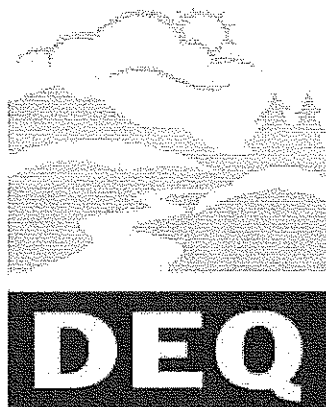


2/22/1974

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



**State of Oregon
Department of
Environmental
Quality**

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A G E N D A

ENVIRONMENTAL QUALITY COMMISSION

Meeting of

February 22, 1974

Consumers Power, 1940 N. W. Ninth, Corvallis, Oregon 97330

9 a.m.

- A. Minutes of January 25, 1974 EQC Meeting
- B. January Activity Report
- C. Tax Credit Applications

AIR QUALITY

- D. Parking Facilities
--John's Landing, Portland
- E. Proposed Noise Regulations--Status Report

10 a.m.

PUBLIC FORUM

WATER QUALITY

- F. Sewerage Works Planning Loans--Modification of Project List

LAND QUALITY

- G. Proposed Amendment to Temporary Rules Pertaining to Subsurface Sewage Disposal

CENTRAL OREGON REGION

- H. City of Bend--Request for Funding Assistance for Predesign Pilot-Scale Test Project

MIDWEST REGION

- I. Skyline Loop (Eugene) Mandatory Annexation Area

[Luncheon at noon at Nendel's Inn]

ENVIRONMENTAL QUALITY COMMISSION

Attendance Record

Meeting of February 22, 1974 in Corvallis, Oregon

<u>Name</u>	<u>Organization</u>	<u>Address</u>
Thomas E. Nelson Roy & Burns	Teledyne Wah Chang Laser Co.	Box 460, Albany Eugene, Ore
John W. Huffman	Ore. St. Health Div	Portland
R. J. McHowan	O'Hare & Associates	173901 N.W. Boca
Michael Brulstord	O'Hare Realty	2705 N.W. Coolidge
Kurt Hagerman	O'Hare + Assoc.	901 NW Boca St.
Howard W. Lang	" "	" " "
Paul & Paula	multa county Health Office	
Joe Carter	The Oregonian	Corvallis
Al M. Dapp	CARRIAGE REALTY	CORVALLIS
W. J. Dunnington	AMAX Pacific Aluminum Corp.	WARRENTON OR.
Joseph Gniags	JOHN'S LANDING	PORTLAND
W. F. Courter	" "	"
Jim Allison	Oregon Landowners Assoc.	Rt 3, Shung
Margaret Eakin	Hyster Company	Portland Oregon
Robert C. Worrest	-	3910 N.W. Harrison Blvd. Corvallis, OR 97330
Liz (Jo.) Van Leeuwen	Women For Agriculture	Rt. 1 Box 139, Halsey 97348
Julian Notestine	KLAD Radio	PO Box 731 Corvallis 97330
Don Jones	Albany Democrat-Herald	PO Box 130, Albany
JOHN STEARNS	AQUA-LAND, INC.	VIDA, ORE.
Jack Kephart	HomeBuller Ass. of Eugene & Springfield	Eugene Oregon
Art Johnson	City Mgr, City of Bend	Bend, Oregon
Jack Donahoe	City Engineer, City of Bend	Bend, Oregon

Witness Registration

I wish to testify before the ENVIRONMENTAL QUALITY COMMISSION on:

→ Item G. Amendments to temporary
Rules pertaining to SURFACE
SEWAGE DISPOSAL

Roy L. Burns
(signature)

(organization)

WATER POLLUTION CONTROL DIV.
ENVIRONMENTAL MANAGEMENT DEPT
LANE COUNTY

Witness Registration

I wish to testify before the ENVIRONMENTAL QUALITY COMMISSION on:

JOHN'S LANDING

Joseph Grigg
(signature)

JOHN'S LANDING
(organization)

Witness Registration

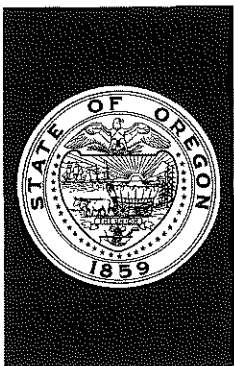
I wish to testify before the ENVIRONMENTAL QUALITY COMMISSION on:

→ B-Land Quality

Jim Allison
(signature)

Green Landowners
(organization)

ASSO



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

TOM McCALL
GOVERNOR

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY
Corvallis

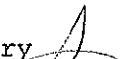
JACKLYN L. HALLOCK
Portland

MORRIS K. CROTHERS
Salem

ARNOLD M. COGAN
Portland

DIARMUID F. O'SCANNLAIN
Director

February 11, 1974

MEMORANDUM TO: Environmental Quality Commission
FROM : Shirley Shay, Secretary 

The Environmental Quality Commission will meet in Corvallis on Friday, February 22nd, beginning at 9 a.m., in the meeting room of Consumers Power, 1940 N. W. Ninth Street. A tentative agenda is enclosed.

A no-host luncheon at noon is planned in the Music Room at Nendel's Inn, 1550 N. W. Ninth Street.

Between 1:30 and 4 p.m., Commissioners and DEQ staff will have an opportunity to inspect the facilities and visit with the staffs of the Pacific Northwest Environmental Research Laboratory and the National Environmental Research Center, two of three EPA laboratories located on the Oregon State University campus. Our visit to these laboratories coincides with that of Mr. Al Alm, Assistant Administrator for Administration, EPA, Washington, D.C., who will join us. Dr. Fritz Bartsch, Director of Laboratories, will accompany the group. We are to meet Mr. Alm and Dr. Bartsch at the Center located at 200 S. W. 35th Street at 1:30.

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6

MINUTES OF THE FIFTY-THIRD MEETING
of the
Oregon Environmental Quality Commission
January 25, 1974

Public notice having been given to the news media, other interested persons and the Commission members as required by law, the fifty-third meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9 a.m. on Friday, January 25, 1974, in the Second Floor Auditorium of the Public Service Building, 920 S. W. Sixth Avenue, Portland, Oregon.

The Commission members present were B. A. McPhillips, Chairman, Arnold M. Cogan, Dr. Morris K. Crothers, Mrs. Jacklyn L. Hallock, and Dr. Grace S. Phinney.

The Department was represented by Director Diarmuid F. O'Scannlain; Deputy Director Ronald L. Myles; Assistant Directors Fred Bolton, Wayne Hanson, Harold L. Sawyer, Donald Mezirow, and Kenneth H. Spies; Regional Administrators E. J. Weathersbee, Verner Adkison, and Richard P. Reiter; staff members Pat H. Wicks, Robert D. Jackman, T. Jack Osborne, Dr. Robert L. Gay, Thomas Guilbert, Ray Johnson, M. J. Downs, Tom Bispham, Barbara J. Seymour and Ronald C. Householder; and Chief Counsel Ray P. Underwood.

MINUTES OF THE DECEMBER 17, 1973 COMMISSION MEETING

It was MOVED by Mr. Cogan, seconded by Dr. Crothers and carried that the minutes of the fifty-second meeting of the Commission, held in Eugene on December 17, 1973 be approved as prepared.

PROJECT PLANS FOR THE MONTH OF DECEMBER 1973

It was MOVED by Mr. Cogan, seconded by Dr. Phinney and carried that the actions taken by the Department during the month of December 1973, as reported by Mr. Myles, regarding the following 34 domestic sewerage, 7 industrial waste, 13 air quality control and 8 solid waste management projects be approved:

Water Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-6-73	Clackamas County Sanitary Dist. I	C.O. #2 Sewage Treatment Plant Project & C.O. #2 Phase III, Schedule C	Approved

Municipal Projects - continued

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-6-73	Albany	Linn County Animal Shelter Sewer	Prov. app.
12-7-73	Portland	Change Order #6 Sewage Treatment Plant Project	Approved
12-10-73	East Salem	Chemeketa Community College Sewer	Prov. app.
12-10-73	Sanitary Dist. I		
12-10-73	Salem (Willow Lake)	16th & McGilchrist Sewers	Prov. app.
12-10-73	Aumsville	Del Mar No. 3 Subdivision Sewers	Prov. app.
12-12-73	Lincoln City	S.W. Harbor Ave. Phase 2 Sewers	Prov. app.
12-12-73	Canby	N. Cedar St. Sewers	Prov. app.
12-13-73	Oakridge	High School Sewer	Prov. app.
12-13-73	Hermiston	East Jennie Ave. Sewer	Prov. app.
12-13-73	Winston	Ronald St. Pump Station & Sewer	Prov. app.
12-13-73	Bly Sanitary Dist.	Addendum #4 to Sewage Treatment Plant Contract	Approved
12-13-73	Seaside	Change Order #5 Sewage Treatment Plant Contract	Approved
12-13-73	Oak Lodge S.D.	Change Order 1,2,3,4,5 & 6 Sewage Treatment Plant Contract	Approved
12-13-73	Depoe Bay S.D.	Addendum #1 Sewage Treatment Plant Contract	Approved
12-13-73	Astoria	Change Order #4 & 5, Schedule C Sewerage Construction	Approved
12-14-73	USA (Aloha)	Four Seasons #13 Sewers	Prov. app.
12-17-73	Wilsonville	Wilsonville Rd. Sewer	Prov. app.
12-17-73	Portland	Columbia Blvd. Sewage Treatment Plant - Outfall Project	Prov. app.
12-17-73	Coos Bay	Empire (#2) Sewage Treatment Plant Project - 1.62 MGD Second- ary Sewage Treatment & Disinfection	Prov. app.
12-20-73	USA (Sunset)	Weigel Apt. Sewer	Prov. app.
12-21-73	Gresham	Change Order #5 - Contract 2 - Sewage Treatment Plant Project	Approved
12-26-73	NTCSA	Effluent Polishing Units	Prov. app.
12-28-73	Bend	Canyon Park Subdivision Sewers	Prov. app.
12-28-73	Waldport	Sewer & Pumping Station for Forest Service	Prov. app.
12-28-73	Deschutes County	Entrata Lodge Sewers for Forest Use	Prov. app.
12-31-73	Oakridge	Rose St. Sewer	Prov. app.

Industrial Projects (7)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-6-73	Brownsville	Cecil E. Jantz Hog Farm animal waste facilities	Prov. app.
12-13-73	Salem	Portland General Electric Company, revised oil pollution program	Prov. app.
12-17-73	Sitkum	Kenneth Laird Dairy, animal waste facilities	Prov. app.
12-17-73	Dayton	Gary Owens Hog Farm, animal waste facilities	Prov. app.

Industrial Projects - continued

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-17-73	Myrtle Point	Bearl Seals Dairy, animal waste facilities	Prov. app.
12-27-73	Portland	Ash Grove Cement Company, waste treatment facilities	Prov. app.
12-27-73	Central Point	Victor F. Birdseye Dairy, animal waste facilities	Prov. app.

Air Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-4-73	Lane	International Kings Table 85-space parking facility	Approved with conditions
12-5-73	Lane	Eugene Hospital and Clinic 72-space parking facility	Approved with conditions
12-6-73	Multnomah	Liberty House/Jantzen Beach Center, 313-space parking facility	Approved with conditions
12-11-73	Linn	Western Kraft Corporation Plans and specifications for installation of an alternate non-condensable gas incineration system	Approved
12-12-73	Union	Albertson's Store No. 135, La Grande, installation of paper waste incinerator	Approved
12-13-73	Washington	Summerfield Planned Unit Development, 125-space parking facility for community recreation center	Approved
12-17-73	Klamath	Weyerhaeuser Co., Klamath Falls installation of cyclones and baghouse filter	Approved
12-20-73	Washington	St. Vincent Hospital 738-space parking facility	Conceptual approval
12-21-73	Lane	Fred Meyer Shopping Center 567-space parking facility	Approved with conditions
12-24-73	Washington	Koll Business Center 662-space parking facility	Req. add. info.
12-26-73	Lane	Weyerhaeuser Company 164-space parking facility	Approved with conditions
12-27-73	Multnomah	Benj. Franklin Savings & Loan 100-space temporary parking facility	Req. add. info.
12-27-73	Multnomah	Greenway Apartments 864-space parking facility	Req. add. info.

Solid Waste Management

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-7-73	Linn	Roche Road - Existing Demolition Site - Operational Plan	Approved
12-7-73	Multnomah	Penwalt Corp. - Existing IW Landfill - Operational Plan	Prov. app.

Solid Waste Management - continued

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
12-7-73	Crook	Crook Co. Landfill - Existing Garbage Landfill - Operational Plan	Approved
12-13-73	Benton	Coffin Butte - Existing Garbage Landfill - Operational and Closure Plan	Approved
12-13-73	Lane	Five Rivers Landfill - Existing Garbage Site - Operational Plan	Prov. app.
12-14-73	Lincoln	Clarks Sludge Disposal Site - New Septic Tank Disposal - Operational Plan	Approved
12-21-73	Linn	Willamette Industries Chateau Landfill - Existing Industrial Site - Operational Plan	Prov. app.
12-26-73	Lane	Day Island - Existing Garbage Landfill - Closure Plan	Approved

STATEMENT BY MR. COGAN

Mr. Cogan announced that effective February 1, 1974, he will become Director of the new Land Conservation and Development Commission and, consequently, after that date will not be able to continue to serve as a member of the EQC. He said he was really pleased that he had the opportunity to be an EQC member during the past few years and to contribute to the many achievements which had taken place. He admitted that he would miss the excitement of participating in the Commission meetings.

Chairman McPhillips and Dr. Crothers both commended Mr. Cogan very highly for his contribution to the Commission and the people of Oregon and expressed the regrets of the Commission that he must resign as a member. They wished him well in his new position.

DEPARTMENTAL REORGANIZATION - STATUS REPORT

Mr. O'Scannlain reported that at its last meeting the State Emergency Board had approved the reorganization plan for DEQ effective February 1, 1974. He then introduced the assistant directors whom he had appointed to head up the five major programs. They are Wayne Hanson for Air Quality, Harold L. Sawyer for Water Quality, Kenneth H. Spies for Land Quality, Fred M. Bolton for Enforcement, and Donald L. Mezirow for Administration. Next he introduced the regional administrators who are E. Jack Weathersbee for the Northwest Region, Verner Adkison for the Midwest Region and Richard P. Reiter for the Southwest Region. Administrators for the Central and Eastern Regions will be appointed later.

NEW INDUSTRIAL DEVELOPMENTS

Dr. Crothers stated that in connection with certain new industrial development proposals, he believed it would be most beneficial if the staff could inspect existing installations in other states in order to get first-hand information regarding the effectiveness of proposed environmental controls.

It was then MOVED by Dr. Crothers, seconded by the Chairman and unanimously carried that the Director be instructed to institute a rule requiring, where appropriate, any company proposing to install a new industrial process or development in Oregon to provide means for the DEQ staff to inspect existing installations in other areas.

