collects gaseous fluorides and particulate fluorides and non-fluorides. Although the fluoride values are reclaimed and about 50% reused, the company presented information indicating that the installation of the new scrubbers was not economically feasible.

It is concluded that the facility operates to reduce atmospheric emissions and that 80% or more of the cost is allocable to pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of $147,027.38, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-249.

FAS

Appl T-250

Date 12/20/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Timber Products Co.
P.O. Box 1669
Medford, Oregon 97501

The applicant operates veneer, plywood, and particle board manufacturing facilities in Medford.

This application was initially received incomplete on October 6, 1971, and was completed on October 22, 1971. Inspection of the facility was made on December 15, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described to be a wet scrubber installed on the exhaust gases from sander dust cyclones.

The facility was completed on June 15, 1970. Construction started on May 1, 1970.

Certification is claimed under the 1967 Act. However, certification can only be considered under the 1969 Act, since construction started after April 30, 1969. The percentage claimed for pollution control is 100%.

Facility Cost: $26,198.57 (Accountant's certification was provided.)

3. Evaluation of Application

The claimed facility collects sander dust that previously was discharged to the atmosphere. The wet collected sander dust is hauled to the local dumps for disposal. Scrubber water is recirculated with no discharge to public waters.

It is concluded that the facility operated 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 $26,198.57, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-250.

TMP

Appl T-257

Date 12/15/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

International Paper Company
Northern Division - Gardiner Mill
P.O. Box 854
Gardiner, Oregon 97441

The applicant owns and operates an unbleached kraft pulp and paper mill.

This application was received on November 16, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described as a lime kiln oxygen analyzer. The facility was completed in November, 1970, and placed in operation in May, 1971.

Certification is claimed under the 1969 Act. The percentage claimed is 100%.

Facility Cost: $5,000.71 (Copies of purchase orders were submitted to document the cost.)

3. Evaluation of Application

This facility monitors oxygen in the exit gases from the lime kiln. The kiln is itself an odor control unit, in that it is used to incinerate non-condensable gases from the evaporators and from their blow and relief gas systems. The success of this function depends on maintaining good combustion, one of the parameters of which is oxygen in the flue gas. The facility is not needed for enhancing production, as is indicated by the kilns having been operated successfully since 1964 without an analyzer.

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 $5,000.71, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-257.

CAA

Appl T-258

Date 12/15/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

International Paper Company
Northern Division - Gardiner Paper Mill
P.O. Box 854
Gardiner, Oregon 97441

The applicant owns and operates an unbleached kraft pulp and paper mill.

This application was received on November 22, 1971.

2. Description of Claimed Facility

The facility claimed in this application is described as a caustic addition system for chemical makeup to the liquor system. The facility was completed in September, 1970.

Certification is claimed under the 1969 Act. The percentage claimed is 100%.

Facility Cost: $10,370.21 (Copies of purchase orders were submitted to document the cost.)

3. Evaluation of Application

As this company's TRS program became successful, the sulfur content (sulfidity) increased to such an extent that their black liquor oxidation system was becoming overwhelmed. The solution was to provide the facilities for adding a non-sulfurous makeup chemical, which is the facility in this application. The new makeup chemical is caustic soda (NaOH), the use of which has lowered the cook-liquor sulfidity (% S in active cook liquor chemicals) from 35 to 25%. International Paper's recovery furnaces are now among the best controlled conventional furnaces in the state. Except for upset conditions, they are complying with the current TRS emission levels, averaging between 14 and 70 ppm TRS each month since March, 1971, on one furnace and 7 to 34 ppm every month except one since March, 1971, on the other. An average of 120 ppm in one month was due to furnace troubles, not related to the facility of this application.)

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 figure of $10,370.21, with 80% or more of the cost allocated to pollution control, be issued for the facility claimed in Tax Application T-258.