TAX CREDIT APPLICATIONS

Mr. Sawyer reviewed briefly the Department's evaluation of the four tax credit applications covered by the following motion: It was MOVED by Dr. Phinney, seconded by Mrs. Hallock and unanimously carried that, as recommended by the Director, tax credit certificates be issued to the applicants for the pollution control facilities described in the following applications and bearing the costs as listed with 80 percent or more of the cost in each case being allocated to pollution control:

<u>App. No.</u>	<u>Applicant</u>	<u>Claimed Cost</u>
T-496	Georgia-Pacific Corp., Eugene, Springfield	\$ 31,233.98
T-498	Georgia-Pacific Corp., Eugene, Springfield	4,914.89
T-525-	Brooks-Willamette Corp., Bend	114,460.46
T-526	Brooks-Willamette Corp., Bend	27,009.68

REPORT ON TUSSOCK MOTH MONITORING PROPOSAL

Dr. Gay presented a brief report on the status of the proposed monitoring program in connection with the requested use of DDT for control of the Tussock Moth infestation in the forests of Northeast Oregon and Southeast Washington. The proposed monitoring program has been developed by an ad hoc Task Force which was created primarily through the efforts of Dr. Warren C. Westgarth. The Task Force includes representatives of some 10 state and federal agencies in Oregon and Washington, plus certain environmental interests. A request for allocation of state funds to finance part of the program had been submitted to the State Emergency Board which at its meeting in January, referred the matter to the 1974 Special Session of the Oregon Legislature.

ALKALI LAKE WASTE DISPOSAL SITE

Mr. Wicks presented for the Department a detailed report dated January 14, 1974, covering the background, factual analysis, conclusions, and recommendations concerning the environmental hazards caused by the failure of Chemical Waste Storage and Disposition, Inc. (Chem-Waste) to dispose of in a proper manner some 25,000 55-gallon drums of pesticide manufacturing wastes at the company's Alkali Lake disposal site located in Lake County, approximately 55 miles north-northeast of the city of Lakeview.

He stated that the court opinion resulting from the trial of the Department's suit in the Washington County Circuit Court against Chem-Waste was not favorable to the Department's objective of implementing proper resolution of the Alkali Lake situation.

He said that based on the Department's findings in this matter, it is the recommendation of the Director that the Commission declare the present condition at the Alkali Lake site an emergency and that the Department be authorized and directed to:

1. Institute proceedings immediately to condemn the Alkali Lake site on behalf of the Commission.
2. As soon as possible, request legislative approval for use of \$385,000 in pollution control bond funds to acquire the Alkali Lake site and dispose of the stored pesticide residues.
3. Request Rhodia, Inc. Chipman Division to pledge whatever funds it can to offset disposal costs incurred by the State.
4. Proceed with disposal operations as soon as possible after condemnation has been completed and legislative approval for commitment of funds has been received.
5. Appeal the Circuit Court opinion on the Department's suit against Chem-Waste to the State Court of Appeals as a contingency measure.

Mr. McPhillips said he is appalled at this situation and expressed the opinion that there should be some way to recover the assets of the corporation to finance proper disposal of the pesticide wastes.

Mrs. Hallock asked if this site could be operated as a permanent environmentally hazardous waste disposal site and whether or not consideration had been given to state versus private operation. Mr. Wicks replied that the site is suitable for disposal of other hazardous wastes and in the long run might be utilized for that purpose. He also stated that in the past consideration had been given by the Commission to state versus private operation and that preference had been given the latter. In addition, he mentioned that the application

of the Chem-Nuclear Corp. for a license to operate a site near Arlington is still under consideration and might possibly be acted on at the March Commission meeting if the special financial committee completes its investigation and report in time.

Mr. Cogan said he was at a loss to understand the court's opinion in this matter. He also said he is opposed to using public funds to solve this problem and that he thinks an attempt should be made to get the Rhodia Corp. to pay the bill for disposing of the wastes.

Mr. Underwood said he believes it would be possible to "pierce the corporate veil" and thereby force Chem-Waste to finance the cost of waste disposal.

After further discussion, it was MOVED by Dr. Crothers, seconded by Mr. Cogan and carried that the Director's recommendations in this matter be amended by striking from item no. 5 the words "as a contingency measure" and by adding a new item no. 6 to read, "Have the legal staff investigate all possible means of recovering the costs of waste disposal from Chem-Waste."

It was then MOVED by Dr. Crothers, seconded by Mr. Cogan and unanimously carried that with the above amendments the Director's recommendations in this matter be adopted and approved.

Mr. George Ward, consulting engineer, was present and commented on the possibility of disposing of solid wastes by using them to help stabilize the sand dunes located within the Navy bombing range near Boardman in Central Oregon.

ADOPTION OF TEMPORARY RULES FOR SUBSURFACE SEWAGE DISPOSAL

Mr. Jackman presented the staff report dated January 15, 1974 regarding the temporary rules for subsurface sewage disposal being proposed for adoption at this meeting. With the passage of Senate Bill 77 by the 1973 Legislature (Chapter 835, Oregon Laws 1973), the jurisdiction of the State Health Division over subsurface sewage disposal was terminated effective October 5, 1973. Prior to that date, temporary rules had been adopted by the EQC to govern the installation of subsurface sewage disposal systems until full responsibility could be assumed by DEQ on January 1, 1974.

In the meantime, detailed proposed rules were drafted by DEQ and submitted to the general public for full review and comment at 17 public hearings sessions in 10 cities in late November and December, 1973. At a final public hearing

before the Commission in Eugene on December 17, 1973, it was decided that in view of the extensive testimony received, several changes needed to be made in the proposed rules before they could be adopted.

Accordingly, the staff proceeded immediately to draft the necessary changes and beginning on January 3, 1974, some 4,000 copies of the revised proposal were distributed to all interested parties for their information.

Mr. Jackman outlined briefly the major changes which had been made since the December 17, 1973 hearing. The revised proposal to be considered at this January 25, 1974 Commission meeting was comprised of:

1. red-covered document dated January, 1974;
2. errata sheet inserted therein; and
3. substituted language for "Procedure for Disposal System Abandonment," Section III, subsection I on pages 18 and 19 of the red-covered document.

He said it was the Director's recommendation that these proposed rules be adopted, effective immediately upon filing with the Secretary of State, and further that the Commission authorize him to establish a land sewage task force comprised of knowledgeable individuals from throughout the State of Oregon to review these rules during 1974 and to recommend further changes effective January 1, 1975, which shall take into account such factors as regional differences in climate, soil and ground water conditions, alternative sewage systems, and systems specifications and materials requirements.

A report by Hearings Officer Thomas Guilbert of the testimony presented at the 17 public hearings was included as a part of the staff report for the information of the Commission members.

Three letters of comment which had been received subsequent to the distribution of the 4,000 copies of the revised proposed rules were entered into the record of this meeting by Mr. Jackman. They were from Robert Manseth of Route 1, Box 654, Florence and dated January 23, 1974; from Jim Christopherson, 489 Hamilton Road, Jacksonville and dated January 21, 1974; and from Fred VanNatta, Oregon State Home Builders Association, Salem and dated January 22, 1974.

Another letter from Henry Richmond, III, staff attorney for OSPIRG, expressed concern about the impact of the rules on development of prime farm lands.

Chairman McPhillips announced that the public hearing in this matter had been closed but that several persons who were present at this meeting had asked to make additional statements. He said they would be permitted to speak but asked that they limit their remarks to five minutes each.

Mr. Donald Kemp, contractor and subdivider, 301 Dibblee Lane, Eugene, was the first witness and said he objected to the requirements pertaining to redundant systems and to ground water level. He asked that the former rules of the Health Division be used for previously planned developments.

Mr. William Briott of the Home Builders Association of Eugene-Springfield, 59 Coburg Road, Eugene, said there are numerous lots in that area which were previously approved by the Lane County Health Department and which have very good soil and drainage conditions but which are only 8,000 to 9,000 square feet in area and therefore are not large enough for even redundant systems. He asked that some concession be made so that these lots can be developed as planned.

Mr. V. W. Shearer of the Oregon Mobile Park Association, 3615 N. E. Van Buren, Corvallis, objected to the flow requirements for design of subsurface systems for mobile home parks.

Mr. George Ward, consulting engineer of Portland, suggested that a federal grant be sought to finance research and development studies of subsurface sewage disposal. He said the rules should stress preventive maintenance.

Mr. Marvin Hanson, Northeast Portland builder, objected to the definition of "available sewers," claiming that no consideration was given to the economic impact. He requested that the old rules that were in effect prior to January 1, 1972 be adopted in place of those now being considered.

Mr. J. M. Allison, President of the Oregon Landowners Association, Route 3, Sherwood, asked that it be clarified as to whether or not the rules to be adopted at this meeting would be temporary or permanent. Mr. Underwood explained that since they must become effective immediately, it was necessary that they be adopted as temporary rules.

Mr. Chris M. Hesse of 5743 N. E. 105th Avenue, Portland, objected to the proposed rules as being too strict.

Mr. Tom Guilbert, Hearings Officer, commented on the points which had been raised by the above persons.

The meeting was then recessed at noon and reconvened at 1:40 p.m.

Following the luncheon recess, Mr. Jack Osborne explained the significance and meaning of the requirement that the water table not be less than six feet below the natural ground surface.

It was suggested by Mr. O'Scannlain that the original item no. 6 on page 31 be restored and that the succeeding sections be renumbered. Item no. 6 reads as follows: "An area where an accumulation of surface water will occur for a period of two (2) consecutive weeks or longer."

After further discussion it was MOVED by Dr. Phinney, seconded by Mrs. Hallock and unanimously carried that including the above suggestion by Mr. O'Scannlain, the proposed revised rules as submitted by Mr. Jackman be adopted to become effective immediately upon filing with the Secretary of State.

OREGON STEEL MILLS--COMPLIANCE SCHEDULE MODIFICATION

Proper notice having been given as required by statute and administrative rules, the public hearing in the matter of the request of the Oregon Steel Mills for a change in its compliance schedule for the plant located at 5200 N. W. Front Avenue, Portland, was called to order by the Chairman with all Commission members being present.

Mr. Bispham presented the staff report dated January 8, 1974 regarding this matter. He said it is the recommendation of the Director that the company's request for compliance schedule modification be granted and an order be adopted granting this modification under the following conditions:

1. The operation of the Front Avenue electric arc furnaces identified as "A" furnace and "B" furnace shall be terminated on or before December 31, 1974. In the event Oregon Steel Mills sells or otherwise transfers ownership or control of said property and equipment, Oregon Steel Mills shall advise the new owner or lessee of the December 31, 1974 shut down requirement and that any future operation of the existing electric arc furnaces (A and B) beyond the date of December 31, 1974, shall only be conducted after adequate control equipment has been approved by the Department and installed.
2. Oregon Steel Mills shall operate A and B furnaces simultaneously only in the event of mandatory CRA furnace shut down in which case Oregon Steel Mills shall immediately inform the Department of the circumstances and expected length of time A and B furnaces will be operating simultaneously.

3. Every effort shall be made by the company to conduct and maintain the Front Avenue melting operations at the lowest practicable levels of emission and shall utilize pellets and clean scrap to the maximum extent possible.
4. Oregon Steel Mills shall submit to the Department by not later than October 1, 1974, a written report confirming progress towards compliance of the Front Avenue plant by December 31, 1974.

Mr. Robert Neumeister was present to represent the company and to explain their plans for future operations.

No other persons asked to be heard in this matter.

It was MOVED by Mr. Cogan, seconded by Dr. Phinney and unanimously carried that the Director's recommendations be approved.

APPROVAL OF VARIANCES GRANTED BY LRAPA

Mr. Ray Johnson presented the staff reports, both dated January 8, 1974, regarding the variances granted by the Lane Regional Air Pollution Authority (LRAPA) to the (1) Bohemia Incorporated Cascade Fiber Company, Eugene, and (2) Weyerhaeuser Company, Springfield.

It was MOVED by Mr. Cogan, seconded by Mrs. Hallock and unanimously carried that, as recommended by the Director, LRAPA Variance No. 73-2 granted to Cascade Fiber Company be approved as submitted.

It was MOVED by Mr. Cogan, seconded by Mrs. Hallock and unanimously carried that, as recommended by the Director, LRAPA Variance No. 73-1 granted to Weyerhaeuser Company be approved as submitted.

BENJAMIN FRANKLIN PARKING FACILITIES

Mr. Downs presented the Department's report, evaluation and recommendations regarding the application from Benj. Franklin Savings & Loan Association for permission to construct a 100-space parking facility in downtown Portland. The location is the block bounded by S. W. Fourth Avenue, S. W. Mill Street, S. W. Fifth Avenue, and S. W. Market Street.

He said the proposed facility had been approved by the Portland Planning Commission prior to the city's adoption of any guidelines. The Planning Commission has since adopted an interim policy but the City Council has not yet acted on a parking plan.

He said further that the proposed parking facility does not meet all of the criteria contained in Section 5 of the Portland Transportation Control Strategy and that consequently its overall effect will be to encourage commuters to use their automobiles rather than seek alternative modes of transportation.

The Director's recommendation was therefore that an order be entered denying the December 20, 1973 application of Benj. Franklin Savings & Loan Association for the 100-space parking facility.

Mr. Robert E. Downie, Senior Vice President and Treasurer, was present to represent the applicant. He said they want to use this site for parking only until the downtown plan is developed so they will know what kind of permanent development to make.

Mr. Doug Goodman of City Center Parking (CCP) was also present and pointed out over 450 parking spaces have been lost in that portion of downtown Portland-- 228 at Pacific Northwest Bell and 225 on-street meter spaces. He said his company planned to operate the Benj. Franklin facility and then submitted an alternative proposal which was to reserve 51 of the 100 spaces for monthly carpool customers and use only 49 spaces for daily customers. A reduced or incentive rate would be charged the carpool customers to encourage such use and ultimately more spaces would also be devoted to such use. He said further that if approved, this would be the first carpool lot in the city.

After further discussion it was MOVED by Dr. Crothers, seconded by Mrs. Hallock and carried that the application be approved on the basis of use proposed by City Center Parking.

Because of a conflict of interest Mr. Cogan did not vote on the motion. He did, however, criticize severely the City Planning Commission for having approved the proposed parking facility without benefit of adequate guidelines and the Portland City Council for having procrastinated so long in adopting a downtown parking plan.

PUBLIC HEARING FOR ADOPTION OF MOTOR VEHICLE POLLUTION CONTROL CRITERIA

Proper notice having been given as required by statute and administrative rules, the public hearing in the matter of adoption of proposed criteria for certification of motor vehicle pollution control systems was called to order by the Chairman at 3 p.m. on January 25, 1974 in the Second Floor Auditorium

of the Public Service Building, 920 S. W. Sixth Avenue, Portland, Oregon. All Commission members were present.

Mr. Householder presented the staff report dated January 16, 1974 and reviewed briefly the proposed criteria.

Mr. Lloyd Shannon of Northwest Natural Gas Company testified in support of the criteria.

No other persons asked to testify.

It was MOVED by Dr. Crothers, seconded by Dr. Phinney and unanimously carried that pursuant to ORS 449.953, the following criteria for certification of motor vehicle pollution control systems be adopted:

24-200: Criteria for Certification of Motor Vehicle Pollution Control System

Pursuant to the requirements of ORS 449.953(1), the following are the criteria for certification of motor vehicle pollution control systems as defined by ORS 449.949.

(1) A motor vehicle pollution control system which necessitates equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle shall not be certified.

(2) A motor vehicle pollution control system which necessitates modifications, other than adjustments, to the original design of the motor vehicle shall not be certified.

The hearing was adjourned at 3:15 p.m.

FOSTER-MIDWAY (SWEET HOM AREA) HEALTH HAZARD ANNEXATION

Mr. Sawyer presented the Department's report and Director's recommendation regarding this matter.

It was MOVED by Mr. Cogan, seconded by Dr. Phinney and carried that as recommended by the Director, the sewerage system proposal submitted by the City of Sweet Home for serving the Foster-Midway area be approved and that said approval be certified to the State Health Division.

There being no further business the meeting was adjourned at 3:25 p.m.

The next meeting is scheduled for February 22, 1974 in Corvallis.

MINUTES OF THE FIFTY-FOURTH MEETING
of the
Oregon Environmental Quality Commission

February 22, 1974

Public notice having been given to the news media, other interested persons and the Commission members as required by law, the fifty-fourth meeting of the Oregon Environmental Quality Commission was called to order by the Chairman at 9 a.m. on Friday, February 22, 1974, in the Auditorium of Consumers Power Company, 1940 N. W. Ninth Street, Corvallis, Oregon.

The Commission members present were B. A. McPhillips, Chairman, Dr. Morris K. Crothers, Mrs. Jacklyn L. Hallock, and Dr. Grace S. Phinney.

The Department was represented by Director Diarmuid F. O'Scannlain; Deputy Director Ronald L. Myles; Assistant Directors Fred Bolton, Wayne Hanson, Harold L. Sawyer, Kenneth H. Spies, and Donald Mezirow; Regional Administrators E. J. Weathersbee, Verner J. Adkison, and Richard P. Reiter; staff members M. J. Downs, Dr. Robert L. Gay, John Hector, Jack Osborne, Shirley Shay, Paul Stolpman, Warren Westgarth; Bend District Engineer John E. Borden; and Chief Counsel Ray P. Underwood. Representing EPA Region X, Oregon Division was John Vlastelicia.

MINUTES OF THE JANUARY 25, 1974 COMMISSION MEETING

It was MOVED by Dr. Crothers, seconded by Dr. Phinney and carried that the minutes of the fifty-third meeting of the Commission, held in Portland on January 25, 1974, be approved as prepared and distributed.

ELECTION OF VICE CHAIRMAN

Chairman McPhillips called for nominations for the position of Vice Chairman of the Commission, which was vacated by the resignation on February 1, 1974 of Arnold Cogan.

It was MOVED by Dr. Phinney, seconded by Mrs. Hallock and carried that Dr. Crothers be elected Vice Chairman.

CONFIRMATION OF DIRECTOR

Chairman McPhillips announced the Governor's recommendation of the appointment of Kessler R. Cannon, Assistant to the Governor for Natural Resources, as the new Director of the Department of Environmental Quality, effective March 1, 1974, to succeed Mr. O'Scannlain.

It was MOVED by Dr. Crothers, seconded by Dr. Phinney and carried that the Governor's recommended appointment be confirmed by the Commission.

ACTIVITY REPORT FOR THE MONTH OF JANUARY 1974

It was MOVED by Dr. Crothers, seconded by Mrs. Hallock and carried that the actions taken by the Department during the month of January 1974, as reported by Mr. Myles, regarding the 58 domestic sewerage, 5 industrial waste, 11 air quality control and 3 solid waste management projects be approved:

Water Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-3-74	Madras	Collection system and non-discharge sewage lagoons - 0.45 MGD capacity	Prov. app.
1-3-74	Springfield	Five sanitary sewer projects	Prov. app.
1-3-74	West Linn	DeBok Road sewer	Prov. app.
1-3-74	Yamhill	Hemlock Street sewer extension	Prov. app.
1-3-74	Wallowa	Change Order No.B-4; STP contract	Approved
1-8-74	Salem (Willow Lake)	Livingston Estates Subdn. sewer	Prov. app.
1-9-74	Baker	Sanitary sewer projects: Phases VI through XI	Prov. app.
1-11-74	Silverton	Silver Ranch Subdn. sewer	Prov. app.
1-11-74	Rainier	C.O. #10 - STP expansion	Approved
1-11-74	Yachats	C.O. #2 and 3 - STP contract	Approved
1-11-74	St. Helens	C.O. #C-2 - STP contract	Approved
1-11-74	Bunker Hill S.D.	Pump station and force main to Coos Bay	Prov. app.
1-14-74	Salem (West)	Add. No. 2 - san. sewer replacement	Approved
1-14-74	USA (Fanno)	S.W. Brockman Street sewers	Prov. app.
1-14-74	Woodburn	Mill Creek Park sewer	Prov. app.
1-14-74	Reedsport	Ranch Road Addn. sewers	Prov. app.
1-14-74	USA (Aloha)	Tanasbrook Subdn. sewers	Prov. app.
1-15-74	McMinnville	Slusher-Davis Addition sewers	Prov. app.
1-15-74	Wood Village	C.O. #1, 2 & 3 - Interceptor Project	Approved
1-15-74	Eugene	DeSoto Lake sewer project	Prov. app.
1-15-74	Amity	Sewer lateral D-4	Prov. app.
1-15-74	Vernonia	C.O. #5 - Interceptor Project	Approved
1-15-74	Portland	S. W. Maplecrest Drive sewer	Prov. app.
1-16-74	Tri-City S.D.	C.O. #5 - STP contract	Approved
1-16-74	Rainier	C.O. #9 - STP contract	Approved
1-16-74	Charleston	Marine waste pumping station	Prov. app.

Municipal Projects - continued

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-17-74	Roseburg	Airport sewer	Prov. app.
1-17-74	Willamina	Oaken Hills Subdn. sewers	Prov. app.
1-17-74	Springfield	1. 40th Way Subdn. sewers 2. 1st Addn to Southway Subdn sewers 3. Olympic St. sewer - 18th to 21st	Prov. app.
1-21-74	Oak Lodge S.D.	Great Britten Estates sewers	Prov. app.
1-21-74	Portland	2 - pump station projects	Prov. app.
1-22-74	Rainier	C.O. #11 - STP contract	Approved
1-22-74	Wallowa	C.O. B-5 - sewerage contract	Approved
1-22-74	Astoria	C.O. #5, Sch. A - Int. contract	Approved
1-22-74	Ontario	McBain - Nielsen Addn sewers	Prov. app.
1-25-74	West Linn (Bolton)	Hidden Springs No. 1A Subdn sewers	Prov. app.
1-30-74	Inverness	C.O. #4, 5 & 6, Unit 5C Int.	Approved
1-30-74	Wasco	STP project 0.04 MGD aerated lagoon with disinfection and irrigation	Prov. app.
1-30-74	Prineville	Change Order No. 1 - Int. contract	Approved
1-30-74	USA (Fanno)	Main B-9 and Habitat Interceptor sewers	Prov. app.
1-30-74	Gresham	Mt. Hood USFS office sewer	Prov. app.
1-31-74	Wasco	Add. No. 1 - STP contract	Approved

Industrial Projects

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-4-74	Jefferson	Helms Brothers Feedlot, animal waste facilities	Prov. app.
1-11-74	McMinnville	Van Der Veen Dairy, animal waste facilities	Prov. app.
1-16-74	Portland	Union Oil Company of California, pollution control facilities	Prov. app.
1-18-74	Salem	Del Monte Corporation, proposed water pollution abatement program	Prov. app.
1-23-74	Portland	Shell Oil Company, Willbridge Plant, waste water treatment	Prov. app.

Air Quality Control

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-7-74	Multnomah County	Unity Center, Inc.--98-space parking facility	Approved
1-7-74	Multnomah County	Mt. Hood Community College--69-space parking facility	App. with cond.
1-9-74	Douglas County	Roseburg Shingle and Stud, Inc., Roseburg--cyclone and shaving storage bin	Approved
1-16-74	Deschutes County	Brooks Willamette, Bend--test and summary report on cyclone emissions	Approved
1-16-74	Washington County	Davies Office Building--66-space parking facility	Req. add. info.
1-18-74	Washington County	Greenway Apartments--864-space parking facility	App. with cond.

Air Quality Control - continued

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-22-74	Multnomah County	Woodlawn Housing Project-- 100-space parking facility	Req. add. info.
1-23-74	Josephine County	Carolina Pacific Plywood, Inc., Grants Pass--veneer dryer control, incinerator with heat recovery	Approved
1-24-74	Multnomah County	Sheri-Lynn Apartments-- 105-space parking facility	Req. add. info.
1-24-74	Linn County	Crown Zellerbach Corp., Lebanon-- Quench system for SO ₂ control	Approved
1-28-74	Multnomah County	Benj. Franklin Savings & Loan Assn. --100-space parking facility	App. with cond.

Solid Waste Management Division

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-2-74	Lane County	Zumwalt & Williams--new demoli- tion landfill, operational plan, letter authorization	Prov. app.
1-24-74	Benton County	Tremaine Demolition--existing demo- lition site, operational plan	Approved
1-29-74	Columbia County	Coates Tire Disposal Site (Crown Zellerbach Corp.)--existing tire disposal site, letter authorization	Prov. app.

Dr. Crothers said it would be helpful if the activity report also reflected projects and activities that could not be completed.

TAX CREDIT APPLICATIONS

Mr. Sawyer informed the Commission that Omark Properties, Inc. had requested deferral of its application, T-532, until the March Commission meeting. He then briefly reviewed the Department's evaluation of the three tax credit applications covered by the following motion:

It was MOVED by Dr. Phinney, seconded by Mrs. Hallock and unanimously carried that as recommended by the Director, tax credit certificates be issued to the applicants for the pollution control facilities described in the following applica-
tions and bearing the costs as listed with 80 percent or more of the cost in each case being allocated to pollution control:

<u>App. No.</u>	<u>Applicant</u>	<u>Claimed Cost</u>
T-528	Boise Cascade Corporation, Southern Oregon Region	\$44,182.06
T-529	Boise Cascade Corporation, Southern Oregon Region	\$59,248.05
T-530	Fred Messerle & Sons, Inc., Home Ranch No. 1	\$ 6,974.00

Mr. Sawyer then presented an evaluation of the application by Hyster Company, T-433, denied by the Commission at its November 1973 meeting, and subsequently

held for reconsideration by the Commission pending an opinion by legal counsel.

It was MOVED by Mrs. Hallock, seconded by Dr. Crothers and carried that the Director's recommendation be approved denying certification of the facilities claimed in the application for the reason that said facilities do not function to dispose of or eliminate industrial waste.

JOHNS LANDING PARKING FACILITY

Mr. Downs presented the staff memorandum report dated February 14, 1974, regarding the proposed 2464-space parking facility for the Johns Landing Residential/Commercial Development in Portland.

Mr. Downs stated that the environmental impact statement received by the Department on December 31, 1973 provided details on the total Johns Landing project and the expected environmental effects of the project which would be significant in the areas of traffic, air quality and noise. The applicant proposes to reduce these impacts through several measures designed to increase transit ridership and to improve Macadam Avenue. However, several governmental units are involved in implementing these measures, and they have not as yet made the necessary commitments to do so. Construction of the first phase of the project would not adversely affect the environment, but approval of the entire project should be deferred until commitments are secured from these governmental units to improve Macadam Avenue and public transportation in the Macadam corridor.

Mr. Downs presented the Director's recommendation that the Commission approve for construction parking facilities D, G, F, E and P, totaling 272 spaces, according to the plans and specifications submitted by Macadam Investors, Oregon, Ltd., with the following conditions:

Macadam Investors, Oregon, Ltd. will:

1. Write into the Homeowners Association agreements, the Tenant Association agreements and the Office Management agreements a means of providing a 20 percent reduction in transit fares for residents, tenants and employees in the project.
2. Construct bus shelters to meet or exceed Tri-Met specifications on Macadam and Corbett Avenues at the Water Tower and on the east side of Macadam near the Town Center site.
3. Provide current Tri-Met scheduling and route information which will be displayed in shops and offices in the project and at the bus shelters.

Mr. Downs said the following should be added to the conditions:

4. Portland City Council to approve the zone change.

The Director further recommends that the Commission authorize him to approve the entire Johns Landing project only if the following commitments are made by the appropriate governmental agencies:

1. Improvement of Macadam Avenue to a four lane boulevard-type facility with 12-foot lanes and left turn refuges and including appropriate measures to reduce noise such that the median ambient noise level is not increased over existing levels.
2. Implementation of a demonstration light rail transit system using the existing Southern Pacific rail line.
3. Improved bus transit service in the corridor including feeder bus, mini-bus or dial-a-bus service.

Representing the applicant was Mr. Joe Griggs, project architect for Johns Landing. He gave a more detailed description of the project, which he described as an urban village, and the proposed transit improvements in the Macadam corridor. He discussed the commitment of the developer to work with the necessary governmental units to effect the recommended changes and felt an undue burden would be placed on the developer "to tie us to certain decisions which are beyond our control." He asked for approval of the entire project.

Discussion followed expressing approval of the concept, the Commissioners' concerns with respect to approving the entire project without first obtaining the commitments necessary to reduce the total environmental impact on the area, the need for a light rail transit system as a condition for granting approval to phase one, and the willingness of the Commission to further negotiate commitments 1 and 3.

Mr. O'Scannlain praised the project and the management of Johns Landing, but stated that neither the Commission nor the Department has any jurisdiction over the governmental agencies involved. He pledged the staff's support to lend help in securing the commitments that need to be made before approval of the entire project could be granted.

Mr. Downs explained the reason for including the light rail system. He said the Mayor's Task Force recommended the system and it is necessary to the improvement of the Macadam corridor. However, the Director's recommendation only requires that a commitment be made to implement such a transit system.

Dr. Crothers felt that if Johns Landing relocated the Southern Pacific tracks, as they stated they would, they would have fulfilled their segment of the proposed light rail transit project.

It was MOVED by Dr. Crothers, seconded by Dr. Phinney and carried to amend the Director's recommendation by deleting commitment 2, "Implementation of a

demonstration light rail transit system using the existing Southern Pacific rail line," and by inserting "A commitment by Johns Landing to rebuild the [Southern Pacific] tracks to accommodate a light rail transit system."

It was then MOVED by Dr. Crothers and seconded by Dr. Phinney to approve the Director's recommendation as amended. Mrs. Hallock voted "no".

Mr. Rick Reed of CH2M/Hill, responsible for the air quality analysis portion of the Johns Landing environmental impact statement, reviewed the basic assumptions made by his company in analyzing and assessing the impact of the project on the air quality of the area.

The motion was then voted upon and carried. Mrs. Hallock voted "no".

PUBLIC FORUM

Mrs. George Van Leeuwen of Halsey, representing Women for Agriculture, spoke to the Commission about her concerns regarding the Willamette Greenway, field burning, fuel requirements for farm vehicles and published criticisms of the use of DDT. She distributed to the Commissioners copies of an article she had recently written.

No one else wished to testify.

STATUS REPORT ON PROPOSED NOISE REGULATIONS

Mr. Hector presented the staff memorandum report regarding the proposed noise control standards presented to the Commission at its September meeting. Seven hearings were held throughout the state between October 29 and November 26, 1973. Public comments elicited at these hearings led the staff to make substantial revisions in the proposed regulations concerning the addition of sources to be controlled, more detailed exemptions for sources which cannot reasonably be controlled, adjustments (up and down) of allowable noise levels, and a broadening of variance procedures.