CAA

Appl T-245

Date 12/3/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Permapost Products Company
25600 S.W. Tualatin Valley Highway
Hillsboro, Oregon

The applicant owns and operates a lumber and wood products fabrication and preservative treatment plant, using pentachloro phenol and water soluble chemicals. Retort cleaning produces waste waters with above contaminants.

The application was submitted on September 3, 1971.

2. Description of Claimed Facility

The claimed facility is described to be a retort washdown waste water evaporator and oil skimmer facility consisting of:

a. Oil skimming system

(1) Three steel tanks, 4'0" diam. x 3'0" high
(2) Two steel tanks, 5'0" diam. x 6'0" high
(3) One steel tank, 5'0" diam. x 3'0" high
(4) Miscellaneous 2" piping and controls
(5) One 1-1/2" x 1-1/4" centrifugal pump
(6) Tank supports and concrete pads

b. Waste water evaporator (48" diameter) using boiler stack gases

Facility Cost: $5,047.64 (Accountant's certificate was provided.)

The facility was completed and placed in operation on July 20, 1970.

Certification is claimed under the 1969 Act, with 100% allocable to pollution control.

3. Evaluation of Application

The staff inspected the claimed facility on December 2, 1971. Since it was placed in operation, the facility has eliminated the waste water discharge to a ditch feeding Rock Creek. Although some small amount of attention is required in the operation of this facility, no time is charged to it. A small amount of oil is recovered by the system; however, its value will not offset operating costs.

It is concluded that the facility is the best alternative system for eliminating a water pollution problem from this plant.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued to Permapost Products Company for the facility claimed in Tax Application T-245, such certificate to bear the actual cost of $5,047.64, with 80% or more of the cost allocated to pollution control.

Appl T-251

Date 12/23/71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

TAX RELIEF APPLICATION REVIEW REPORT

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1. Applicant

ESCO Corporation
Foundry
2141 N.W. 25th Avenue
Portland, Oregon 97210

The applicant operates a steel casting production facility at the above address in Multnomah County.

The application was received on October 21, 1971.

2. Description of Claimed Facility

The claimed facility consists of six reduced pressure backflow prevention valves installed on domestic water service lines feeding the plant from the City of Portland water system.

Installation began on December 6, 1970, and was completed on January 1, 1971.

Certification is claimed under the 1969 Act, with 100% allocated to pollution control.

Facility Cost: $17,149.77 (Invoices were submitted to document costs.)

3. Evaluation of Application

The City of Portland required installation of the valves to comply with city code and to prevent potential contamination of the city water supply.

ORS 449.605 defines a "pollution control facility" in part as:

> "(1) * * * any * * * installation * * * equipment or device reasonably used * * * constructed or installed by any person if a substantial purpose of such use, * * * construction or installation is the prevention, control or reduction of * * * water pollution by:
>
> "(a) The disposal or elimination of or redesign to eliminate 'industrial waste' * * *."

The terms "pollution" and "industrial waste" are defined in ORS 449.075. In particular, pollution refers to "waters of the state," which are also defined in ORS 449.075.

The question then becomes: Does the claimed facility operate to prevent "pollution" of the "waters of the state" by "industrial waste"?

In a similar situation the Department's legal counsel advised that the water within a city's water system is not "waters of the state."

Therefore, it is concluded that the claimed facility is not eligible for certification.

4. Director's Recommendation

It is recommended that certification of the facility claimed in Tax Application T-251 be denied for the reason that the claimed facility does not operate to prevent pollution of the waters of the state by industrial waste.

HLS

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Memorandum

To: ENVIRONMENTAL QUALITY COMMISSION

From: Director

Subject: Agenda Item No. I, January 5, 1972, EQC Meeting

Public Hearing on Implementation Plan

An oral staff presentation will be made at the hearing and will include a synopsis of the Implementation Plan, a discussion of the proposed rules and regulations, and a description of changes made since initial release of the document. Further amendments may be offered at the hearing.

Commission Members are requested to have available their personal copies of the Plan for reference during the hearing.

L.B. Day

TELEPHONE: (503) 229-5696