Mr. Hector presented the Director's recommendation requesting two additional public hearings to be held by the Department in Portland and Medford in early March, so that the public has an opportunity to comment on the substantial revisions which these proposed regulations have undergone.

It was MOVED by Dr. Phinney, seconded by Dr. Crothers and carried that the Director's recommendation be approved.

SEWERAGE WORKS LOANS, MODIFICATION OF PROJECT LIST

Mr. Sawyer presented the staff memorandum report dated February 11, 1974, regarding the project priority list for potential planning loans from the Pollution Control Bond Fund, approved by the Commission at its October 22, 1973 meeting. The priority list was revised to include additional planning loan requests or potential projects received since that date. Projected loan costs currently total \$1,413,100. Mr. Sawyer noted that on page 1 of the attached priority listing of these new requests, the location called "Rockaway" should be changed to "Rockaway-Twin Rocks Area."

With that addition, Mr. Sawyer presented the Director's recommendation that the priority ranking for the additional sewerage works planning advance requests be approved.

It was MOVED by Dr. Crothers, seconded by Mrs. Hallock and carried that the Director's recommendation be approved.

PROPOSED AMENDMENTS TO TEMPORARY SUBSURFACE SEWAGE DISPOSAL RULES

Mr. Spies presented the staff memorandum report dated February 12, 1974, concerning proposed amendments to the temporary rules pertaining to subsurface sewage disposal adopted by the Commission on January 25, 1974. Since the January EQC meeting, the Department staff has been informed that 300 or more lots in the Eugene-Springfield area were too small to comply with the redundant disposal field requirement of the temporary rules. However, these lots--and perhaps others in the state--are located in areas designated for future public sewer service, and in the interim are considered by local officials to have favorable soil and drainage conditions for subsurface sewage disposal facilities.

Mr. Spies then presented the proposed amendments to Section IV(C)--Subsurface Sewage Disposal System, Replacement Area:

1. In the first line of Subsection IV.C.1., after "2", delete "and" and insert a comma, and after "3" insert "and 4".
2. In Section IV.C., after subsection 3, insert a new subsection 4 to read as follows:
 - "4. On lots or parcels for which the deeds had been recorded or a subdivision plot or partitioning approved prior to January 1, 1974, a subsurface sewage disposal system may, with prior approval of the Director, be installed without either a replacement disposal area or redundant disposal field system, provided all of the following conditions are met:
 - a. The size of the lot is not sufficient to provide space for a replacement area.

- b. The lot is located within an area designated in a city or county plan for future sewer service.
- c. Water supply will be by a community water system.
- d. The soil in the lot has a textural classification which has been substantiated by a soil scientist's report and which requires a minimum side wall seepage area of not more than 150 square feet per 150 gallon daily waste flow and otherwise complies with the requirements pertaining to depth to restrictive layer and to temporarily perched groundwater.
- e. The lot has adequate space for a full initial drainfield as required by these rules for the particular soil classification and the subsurface sewage disposal system will otherwise meet all requirements of these rules."

Dr. Crothers asked about the matter of requiring disclosure of this kind of situation to a prospective buyer. The hope was expressed that the special session of the Legislature might resolve the entire real estate disclosure issue.

Mr. James Allison, Route 3, Box M 73, Sherwood, President of the Oregon Landowners Association, said he supported the idea of the proposed amendments but wished to present modifications in behalf of his association. He also distributed copies of the association's consumer protection program to the members. He suggested changes to the amendments as follows:

On line 1 of new subsection 4, delete the word "the" and change "deeds" to "deed", following which add the words "or sales contract".

On line 2 of new subsection 4, after the word "approved", add the words "by the appropriate governing body".

Delete subsection b. of new subsection 4.

Mr. Allison also proposed an amendment pertaining to Disposal Trenches, copies of which he distributed to the Commission members.

Mr. O'Scannlain said the staff would accept the first suggested change which added the words "or sales contract."

Mr. Roy Burns, Director of the Water Pollution Control Division, Environmental Management Department, Lane County, commented that Lane County people greatly appreciated DEQ's assistance with this problem. He said he wanted a balanced environmental approach without degradation of the waters of the state.

It was MOVED by Dr. Crothers, seconded by Dr. Phinney and carried that the proposed amendment to line 1 of new subsection 4 be adopted.

Mr. John Stearns, a subdivision owner from Lane County, had questions about the 100-foot setback from a water source for septic tank installation. He said

he had lots which had septic tanks built 50 feet from the waterline, and others which were for sale which could not meet the 100-foot requirement. Chairman McPhillips suggested that the Department staff and legal counsel study the matter and report back to the Commission. Mr. Burns said a meeting would take place in a week with Mr. Stearns and members of the Lane County Environmental Management Department, and that a copy of the report from that meeting would be sent to the DEQ staff.

Mr. Jack Kephardt, 2630 North 20th Street, Springfield, realtor, builder, land developer, and President of the Eugene-Springfield Homebuilders Association, agreed with the sales contract amendment proposed by Mr. Allison. He said he has no trouble with septic tanks installed in the subdivisions he has developed in the Springfield area. He was concerned, however, that the size of future subdivision lots to meet the replacement area requirement would hinder annexations of these subdivisions by the cities as well as the extension of public sewer lines, since these areas would be relatively trouble free.

There were no other witnesses and the chairman called for a vote on the motion. Motion carried.

Mr. O'Scannlain asked the Chairman if Ms. Margaretta Eakin, counsel for Hyster Company, could be heard by the Commission on the matter of the company's tax credit application which had been denied by the Commission shortly after the opening of today's meeting. Mr. McPhillips said she could present her arguments to the Commission, but her company would have to appeal the EQC decision or apply again for a tax credit before the Commission could reconsider the matter.

Ms. Eakin stated that Hyster's tax credit application was for a pollution prevention device and cited statutory authority which she considered supportive of her company's application.

Chairman McPhillips suggested that Hyster file an appeal rather than submit another application to the Commission.

BEND PILOT-SCALE TEST PROJECT

Mr. Sawyer presented the staff memorandum report dated February 12, 1974, concerning the City of Bend's request for funds for a predesign pilot-scale test project in the amount of \$35,000. The on-site study data collected would provide basic information for design of the city's sewerage collection system and would be of considerable assistance in other sewer construction projects in the state where adverse ground conditions are encountered.

Mr. Sawyer presented the Director's recommendation that the Department be directed to seek approval from the State Emergency Board for a \$35,000 grant from the Pollution Control Bond Fund to the City of Bend for the pressure-vacuum sewer pilot scale test project.

Mr. Art Johnson, City Manager for Bend, supported the grant request, noting that the city must be sewerred by 1980 and expects to spend \$15 to \$20 million for sewer construction over the next 5-6 years.

It was MOVED by Chairman McPhillips, seconded by Dr. Crothers and carried that the Director's recommendation be approved.

SKYLINE LOOP MANDATORY ANNEXATION

Mr. Sawyer presented the staff memorandum report dated February 11, 1974, concerning the Skyline Loop Area east of the City of Eugene which has been designated by the Oregon State Division of Health as an emergency health hazard area. As a result of an area survey conducted by Lane County in February 1971, and a reevaluation by the State Health Division in June 1973, a 46 percent sub-surface sewage disposal system failure rate was documented. Following annexation, construction of sanitary sewers would remove or alleviate the situation.

Dr. Crothers asked what kind of situation led to the determination that the area was a health hazard.

Mr. John Huffman, Oregon State Division of Health, replied that the soil in the area is poor and under present rules the area would not have been developed. He said that annexation is warranted.

It was MOVED by Dr. Crothers, seconded by Mrs. Hallock and carried that the Commission approve the preliminary plans, specifications and time schedule for design and construction of sanitary sewers for the Skyline Loop Mandatory Annexation Area and certify said approval to the Oregon Division of Health.

STATEMENT BY MR. O'SCANNLAIN

Mr. O'Scannlain expressed his deep appreciation to the Chairman and the Commission for an extremely exciting 13 months as DEQ Director, and the backing they have given him in these difficult times. He affirmed the Department's strong commitment to environmental enhancement in Oregon, and said that the major role for his successor is to broaden the understanding of the public about DEQ's accomplishments and requirements under the law and to keep the Department close

to the people. He said this effort must continue unabated and that the Commission and the Department must emphasize their problem-solving roles.

The Chairman adjourned the meeting at noon.

The next Commission meeting is scheduled for Salem on Friday, March 22, beginning at 9 a.m. in Room 20 State Capitol.

SS



ENVIRONMENTAL QUALITY COMMISSION

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MORRIS K. CROTHERS
Salem

ARNOLD M. COGAN
Portland

—
DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To : Environmental Quality Commission

From : Director

Subject: Agenda Item No. B, February 22, 1974 EQC Meeting
January 1974 Activity Report

During the month of January, staff action was taken relative to the attached itemized list of plans and specifications. These actions are summarized as follows:

Water Quality Control

1. Fifty-eight (58) domestic sewage projects were reviewed:
 - a. Provisional approval was given to:
 - 36 plans for sewer extensions
 - 2 sewage treatment plant projects
 - b. Approval without conditions was given to:
 - 20 Change Orders and Addenda for sewage treatment plant projects
2. Five (5) industrial waste treatment plans were reviewed:
 - a. Provisional approval was given to:
 - 3 miscellaneous projects
 - 1) Union Oil Company of California, Portland
(pollution control facilities)
 - 2) Del Monte Corporation, Salem
(proposed water pollution abatement program)
 - 3) Shell Oil Company, Portland
(Willbridge plant, waste water treatment)
 - 2 animal waste facilities
 - 1) Helms Brothers Feedlot, Jefferson
 - 2) Van Der Veen Dairy, McMinnville



Contains
Recycled
Materials

Air Quality Control

1. Eleven (11) project plans or proposals were reviewed:

a. Approval was given to:

1 parking space facility

- 1) Unity Center, Inc., Multnomah County
(98-space parking facility)

4 miscellaneous projects

- 1) Roseburg Shingle and Stud, Inc., Douglas County
(cyclone and shaving storage bin)
- 2) Brooks Willamette, Deschutes County
(test and summary report on cyclone emissions)
- 3) Carolina Pacific Plywood Inc., Josephine County
(veneer dryer control; incinerator with heat recovery)
- 4) Crown Zellerbach Corporation, Linn County
(quench system for SO₂ control)

b. Conditional approval was given to:

3 parking space facilities

- 1) Mt. Hood Community College, Multnomah County
(69-space parking facility)
- 2) Greenway Apartments, Washington County
(864-space parking facility)
- 3) Benj. Franklin Savings & Loan Assn., Multnomah County
(100-space parking facility)

c. Additional information was requested from:

3 parking space facilities

- 1) Davies Office Building, Washington County
(66-space parking facility)
- 2) Woodlawn Housing Project, Multnomah County
(100-space parking facility)
- 3) Sheri-Lynn Apartments, Multnomah County
(105-space parking facility)

Solid Waste Management

1. Three (3) project plans were reviewed:

a. Approval was given to:

1 miscellaneous project:

- 1) Tremaine Demolition, Benton County
(Existing Demolition Site - Operational Plan)

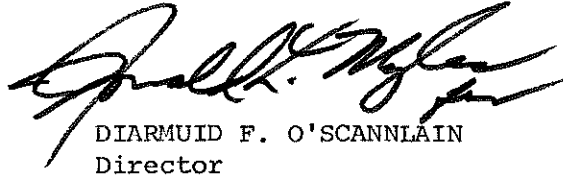
b. Conditional approval was given to:

2 miscellaneous projects:

- 1) Zumwalt & Williams, Lane County
(New Demolition Landfill - Operational Plan,
Letter Authorization)
- 2) Coates Tire Disposal Site (Crown Zellerbach Corporation),
Columbia County
(Existing Tire Disposal Site - Letter Authorization)

Director's Recommendation

It is recommended that the Commission give its confirming approval to staff action on project plans for the month of January 1974.



DIARMUID F. O'SCANNLAIN
Director

attachments

ss: 2/13/74

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION
FOR JANUARY, 1974

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>	<u>ACTION</u>
9	Douglas County	<u>Roseburg Shingle and Stud, Inc., Roseburg</u> Cyclone and shaving storage bin	Approved
16	Deschutes County	<u>Brooks Willamette, Bend</u> Test and summary report on cyclone emissions	Approved
23	Josephine County	<u>Carolina Pacific Plywood Inc., Grants Pass</u> Veneer dryer control Incinerator with heat recovery	Approved
24	Linn County	<u>Crown Zellerbach Corp., Lebanon</u> Quench system for SO ₂ control	Approved

PARKING FACILITIES AND URBAN HIGHWAYS

7	Multnomah County	<u>Unity Center, Inc.</u> 98-space parking facility	Approved
7	Multnomah County	<u>Mt. Hood Community College</u> 69-space parking facility	Approved with conditions
16	Washington County	<u>Davies Office Building</u> 66-space parking facility	Requested addi- tional info.
18	Washington County	<u>Greenway Apartments</u> 864-space parking facility	Approved with conditions
22	Multnomah County	<u>Woodlawn Housing Project</u> 100-space parking facility	Requested addt'l information
28	Multnomah County	<u>Benj. Franklin Savings and Loan Assn.</u> 100-space parking facility	Approved with conditions
24	Multnomah County	<u>Sheri-Lynn Apartments</u> 105-space Parking facility	Requested addi- tional info.

PROJECT PLANS, REPORTS, PROPOSALS FOR AIR QUALITY CONTROL DIVISION
FOR JANUARY, 1974 (cont.)

NOISE POLLUTION CONTROL

No Plan Action Completed

PROJECT PLANS

Water Quality Division

During the Month of January, 1974, the following project plans and specifications and/or reports were reviewed by the staff. The disposition of each project is shown, pending ratification by the Environmental Quality Commission.

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-3-74	Madras	Collection system & non-discharge sewage lagoons - 0.45 MGD capacity	Prov. approval
1-3-74	Springfield	Five sanitary sewer projects	Prov. approval
1-3-74	West Linn	DeBok Road sewer	Prov. approval
1-3-74	Yamhill	Hemlock St. sewer ext.	Prov. approval
1-3-74	Wallowa	Change order No. B-4; STP contract	Approved
1-8-74	Salem (Willow Lake)	Livingston Estates Subdn sewer	Prov. approval
1-9-74	Baker	Sanitary sewer projects: Phases VI through XI	Prov. approval
1-11-74	Silverton	Silver Ranch Subdn sewer	Prov. approval
1-11-74	Rainier	C.O. #10 - STP expansion	Approved
1-11-74	Yachats	C.O. #2 & 3 - STP contract	Approved
1-11-74	St. Helens	C.O. #C-2 - STP contract	Approved
1-11-74	Bunker Hill S.D.	Pump station & force main to Coos Bay	Prov. approval
1-14-74	Salem (West)	Add. No. 2 - san. sewer replacement	Approved
1-14-74	USA (Fanno)	S.W. Brockman St. sewers	Prov. approval
1-14-74	Woodburn	Mill Creek Park sewer	Prov. approval
1-14-74	Reedsport	Ranch Road Addn sewers	Prov. approval
1-14-74	USA (Aloha)	Tanasbrook Subdn sewers	Prov. approval
1-15-74	McMinnville	Slusher-Davis Addition sewers	Prov. approval
1-15-74	Wood Village	C.O. #1,2 & 3 - Interceptor Project	Approved
1-15-74	Eugene	DeSoto Lake sewer Project	Prov. approval
1-15-74	Amity	Sewer lateral D-4	Prov. approval
1-15-74	Vernonia	C.O. #5 - Interceptor Project	Approved
1-15-74	Portland	S. W. Maplecrest Drive sewer	Prov. approval
1-16-74	Tri-City S.D.	C.O. #5 - STP contract	Approved

PROJECT PLANS

<u>DATE</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-16-74	Rainier	C.O. #9 - STP contract	Approved
1-16-74	Charleston	Marine waste pumping station	Prov.approval
1-17-74	Roseburg	Airport sewer	Prov.approval
1-17-74	Willamina	Oaken Hills Subdn sewers	Prov.approval
1-17-74	Springfield	1. 40th Way Subdn sewers 2. 1st Addn to Southway Subdn sewers 3. Olympic St. sewer - 18th to 21st	Prov.approval
1-21-74	Oak Lodge S.D.	Great Britten Estates sewers	Prov.approval
1-21-74	Portland	2 - pump sta. projects	Prov.approval
1-22-74	Rainier	C.O. #11 - STP contract	Approved
1-22-74	Wallowa	C.O. B-5 - sewerage contract	Approved
1-22-74	Astoria	C.O. #4, Sch. A - Int. contract	Approved
1-22-74	Ontario	McBain - Nielsen Addn sewers	Prov.approval
1-25-74	West Linn (Bolton)	Hidden Springs No. 1A Subdn sewers	Prov.approval
1-30-74	Inverness	C.O. #4, 5 & 6, Unit 5C Int.	Approved
1-30-74	Wasco	STP project 0.04 MGD aerated lagoon with disinfection & irrigation	Prov.approval
1-30-74	Prineville	Change Order No. 1 - Int. contract	Approved
1-30-74	USA (Fanno)	Main B-9 & Habitat Interceptor sewers	Prov.approval
1-30-74	Gresham	Mt. Hood USFS office sewer	Prov.approval
1-31-74	Wasco	Add. No. 1 - STP contract	Approved

Water Quality Division

Industrial Projects (5)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1/4/74	Jefferson	Helms Brothers Feedlot, animal waste facilities	Prov. Approval
1/11/74	McMinnville	Van Der Veen Dairy, animal waste facilities	Prov. Approval
1/16/74	Portland	Union Oil Company of California, pollution control facilities	Prov. Approval
1/18/74	Salem	Del Monte Corporation, proposed water pollution abatement program	Prov. Approval
1/23/74	Portland	Shell Oil Company, Willbridge plant, waste water treatment	Prov. Approval

PROJECT PLANS
SOLID WASTE MANAGEMENT DIVISION

During the month of January 1974, the following project plans and specifications and/or reports were reviewed by the staff. The disposition of each project is shown, pending confirmation by the Environmental Quality Commission.

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>	<u>ACTION</u>
2	Lane County	Zumwalt & Williams New Demolition Landfill Operational Plan Letter Authorization	Prov. Approval
24	Benton County	Tremaine Demolition Existing Demolition Site Operational Plan	Approval
29	Columbia County	Coates Tire Disposal Site (Crown Zellerbach Corp.) Existing Tire Disposal Site Letter Authorization	Prov. Approval.



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

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Salem

ARNOLD M. COGAN
Portland

DIARMUID F. O'SCANNLAIN
Director

To: Environmental Quality Commission

From: Director

Subject: Agenda Item C, February 22, 1974, EQC Meeting

TAX CREDIT APPLICATIONS

Attached are review reports on five (5) Tax Credit Applications. These applications and the recommendations of the Director are summarized on the attached table.

DIARMUID F. O'SCANNLAIN

WEG:ahe
2-12-74

Attachments: Tax Credit Application Summary
Tax Credit Review Reports (5)
T-433, Hyster Company, Portland Plant
T-528, Boise Cascade Corporation, Southern Oregon Region
T-529, Boise Cascade Corporation, Southern Oregon Region
T-530, Fred Messerle & Sons, Inc., Home Ranch No. 1
T-532, Omark Properties, Inc., Omark Industrial Park
Waste Treatment Department



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TAX CREDIT APPLICATIONS

<u>Applicant</u>	<u>Appl. No.</u>	<u>Facility</u>	<u>Claimed Cost</u>	<u>% Allocable to Pollution Control</u>	<u>Director's Recommendation</u>
Hyster Company Portland Plant	T-433	Reduced pressure backflow prevention devices, double check valve installations	\$29,413.79		Deny
Boise Cascade Corporation Southern Oregon Region	T-528	Modified wigwam waste burner	44,182.06	80% or more	Issue
Boise Cascade Corporation Southern Oregon Region	T-529	Modification of wigwam waste burner	59,248.05	80% or more	Issue
Fred Messerle & Sons, Inc. Home Ranch No. 1	T-530	Manure disposal system	6,974.00	80% or more	Issue
Omark Properties, Inc. Omark Industrial Park Waste Treatment Department	T-532	Plating waste chemical recovery and reuse system	260,640.00	80% or more	Issue

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Hyster Co.
Portland Plant
2902 N. E. Clackamas
Portland, Oregon 97232

The applicant owns and operates a plant to manufacture equipment at the above address in Multnomah County.

2. Description of Claimed Facility

Three (3) reduced pressure backflow prevention devices and two (2) double check valve installations to prevent potential contamination of city water system in the event of reduction of city water system pressure.

The claimed facilities were placed in operation in March 1972.

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

Claimed cost: \$29,413.79.

3. Evaluation of Application

At the EQC meeting on November 26, 1973, this application was presented with a recommendation to deny based on an April 30, 1971 letter from the Department Attorney. The November 26, 1973 staff report is attached. The company disagreed with the Department's recommendation, therefore, the Department was requested to reconsider its recommendation and seek further opinion from legal counsel.

Attached is a letter dated January 3, 1974 from the Department's legal counsel regarding the matter. Basically, this letter reverses the conclusion of the April 30, 1971 letter and advises that "If the Department and the Commission determine that a substantial purpose of the proposed facility is to eliminate industrial waste, then it is my opinion that the subject application would be legally eligible for tax relief."

Thus, counsel has suggested that the question now is a technical one rather than a legal one:

Is the valve "equipment" or a "device" reasonably used or installed by a person for the substantial purpose to prevent, control or reduce water pollution by disposing or eliminating "industrial waste".

The claimed backflow prevention valves do not function to dispose of industrial waste. Neither do they function to eliminate industrial waste.

Thus the Department concludes that the claimed facilities are not eligible for certification.

4. Director's Recommendation

It is recommended that certification of the facilities claimed in Application T-433 be denied for the reason that said facilities do not function to dispose of or eliminate industrial waste.

H. L. SAWYER
ak

February 11, 1974

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Hyster Co.
Portland Plant
2902 N. E. Clackamas
Portland, Oregon 97232

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2. Description of Claimed Facility

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The claimed facilities were placed in operation in March 1972.

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

Claimed cost: \$29,413.79.

3. Evaluation of Application

The City of Portland required installation of the claimed facilities 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: Do the claimed facilities 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".

Hyster Co.

Therefore, it is concluded that the claimed facility is not eligible for certification. Two applications for similar facilities have been denied.

4. Director's Recommendation

It is recommended that certification of the facility claimed in Tax Application T-433 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:ak



DEPARTMENT OF JUSTICE
PORTLAND DIVISION
555 STATE OFFICE BUILDING
PORTLAND, OREGON 97201
TELEPHONE: (503) 228-5725

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JAN 4 1974

January 3, 1974

OFFICE OF THE DIRECTOR

Mr. Diarmuid F. O'Scannlain, Director
Department of Environmental Quality
Terminal Sales Building
1234 S.W. Morrison Street
Portland, Oregon 97205

Re: Hyster Company's Tax Relief Application No. T-433

Dear Diarmuid:

Hyster Company applied for tax relief under ORS 449.605 et seq. for its costs incurred in the installation of a pollution control facility consisting of three reduced pressure backflow prevention devices and two doublecheck valve installations. This facility prevents industrial wastes produced at Hyster Company's Portland plant from entering the water supply of the city of Portland.

The Environmental Quality Commission, at its November 26, 1973 meeting, asked the Department staff to reconsider its recommended denial of the subject application and that a further opinion of legal counsel be obtained as to the legal eligibility of the subject application for tax relief.

ORS 449.605, as amended by section 30, chapter 835, Oregon Laws 1973, includes as a pollution control facility eligible for tax credit, a device reasonably installed by any person, if a substantial purpose of such installation is the prevention of water pollution by the elimination of industrial waste.

ORS 449.075(3), as amended by section 109, chapter 835, Oregon Laws 1973, defines water pollution to include alteration of the physical, chemical or biological properties of any waters of the state.

ORS 449.075(2), as amended by section 109, chapter 835, Oregon Laws 1973, defines industrial waste as "any liquid, gaseous,

January 3, 1974

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

ORS 449.075(8), as amended by section 109, chapter 835, Oregon Laws 1973, defines waters of the state to include private, artificial, underground waters (except those private waters "which do not combine or effect a junction with natural surface or underground waters").

While the foregoing statutes require that waters of the state be the subject protected from pollution by the Hyster devices, the statutory definition of such waters would appear to include a municipal water system though the waters therein be regarded as private, rather than public. See Kliks v. Dalles City, 216 Or. 160 (1959). Because the waters in such municipal water system do combine, at the source, with natural surface or underground waters, they do not come within the exception for "those private waters which do not combine or effect a junction with natural surface or underground waters" and would qualify as waters of the state, in my opinion.

If the Department and the Commission determine that a substantial purpose of the proposed facility is to eliminate industrial waste, then it is my opinion that the subject application would be legally eligible for tax relief.

Please let me know if you have further questions about this matter.

Sincerely,



Raymond P. Underwood
Chief Counsel
Portland Office

ej

cc: Mr. Harold Sawyer

Date January 15, 1974

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Southern Oregon Region
P. O. Box 100
Medford, Oregon 97501

The applicant operates a green veneer manufacturing plant at Chemult, Klamath County, Oregon.

2. Description of Facility

The facility claimed in this application is described as a modified wigwam waste burner and consists of the following:

1. Medford No. 40 burner shell.
2. Top Damper.
3. Under-fire and over-fire air systems.
4. Auxiliary ignition system.
5. Temperature recording system.
6. Automatic control system.

The facility was completed and put into operation in October, 1972.

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

Facility costs \$44,182.06 (Accountant's cost certification was provided).

3. Evaluation of Application

This facility was installed in accordance with a Department of Environmental Quality approved compliance program and approved plans and specifications.

The completed modified wigwam waste burner was demonstrated to the Department as being capable of operating in compliance with OAR, Chapter 340, Section 25-020.

This facility did reduce emissions of particulate matter by an estimated 223 tons/year and CO emission by an estimated 540 tons/year.

This facility does operate in a satisfactory manner and has reduced emissions of particulate matter and CO by an estimated 763 tons/year.

An unacceptable wigwam waste burner was previously used for disposal of the wood waste residues.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$44, 182.06 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-528.

PJJ:kok

Date January 16, 1974

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Boise Cascade Corporation
Southern Oregon Region
P. O. Box 100
Medford, Oregon 97501

The applicant operates a sawmill and planing mill at Chemult, Klamath County, Oregon.

2. Description of Facility

The facility claimed in this application is described as a modification of a wigwam waste burner and consists of the following:

1. Top collection cone and recycling system.
2. Under-fire and over-fire air systems.
3. Auxiliary ignition system.
4. Temperature recording system.
5. Automatic control system.

The facility was completed and put into operation in February, 1972.

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

Facility costs \$59,248.05 (Accountant's cost certification was provided).

3. Evaluation of Application

This facility was installed in accordance with a Department of Environmental Quality approved compliance program and approved plans and specifications.

The completed modified wigwam waste burner was demonstrated to the Department as being capable of operating in compliance with OAR, Chapter 340, Section 25-020.

This facility did reduce emissions of particulate matter by an estimated 42 tons/year and CO emission by an estimated 103 tons/year.

Wastes were previously disposed of in an unmodified wigwam waste burner.

This facility does operate in a satisfactory manner and has reduced emissions of particulate matter and CO by an estimate 145 tons/year.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$59,248.05 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-529.

PJJ:kok

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Fred Messerle & Sons, Inc.
Home Ranch No. 1
Route 3, Box 34
Coos Bay, Oregon 97420

The applicant owns and operates a cattle rearing facility on Stock Slough out of Coos Bay, Oregon.

2. Description of Claimed Facility

The claimed facility, a manure disposal system, consists of a circular 24 ft. diameter by 8 ft. deep steel reinforced concrete tank, a Mitchel, Lewis and Stover Model M-20-30 pump with a 30 Hp motor for circulation and pump out and 700 ft. of four inch portable irrigation lines to distribute collected waste over 54 acres of land on the ranch.

The claimed facility was placed in operation in June 1973. Certification is claimed under the 1969 act with 100% of the cost allocated to pollution control.

Facility Cost: \$6,974.00 (accountant's certification was attached to the application).

3. Evaluation of Application

Installation of the claimed facility removes 400 to 600 gallons per day of liquid manure from a drainage ditch which flows to Catching Slough, a part of the Coos Bay Estuary. The liquid manure is distributed over farm lands in such a manner as to prevent run-off.

The applicant claims that the total yearly cost of operating these pollution control facilities is much greater than the value of the liquid manure as fertilizer.

The facility is performing as designed.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in application T530, such certificate to bear the actual cost of \$6,974.00 with 80% or more allocable to pollution control.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Omark Properties, Inc.
Omark Industrial Park
Waste Treatment Department
2100 S.W. Milport Road
Portland, Oregon 97222

2. Description of Claimed Facility

The claimed facility, a plating waste chemical recovery and reuse system, consists of Chrome Recovery, Chrome Waste Treatment, Zinc Recovery and Acid/Alkali Neutralization. The major equipment of each system is as follows:

A. Chrome Recovery

1. Cation Exchanger
2. Anion Exchanger

B. Chrome Waste Treatment

1. Treatment Tank, 650 gallon
2. Automatic Chemical Monitoring and Control
3. Chemical Feed

C. Zinc Recovery

1. Boiler
2. Heat Exchanger
3. Separator
4. Condenser
5. Condensate Cooling Tank
6. Electronic/Pneumatic Control

D. Acid/Alkali Neutralization

1. Treatment Tank
2. Automatic Chemical Monitoring and Control
3. Chemical Feed
4. Precipitator, 2800 gallon
5. Polyelectrolyte Feed
6. Centrifuge

Piping, electrical wiring and controls, buildings and land required are included.

The claimed facility was placed in operation in November 1973. Certification is claimed under the 1969 Act with 100% of the cost allocated to pollution control.

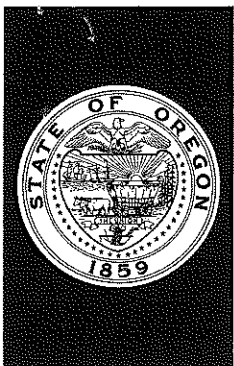
Facility Cost: \$260,640.00 (accountant's certification was attached to the application).

3. Evaluation of Application

Installation of the claimed facilities removes and recovers for reuse 99% of the chemicals in the Chrome waste water chemicals, 99% of the Zinc Chloride waste water chemicals, 99% of the acid alkali waste from the effluent previously discharged to Milwaukie Sanitary Sewer.

Although there is value in the reclaimed chemicals, Omark Properties claims, in the application, that total annual operating expenses exceed that value.

4. It is recommended that a Pollution Control Facility Certificate be issued for the facilities claimed in application T532 such certificate to bear the actual cost of \$260,640.00 with 80% or more of the cost allocable to pollution control.



ENVIRONMENTAL QUALITY COMMISSION

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MORRIS K. CROTHERS
Salem

ARNOLD M. COGAN
Portland

DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. D , February 22, 1974 EQC Meeting

Proposed 2464 Space Parking Facility for the Johns Landing Residential/Commercial Development, Portland

Background

On December 19, 1973, the Department received an application from Macadam Investors, Oregon, Ltd. to construct 2464 parking spaces to serve a new residential/commercial development proposed for a 70 acre site between S. W. Macadam Avenue and the Willamette River in Portland (Figure 1).

On December 31, 1973, the Department received an environmental impact statement providing details on the total Johns Landing project and the expected environmental effects of the project.

The project site extends 4500 lineal feet along the Willamette River and about one mile along the east side of S. W. Macadam Avenue, from S. W. Seymour Street on the north to S. W. Nebraska Street on the south. Existing site uses include industry, vacant land, and a Southern Pacific rail line paralleling the river.

In addition to the large area along the river, the project site includes four blocks on the west side of Macadam from S. W. Sweeney to S. W. Iowa Streets.

Table 1 illustrates the type and size of the residential and commercial developments in the project with proposed parking space allocation.



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Materials

TABLE 1

Proposed Project Totals

<u>Lane Use</u>	<u>Total Area Served</u>	<u>Parking Spaces</u>
Residential	800 units	1232
Office	352,000 G.S. F.	710
Retail	100,000 G.S. F.	200
Motel	60 Units	60
Restaurant	20,000 G.S. F.	200
Recreation	50,000 G.S. F.	62
Totals	<u>522,000 G.S. F.</u> 860 Units	<u>2464</u>

The entire project will have 2000 to 2400 residents and a working population of 3000 people.

Construction is scheduled to begin in February, 1974 with the completion of 109 residential units and 20,000 gross square feet of office space by the end of the year. The remainder of the construction is phased over five years with completion of the entire project expected in 1978.

The Portland Planning Commission approved a zone change, required for the project, from M2 to M3 on January 22, 1974. This decision must be affirmed by the City Council. It is scheduled for a hearing before the Council in the first week of March, 1974.

Macadam Avenue (Oregon Route 43) is the primary transportation corridor serving the Johns Landing project site and vicinity. Comprised of four 10-foot wide lanes, it is designated an arterial highway and serves as a north-south facility between West Linn, Lake Oswego, and downtown Portland. The level of service on Macadam at the present time in the project area is E to F. This represents stop and go traffic during peak hours with speeds in the range of 5 to 10 miles per hour.

Tri-Met currently serves the project site with four bus lines, including Oregon City-South Shore #36, Tualatin-North Shore #37, Dunthorpe #39, and Capitol Hill #40.

Discussion:

According to the environmental impact statement submitted with the parking facility application, the Johns Landing project will have a significant environmental impact in the vicinity of the project. These impacts are delineated as follows:

1. Traffic: Assuming that there are no significant improvements to the existing level of transit service in the project area, the completed project will generate approximately 22,000 automobile trips per weekday. This will result in significant increases in vehicular traffic on Macadam Avenue and certain streets in the residential areas on the west side of Macadam. Traffic volumes on Macadam will increase by 8000 to 10,000 vehicle trips daily. This represents nearly a 50% increase in traffic on Macadam. Considering the present inadequacies of Macadam Avenue and the poor level of service, the large increase in traffic without improvements to Macadam or transit service would result in intolerable delays and congestion.

2. Air Quality: Again assuming no significant improvements to the existing level of transit service or to Macadam Avenue, the maximum 8-hour carbon monoxide levels predicted for 1978 are in the range of 4 to 8 mg/m³. Considering the limitations of the prediction methodology used, these levels are close enough to the Oregon and National standard of 10 mg/m³ to expect a few violations in 1978 of the standard. This condition would be expected to improve with the gradual replacement of older cars such that by 1980 no carbon monoxide violations would be expected.

The environmental impact statement also predicts annual levels of nitrogen oxides in the range of 69 to 122 ug/m³ in 1978 and 63 to 100 ug/m³ in 1980. The major portion of these oxides of nitrogen are nitrous oxide (NO) and nitrogen dioxide (NO₂). Nitrous oxide is converted to nitrogen dioxide over a period of time and this conversion is one of the key elements in the formation of photochemical smog.

The national standard for nitrogen dioxide is 100 ug/m³ annual arithmetic mean. The major portion of nitrogen dioxide in the project area will come from downtown Portland due to the prevailing winds and time lag in conversion of nitrous oxide to nitrogen dioxide. However, the project will add to the total formation of nitrogen dioxide and photochemical oxidants downwind of Portland. Maximum photochemical oxidant concentrations are expected to be monitored in the Milwaukie area at the Department's planned monitoring site. It is not possible to predict accurately the levels of photochemical oxidant at this monitoring station or the contribution of the Johns Landing project to the total. It can only generally be said that the project will contribute to the levels monitored beyond 1978.

Levels of lead particulate in the project area are predicted to be in the range of 1.2 and 2.9 ug/m³. This compares to a level of

2.0 ug/m³ which EPA considers to be a safe level and the California standard of 1.5 ug/m³. It also assumes that proposed federal regulations to limit the lead content of gasoline will be implemented.

In conclusion it can be said that the Johns Landing project will have a significant impact on air quality which will be mitigated only by the air pollution controls on new cars, unless significant improvements are made to public transportation and Macadam Avenue.

3. Noise: Basically, the entire area from the Willamette River to the Baldock Freeway (I-5) including the Johns Landing project area, is presently in violation, and will continue to be in violation through 1990, of both the Federal Highway Administration guidelines (L₁₀ level not to exceed 70 dBA), and the proposed DEQ standards (L₁₀ level not to exceed 63 dBA).

The major sources of traffic noise in the area are the Baldock Freeway, Barbur Blvd. and Macadam Avenue. The Johns Landing project will cause an increase in noise levels on Macadam Avenue causing a slight increase in the noise levels in the neighborhood.

As a means of reducing the environmental impact of the project, the applicants have proposed several measures to increase transit ridership and improve Macadam Avenue. In addition, a Macadam corridor task force, appointed by Mayor Goldschmidt, has developed several proposals to improve transportation in the entire Macadam Avenue corridor.

The applicant will provide the following incentives to transit riders:

1. Johns Landing will write into the Homeowners Association agreements, the Tenant Association agreements and the Office Management agreements a means of providing a 20% reduction in transit fares for residents and tenants in the project.
2. Johns Landing has provided for maximum joint use of parking spaces in the project and generally minimized the total parking supply consistent with DEQ guidelines.
3. Johns Landing will construct bus shelters on Macadam and Corbett Avenues at the Water Tower and will construct another on the east side of Macadam near the Town Center.
4. Johns Landing will provide current Tri-Met scheduling and route information which will be displayed in shops and offices in the project and at the bus shelters.

5. Johns Landing has offered to provide a water transit terminal at the Town Center if Tri-Met develops a water transit service.

6. Johns Landing will provide a pedestrian overpass across Macadam Avenue.

7. Johns Landing will relocate the Southern Pacific rail line that passes through the project site to an alignment parallel to Macadam and make it more accessible for possible use with light rail transit.

Each of the above measures that Johns Landing has agreed to undertake will tend to reduce the total impact of the project, however, without major improvements to transit service and Macadam, the environmental impact will still be unacceptable. The Mayor's "Macadam Corridor Task Force on Transportation" has identified the necessary improvements that must be made in the Macadam Corridor concurrent with the construction of Johns Landing. These are summarized as follows (also see attached draft report of the Task Force):

1. Upgrade Macadam Avenue to a four-lane boulevard-type arterial with 12 foot travel lanes, left turn refuges, sidewalks and other amenities.

2. Maintain the rail right-of-way through the corridor and implement a demonstration light rail project immediately using the existing rail line.

3. Improve bus transit service in the corridor including feeder bus, mini-bus and a dial-a-bus service.

The implementation of the improvements recommended by the Task Force collaterally with the construction of the Johns Landing project and supplemented by the measures to be implemented by Johns Landing would reduce the traffic and air quality impact of the project to acceptable levels. Noise levels would also be reduced slightly, but not to acceptable residential levels (FHWA and proposed DEQ standards).

Conclusion:

1. The construction of the entire Johns Landing project will result in significant environmental impacts in the project vicinity.

2. The environmental impact of the project can generally be reduced to acceptable levels only by implementation of significant improvements in public transit and to Macadam Avenue such as those improvements recommended by the Mayor's task force.

3. The appropriate governmental agencies have not as yet made the necessary commitments to improve public transportation and Macadam Avenue.

4. The construction of the first phase of the Johns Landing project, in conjunction with the transit rider incentive measures proposed by Johns Landing, it is concluded, will not adversely affect the environment and can be approved for construction at this time.

5. Due to the possible adverse environmental impact, approval of the entire Johns Landing project should be deferred until the necessary commitments are forthcoming from the appropriate governmental agencies to improve Macadam Avenue and public transportation in the Macadam corridor.

Director's Recommendation:

The Director recommends that the Commission approve for construction, parking facilities, D, G, F, E, and P, totaling 272 spaces, according to the plans and specifications submitted by Macadam Investors, Oregon, LTD. with the following conditions:

Macadam Investors, Oregon, LTD. will:

1. Write into the Homeowners Association agreements, the Tenant Association agreements and the Office Management agreements a means of providing a 20% reduction in transit fares for residents, tenants and employees in the project.
2. Construct bus shelters to meet or exceed Tri-Met specifications on Macadam and Corbett avenue at the Water Tower and on the east side of Macadam near the Town Center site.
3. Provide current Tri-Met scheduling and route information which will be displayed in shops and offices in the project and at the bus shelters.

The Director further recommends that the Commission authorize him to approve the entire Johns Landing project only if the following commitments are made by the appropriate governmental agencies:

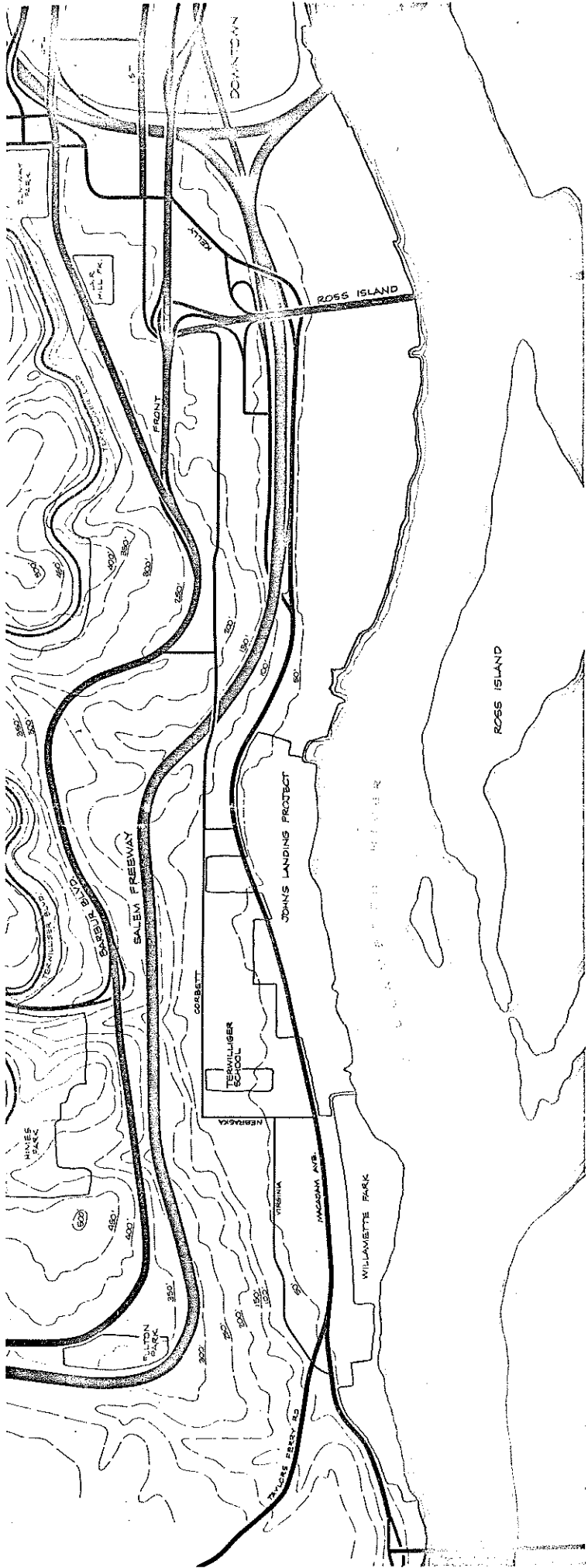
1. Improvement of Macadam Avenue to a four lane boulevard-type facility with 12 foot lanes and left turn refuges and including appropriate measures to reduce noise such that the median ambient noise level is not increased over existing levels.

2. Implementation of a demonstration light rail transit system using the existing Southern Pacific rail line.

3. Improved bus transit service in the corridor including feeder bus, mini-bus or dial-a-bus service.

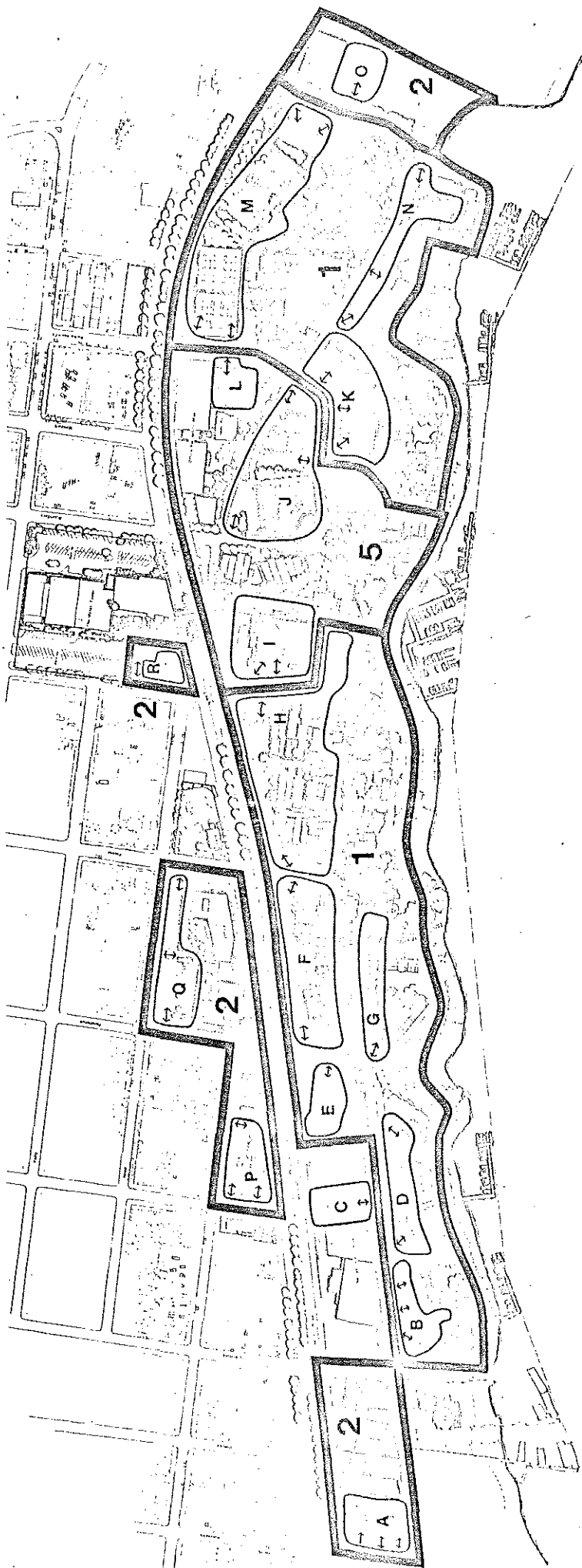
A handwritten signature in black ink, appearing to read 'Diarmuid F. O'Scannlain', with a long horizontal flourish extending to the right.

DIARMUID F. O'SCANNLAIN



Vicinity Map





CLASS

- 1 RESIDENTIAL
- 2 OFFICE
- 5 JOINT USE

- A SURFACE
- B SURFACE COVERED
- C UNDERGROUND
- D SURFACE COVERED
- E UNDERGROUND
- F SURFACE AND UNDERGROUND

- G SURFACE COVERED
- H SURFACE COVERED
- I SURFACE AND UNDERGROUND
- J SURFACE AND UNDERGROUND
- K SURFACE COVERED
- L UNDERGROUND

- M SURFACE AND UNDERGROUND
- N SURFACE
- O UNKNOWN
- P SURFACE
- Q SURFACE AND UNDERGROUND
- R UNDERGROUND

Parking Facilities

N





December 18, 1973

Mr. Diarmuid F. O'Scannlain, Director
Department of Environmental Quality
1234 S. W. Morrison Street
Portland, Oregon 97205

Dear Mr. O'Scannlain:

The enclosed application is for the entire Johns Landing project. Construction is projected for a five to seven year period. An environmental impact statement is being prepared by CH2M Hill and will be forwarded to your office prior to the first of the year.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph Griggs".

J. O. C. Griggs
Project Architect

JOCG:er

Enc.

cc: Betty Merton, CH2M Hill

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
DEC 19 1973
AIR QUALITY CONTROL



DEPARTMENT OF ENVIRONMENTAL QUALITY

PARKING FACILITY

NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5267

To Construct or Modify an Air Contaminant Source

TOM McCALL
GOVERNOR

DIARMUID F. O'SCANNLAIN
Director

(A letter of approval to construct must be obtained from the Department prior to construction. The Department may request an environmental impact statement or other information within 30 days of receipt of this application.)

Business Name: Macadam Investors, Oregon, Ltd./Johns Landing Phone: 228-9431

Address of Premises: 5331 S. W. Macadam Ave. City Portland Zip: 97201

Nature of Business: development

Responsible Person to Contact: Joe Griggs Title: Project Manager

Other Person Who May be Contacted: Betty Merten Title: CH2M consultant

Corporation Partnership Individual Government Agency

Legal Owner's Address: 5331 S. W. Macadam Ave. City: Portland Zip

Description of Parking Facility and its Intended Use. (Please include 2 copies of Plot Plan showing parking space location and access to streets or roadways):

Class I, II, and III parking for 2,464 total spaces to serve residential and commercial development on 70 acres along S. W. Macadam Avenue between S. W. Seymour on the north and S. W. Nebraska on the south.

Estimated Cost: Parking Facility Only: Total project parking cost approximately \$4.25 million

Estimated Construction Date: Feb. 1974 Estimated Operation Date: Phased from 1974 through 1978.

Name of Applicant or Owner of Business: Macadam Investors, Oreg., Ltd.

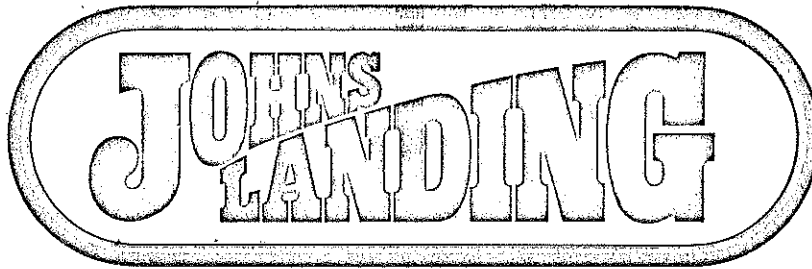
Title: Project Architect Phone: 228-9431

Signature: Joseph Griggs Date: December 18, 1974

Applicability: This Notice of Construction Requirement Pertains

1. To areas within five miles of the municipal boundary of any city having a population of 50,000 or greater.
2. Any parking facility used for temporary storage of 50 or more motor vehicles or having two or more levels of parking for motor vehicles.

Date Received: _____ N/C Number _____



February 8, 1974

Mr. Diarmuid F. O'Scannlain, Director
Department of Environmental Quality
1234 S.W. Morrison
Portland, Oregon 97205

Dear Mr. O'Scannlain:

In a conversation with Mike Downs of your staff today, certain conditions were made known to us of which we had formerly been unaware. Earlier conversations between our Environmental Impact Statement's consultants and members of the D.E.Q. staff indicated that the Johns Landing project was acceptable as it had been submitted with one exception - the lack of specific information regarding transit incentives. To clarify this area I discussed the following with Mike Down today: Johns Landing will agree to write into the Homeowners Association agreements, the Tenants Association agreements, and the Office Management agreements a means of providing a 20% reduction in transit fares for residents and tenants in the project. Similar agreement was acceptable to your agency for the Water Tower project.

We do feel very strongly, however, that such agreements should be contingent upon equal requirements from all developers in the metropolitan area in order to equalize market advantage.

Our Environmental Impact Statement has indicated the extent to which we are cooperating with pertinent agencies regarding the improvement of Macadam Avenue and the improvement of public transportation facilities in the area.

I am enclosing a copy of the final draft of the statement by the Mayor's Task Force on the Macadam Avenue corridor. This task force is composed of all concerned governmental and planning agencies as well as developers and other business interests in the corridor. The consensus has been reached by this group regarding the needs for improvement of both Macadam Avenue and public transit facilities. The intent of the report is to provide the city, CRAG, and the State Highway Department with guidelines for improvement of these facilities.

Mr. Diarmuid F. O'Scannlain
February 8, 1974
Page 2

I have also included recent correspondence related to these projects. We have no direct powers to make decisions beyond our continued participation in promoting early action for these improvements.

We feel that withholding D.E.Q. approval of the Johns Landing project in order to prompt the activities of the State Highway Department, the city, and transportation agencies is placing an unfair burden on the developer.

Until this afternoon's conversation with Mr. Downs, we had predicated our construction schedules on the basis of all agency approvals being obtained prior to the first of March. To delay commencement of construction beyond this date will mean the loss of a major part of the marketing season for housing, producing a very serious economic impact on the project.

Mike Downs indicated, also, a concern regarding the noise levels projected for the site, explaining that the staff has not as yet adopted any specific standards. We are aware of the desirability of reducing Macadam Avenue noise within the project and have investigated the following potential means of reduction:

- 1) Using an open matrix asphaltic paving which, according to reports, can reduce wheel noise by up to 30%.
- 2) The use of a G.M. barrier at the east edge of Macadam Avenue to reduce wheel noise transmission.
- 3) Reduction of traffic speed.
- 4) The use of distance, planting, building configuration, and building types as noise buffers.

If it is not possible to approve the entire project at the present time, we strongly urge approval of the southern portions of the project scheduled for construction in 1974, including 60 dwelling units to begin construction immediately, with an additional 49 to follow, and a 20,000 gross square foot office building. Approval of this portion of the project at this time would allow us to meet our projected construction schedules for 1974.

If any further information is required prior to the hearing date, please call.

Very truly yours,



J. O. C. Griggs
Project Architect

cc: Mike Downs
Betty Merten, CH2M Hill
John D. Gray
William F. Courter

JOCG:er

Enc.



RECEIVED

1974
JOHNS LANDING

February 4, 1974

OFFICE OF
PLANNING AND DEVELOPMENT

GARY E. STOUT
ADMINISTRATOR

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204

Macadam Corridor Task Force

Attached is the final draft of our Task Force Report. Please review it carefully. I would especially appreciate your comments and criticism. I would like a note or a call from everyone by Friday, February 15, even if you don't have any comments. This should give me enough time to make any necessary corrections and to draft a letter of transmittal to the Mayor in time for a meeting on the following Wednesday.

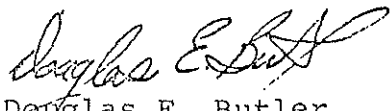
The City's Bureau of Planning is currently working on some graphic material which can also be included in this report. It is tentatively planned to include a regional map locating the Corridor, a more detailed map of the Corridor, some photographs of the Corridor, and a graphic depiction of how the Corridor might look if the Task Force's recommendations were adopted. This material will be available in time for our meeting on Wednesday, February 20, 1974.

Wednesday
9 A.M.

February 20, 1974
Mayor's Conference Room

PLEASE BE PROMPT

Sincerely yours,


Douglas E. Butler
Administrative Officer

DEB/gr

Enclosure

REPORT OF THE
MACADAM CORRIDOR
TASK FORCE ON
TRANSPORTATION

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I. Introduction

The Macadam Corridor Task Force was formed at the request of Portland's Mayor, Neil Goldschmidt. Mayor Goldschmidt made this request in response to inquiries from various public and private organizations about guidance, improvements, or other actions relating to transportation in the Corridor. He requested that the Task Force identify specific needs, goals, and recommendations that would be helpful in selecting the final transportation solutions for the Corridor.

Initially, the Mayor named the following eleven individuals to the Task Force:

- Doug Butler - Office of Planning and Development
- Alan Webber - Office of the Mayor
- Dick Brainard - Downtown Waterfront Project
- Sam Galbreath - Portland Development Commission
- Alan Fox - Bureau of Planning
- Don Bergstrom - Bureau of Traffic Engineering
- Ed Wagner - Tri-Met
- Bob Bothman - Oregon State Highway Division
- John Moll - Corbett/Terwilliger/Lair Hill Planning Comm.
- Joe Griggs - John's Landing
- Hal Saltzman - Oregon International Center.

The Task Force met and voted to add the following two individuals:

- Jon Morris - Cascade Construction (Local Business)
- Carl Rohde - Lake Oswego Planning Commission

Each member of the Task Force was selected to represent a particular organization or interest. Each member tried to voice the concerns of the group he represented and, to the fullest degree possible, to represent that group.

The Task Force members universally expressed a sense of immediacy in dealing with the problems of the Macadam Corridor. The pressures of traffic safety, planned development, and neighborhood integrity are huge and they need to be dealt with NOW. In addition, the problems and recommendations addressed in this report should not be considered static. There will certainly be other specific problems and alternative solutions which will need to be reviewed by the Planning Commission and the City Council and it is the hope of the Task Force that the contents of this report are broad enough, and flexible enough to at least suggest a general consensus on any issue that may arise.

Though this report represents the culmination of the Task Force's efforts in terms of its original assignment, the Task Force feels that additional work is needed. An individual or group should be responsible for further coordination of plans and discussions for the Macadam Corridor and for ensuring immediate decisions and actions in the Corridor. Further, the Task Force agreed to meet in the future, if needed, to review and give advice on other plans and actions.

II. MACADAM CORRIDOR GOALS

1. ENCOURAGE ATTRACTIVE ALTERNATIVES TO THE AUTOMOBILE TO REDUCE THE NEED FOR REGIONAL AUTOMOBILE TRIPS THROUGH THE CORRIDOR.

A. INCREASE THE MODAL SHIFT FROM AUTO TO PUBLIC TRANSPORTATION.

1. Support Tri-Met Transit Improvement Plan.
2. Improve transit reliability.
3. Increase perceived value of transit.
4. Improve mobility of young, old, physically handicapped and low-income travellers.
5. Develop Tri-Met procedure for establishing new service or increasing existing service.
6. Develop a Lake Oswego Park-and-Ride Station in conjunction with a well-designed park-and-ride system which includes a transit mall and which is as closely related to the existing mode of community activity as possible.
7. Consider feasibility of use of water corridor for mass transit.
8. Provide community access to alternative transportation modes.
9. Scale speed of transportation and size of facilities to existing community, pedestrian and bicycle needs.

B. MANAGE TRAFFIC TO REDUCE CONGESTION (AT PEAK HOURS).

1. Reduce travel time.
2. Provide for safe and efficient movement of goods and people.
3. Provide additional capacity for movement.
4. Encourage carpooling.

2. PROMOTE TRANSPORTATION SOLUTIONS WHICH ADDRESS CURRENT AND PROJECTED TRIP DEMANDS FOR LOCAL AND THROUGH TRANSPORTATION WHICH ARE IN SCALE AND COMPATIBLE WITH CONTIGUOUS LAND USE.

A. EXPLORE ALTERNATIVE MODES AND ROUTES TO REDUCE COMMUTER TRAFFIC.

1. Provide compatibility with pedestrian and bicycle movement.

2. Encourage carpooling.

3. Macadam should have adequate traffic control and pedestrian crossings.

4. Macadam should be well planted to reinforce the boulevard aspect.

5. Control off-street parking to protect public safety and ensure privacy of residential neighborhoods.

6. Provide transit right-of-way and connections between Lake Oswego, Terwilliger, John's Landing, Oregon International Center, The Downtown Waterfront, a multi-mode facility, Union Station, and the Old Town/N.W. Natural Gas area.

7. Enhance community relationship to parks and the River.

B. REMOVE THROUGH-TRIP AUTO AND TRUCK TRAFFIC FROM NEIGHBORHOOD STREETS

1. Ensure adequate access and egress to commercial and industrial properties.

2. Neighborhood streets should be well managed to reduce through traffic.

3. Trucks should be accommodated without detriment to the neighborhood.

4. Re-route traffic around Corbett/Terwilliger/Lair Hill community.

3. MAINTAIN OR IMPROVE THE EXISTING ENVIRONMENTAL QUALITY.

A. Reduce vehicle-related air and noise pollution.

B. Macadam should be well planted to reinforce the boulevard aspect.

C. Control off-street parking to protect public safety and ensure privacy of residential neighborhoods.

D. Neighborhood streets should be well managed to reduce through traffic.

E. Trucks should be accommodated without detriment to the neighborhood.

F. Re-route traffic around Corbett/Terwilliger/Lair Hill community.

4. MAXIMIZE THE SHORT AND LONG-TERM ECONOMIC COST/BENEFIT OF IMPROVEMENTS TO THE COMMUNITY, BOTH IN PARTICULAR AND SYSTEM WIDE

A. Reduce travel time.

B. Provide interim as well as long-range solutions.

C. Deal with Macadam improvements on a staged basis.

D. Provide high level of transit service at minimum cost to user.

E. Ensure that costs of land and site development for the park-and-ride station are within reasonable limits.

F. Implement a demonstration light rail project as part of a larger regional program using existing right-of-way, with electrification, adjacent to the Lake Oswego park-and-ride station.

G. Ensure that rail costs can be justified.

5. IMPROVE COOPERATION AMONG RESPONSIBLE GOVERNMENT AGENCIES AND ENSURE MEANINGFUL CITIZEN PARTICIPATION.

A. Increase economic viability of public transportation.

B. Ensure rapid action.

C. Obtain commitment from local groups to support an improvement.

III. SPECIFIC RECOMMENDATIONS

It is not within the purview of the Macadam Corridor Task Force to specify fine details of the various options and alternatives and their impacts in the Corridor. Given this constraint, the Task Force has identified the parameters which are desirable in pursuing a multi-modal transportation solution consistent with the goals and objectives identified by the Task Force.

AUTOMOBILE ACCOMMODATION

1. MAINTAIN THE CURRENT CAPACITY ON MACADAM MAKING IMPROVEMENTS AS REQUIRED FOR SAFETY. THE FOLLOWING ELEMENTS SHOULD BE INCLUDED IN ANY SOLUTION CONSIDERED:

- A. Automobile accommodation should remain within the present right-of-way.
- B. Provide four - 12' lanes.
- C. Include a median of 16' or less with turn refuges and landscaping.
- D. Provide signalization for safety and for pedestrian crossings.
- E. Provide a "boulevard treatment."
- F. Allow landscaping in phases, especially where immediate compliance would require unreasonable expenditures.
- G. Implement a design zone with sign control in the Corridor to guide future development.
- H. Provide sidewalks adjacent to Macadam which may vary from six feet in width to an esplanade effect as constraints permit.
- I. Avoid unreasonable impacts on industry and the community.
- J. Use the pedestrian, median, and boulevard accommodations as variables when right-of-way constraints exist.
- K. When possible, limit improvements (including rail) to the present right-of-way and in no case should the right-of-way be expanded by more than 20 feet.

2. MAKE OTHER NECESSARY STREET IMPROVEMENTS.

A. Improve Highway 43 (State St.) possibly with a by-pass route from the south side of Oswego Creek to north of the Oswego City limits and with further solution to proceed north to the Sellwood Bridge.

B. Corbett should remain as a collector and no improvements for through-traffic should be made on any residential streets.

3. PROVIDE REQUIRED TRAFFIC CONTROL

A. Reinforce speed limit on Macadam.

B. Provide necessary signalization and turn refuges.

C. Consider selective street vacations, etc. as a means of discouraging the use of neighborhood streets by through traffic.

D. Limit access to and from Macadam.

PUBLIC TRANSIT

1. Maintain a rail right-of-way through the corridor.

2. Demonstrate advantages of public transit over the automobile.

3. Provide transit right-of-way and connections between the Lake Oswego park-and-ride station, Terwilliger, John's Landing, Oregon International Center, the Downtown Waterfront, a multi-mode facility, Union Station, and the Old Town/N.W. Natural Gas area.

4. Improve bus transit service in the Corridor. Consider feeder bus, mini-bus and dial-a-bus.

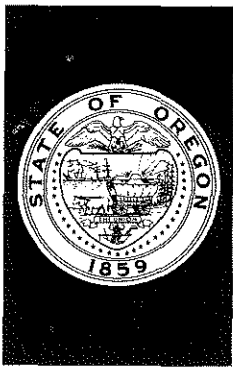
5. Implement a demonstration light rail project immediately as part of a larger regional program using existing right-of-way, with electrification, serving the park-and-ride station.

6. Maximize use of developments as transit stations.

7. Leave rail connections in the corridor "as is" until the results of the Tri-Met rail right-of-way study are available and until there are feasible, acceptable alternatives.

IV. Graphic Demonstration

To be furnished later.



DEPARTMENT OF ENVIRONMENTAL QUALITY

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5284

TOM McCALL
GOVERNOR

DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item E, February 22, 1974, EQC Meeting

Proposed Noise Regulations - Status Report

Background

In the September 1973 meeting of the EQC, the noise staff of DEQ summarized the proposed noise control standards and the Director recommended that the Department be authorized to hold public hearings on the proposed standards. The Commission authorized such hearings and the Department held seven public hearings throughout the state to take public comments on the proposed noise control program. Hearings were held in:

Eugene	10/29/73
Portland	10/30/73
Pendleton	11/5/73
Medford	11/7/73
Roseburg	11/8/73
Salem	11/15/73
Coos Bay	11/26/73

The public comments elicited by the proposed standards have led the noise staff to make substantial revisions in the proposed regulations. These revisions include:

- a. The addition of sources to be controlled
- b. More detailed exemptions for sources which cannot reasonably be controlled.

- c. Adjustments (up and down) of allowable noise levels
- d. A broadening of variance procedures

The changes to these proposed regulations were arrived at after a thorough review of the literature on speech and sleep interference and after numerous staff meetings with representatives of concerned organizations such as the League of Oregon Cities, the Association of Oregon Counties, the City of Portland, Associated Oregon Industries, the Oregon Environmental Council, and many other groups representing racing, motorcycle sales, solid waste management, traffic management, and vehicle safety equipment.

Proposed Noise Rules, General

The proposed noise standards which limit noise levels at noise sensitive property are based on the need to protect outdoor speech communication and indoor sleep on residential property. The noise level goals adopted to achieve this protection are:

- a. Levels of less than 45 dBA for 54 minutes of the noisiest hour of the night inside a bedroom with open windows.
- b. Levels of less than 60 dBA for 54 minutes of the noisiest hour of the day outside on residential property.

The proposed noise control standards for motor vehicles are similar to California's motor vehicle noise laws which are based on the use of present muffler technology with the assumption that improved muffler technology can be developed with sufficient lead-time.

New Motor Vehicles

These rules will prohibit the sales of new cars, trucks, buses, motorcycles, snowmobiles, and other road vehicles and off-road recreational vehicles which do not meet the stated noise levels. The initial standards are not prohibitive, but future standards will require the development of improved vehicle noise control equipment.

Enforcement of these rules will be carried out primarily by DEQ staff which will rely on the noise tests of vehicle manufacturers.

In-Use Motor Vehicles

These rules will:

1. Prohibit the use of road and off-road recreational vehicles which exceed a specified noise limit. That noise limit is directly related to the noise permitted for new vehicles.
2. Prohibit certain modifications to muffler systems.
3. Require property owners to control the use of vehicles on their land while not closing down needed recreational areas to motor vehicles.

Enforcement of these rules will be through the local and state police and through the DEQ vehicle emissions testing staff. The noise staff will soon begin working on in-use vehicle standards applicable to vehicles tested in an emissions testing station.

Racing Events

The strong negative response to the proposed rules and a general lack of data on the nature and scope of the racing noise problem have led us to propose a delay in the implementation of racing standards until 1976. This delay will permit more extensive research into this noise problem by the DEQ staff while giving the racers of Oregon time to develop the necessary noise control technology.

Public Roads

These rules will:

1. Control the noise levels generated by major new roads not yet constructed.
2. Control the increase in noise of existing roads being modified to handle a larger traffic capacity.
3. Allow the DEQ to request that noise abatement measures be taken by the appropriate public agencies on existing roads which the DEQ noise staff has identified as noise problems.

These standards will be enforced by the DEQ noise staff with cooperation from other state and local governmental agencies involved in the construction of public roads.

Industry and Commerce

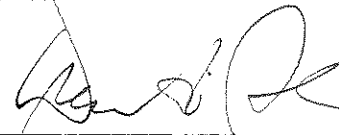
These rules will:

1. Control the noise levels of existing noise sources by providing allowable noise levels for day and night operations.
2. Control the increase in noise levels at noise sensitive property resulting from the introduction of a new industrial or commercial activity.
3. Control the emissions of pure tones.

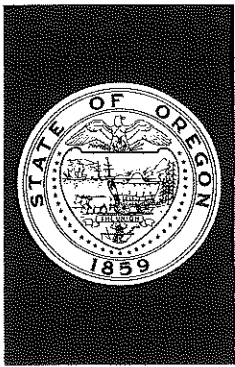
Enforcement is expected primarily by Department field staff.

Director's Recommendation

It is the Director's recommendation that the Commission authorize two additional public hearings to be conducted by the Department so that the public has an opportunity to comment on the substantial changes which these proposed regulations have undergone. These hearings would be held in Portland and Medford in early March.



DIARMUID F. O'SCANNLAIN



ENVIRONMENTAL QUALITY COMMISSION

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229-5696

TOM McCALL
GOVERNOR

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY
Corvallis

PAUL E. BRAGDON
Portland

MORRIS K. CROTHERS
Salem

ARNOLD M. COGAN
Portland

DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To: : Environmental Quality Commission
From : Director
Subject: Agenda Item No. F, February 22, 1974, EQC Meeting

Sewerage Works Loans, Modification of Project List


Background

The EQC approved a 36 project priority list for potential planning loans from the Pollution Control Bond Fund at the October 22, 1973 meeting. This list was approved to assist communities in early preparation of facilities, plans and related documents necessary for acquiring future federal sewerage works construction grants. Also approved by the EQC were criteria for ranking anticipated applicants for planning loans.

Additional planning loan requests or potential projects have been received since October, 1973. These requests have been evaluated and placed in their respective positions on the attached revised planning loan list. New requests are indicated by an asterisk (*). The projected \$1,413,100 loan costs are less than the currently approved \$1.45 million.

Recommendation

It is the Director's recommendation that the Priority Ranking for Sewerage Works Planning Advances contained on the attached sheets be approved.


DIARMUID F. O'SCANNLAIN
Director

February 11, 1974

HLS:ak

Attachments: Priority Ranking Sewerage Works Planning Advances Lists

PRIORITY RANKING

SEWERAGE WORKS PLANNING ADVANCES

Location	Planning Cost	Cumulative Costs	Priority Points	Priority Ranking	
Glendale	\$ 15,000	\$ 15,000	14	1	
Culver	30,000	45,000	14	2	*
Tangent	6,500	51,500	14	3	
Wedderburn-Knoxtown	15,000	66,500	14	4	
Cave Junction	12,500	79,000	13	5	
Chiloquin	25,000	104,000	13	6	
Lafayette	22,000	126,000	13	7	
Unity	4,500	130,500	13	8	*
Adrian	21,000	151,500	13	9	*
Mapleton	25,000	176,500	13	10	
Charleston S. D.	68,500	245,000	12	11	
Gleneden S. D.	59,600	304,600	12	12	*
Colonial Valley-Merlin	30,000	334,600	12	13	
Lowell-Dexter	20,000	354,600	12	14	
Rockaway	20,000	374,600	12	15	
Tillamook-Suburban	20,000	394,600	12	16	
Harbor S. D.	65,000	459,600	11	17	*
Brownsville	9,550	469,150	11	18	*
Butte Falls	20,000	489,150	11	19	*
Shady Cove	30,000	519,150	11	20	*
Sheridan-Willamina	12,500	531,650	11	21	

PRIORITY RANKING

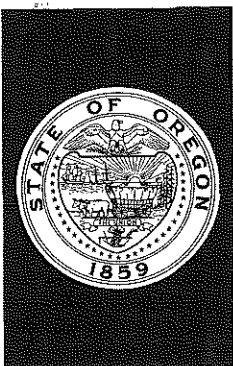
SEWERAGE WORKS PLANNING ADVANCES

Location	Planning Cost	Cumulative Costs	Priority Points	Priority Ranking	
Falls City	23,000	554,650	11	22	*
Riddle	20,000	574,650	11	23	*
Boardman	5,000	579,650	10	24	
Lebanon	80,000	659,650	10	25	*
Prairie City	10,000	669,650	10	26	*
North Plains	5,000	674,650	10	27	*
Lincoln City Suburban	40,000	714,650	10	28	
St. Paul	3,500	718,150	10	29	
Sandy-Boring	40,000	758,150	9	30	
Veneta	18,000	776,150	9	31	
Bend	100,000	876,150	8	32	
Cannon Beach	10,000	886,150	8	33	
Clatskanie	9,000	895,150	8	34	
Dunes City	15,000	910,150	8	35	
Foster-Midway	25,000	935,150	8	36	
Lincoln County Rural	40,000	975,150	8	37	
North Albany S. D.	24,000	999,150	8	38	
Otter Rock	8,500	1,007,650	8	39	
Scappoose-St. Helens	60,000	1,067,650	8	40	
S. W. Lincoln City S. D.	25,000	1,092,650	8	41	
Sutherlin	18,000	1,110,650	8	42	
BCVSA-White City S. D.	7,500	1,118,150	8	43	
Winston	12,000	1,130,150	8	44	

PRIORITY RANKING

SEWERAGE WORKS PLANNING ADVANCES

Location	Planning Cost	Cumulative Costs	Priority Points	Priority Ranking	
Union	\$ 10,450	\$1,140,600	7	45	*
Eagle Point	8,000	1,148,600	7	46	*
Rhododendron-Welches	30,000	1,178,600	7	47	
Florence-Glenada	10,000	1,188,600	6	48	
Monmouth-Independence	30,000	1,218,600	6	49	
Newberg-Dundee	30,000	1,248,600	6	50	
Roseburg Metro	40,000	1,288,600	6	51	
LaGrande-Island City	30,000	1,318,600	5	52	*
Redmond	15,000	1,333,600	5	53	*
Ontario	15,000	1,348,600	5	54	*
Baker	20,000	1,368,600	5	55	*
Junction City	8,000	1,376,600	5	56	*
Klamath County	30,000	1,406,600	4	57	*
Hermiston	3,500	1,410,100	4	58	*
Odell S. D.	3,000	1,413,100	4	59	*



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DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. G, February 22, 1974 EQC Meeting

Proposed Amendments to Temporary Rules Pertaining to Subsurface Sewage Disposal

Background

The administrative rules of the State Health Division governing the subsurface disposal of sewage which were in effect prior to October 5, 1973, required that each lot or parcel of land approved for installation of a subsurface sewage disposal system must have sufficient suitable area to allow the installation of a full replacement disposal system in the event of failure of the original system.

The temporary rules which were adopted by the EQC and became effective on October 5, 1973, the date on which the jurisdiction in this matter was transferred from the State Health Division to DEQ, contained the same requirement concerning the need for a suitable replacement area.

At the public hearings which were held during late November and early December of 1973 relative to the adoption of proposed permanent rules¹ testimony was received that the lot sizes in many subdivisions which had been approved prior to the adoption of the afore-mentioned temporary rules by the Health Division and EQC were not large enough to accommodate the installation of a full replacement drainage system but otherwise met the requirements of the rules.

Consequently, the proposed rules submitted for adoption at the January 25, 1974 Commission meeting contained the provision that such lots if approved prior to January 1, 1974 and not having sufficient area for a full replacement system could be issued a permit if a so-called redundant disposal field system were installed. Such a system requires about 1/3 less area than does a full replacement system.



Contains
Recycled
Materials

Since January 25, 1974, when the revised temporary rules were adopted by the Commission, the department staff has been informed that there are some 300 or more lots in the Eugene-Springfield area which are not large enough to accommodate the installation of even a redundant system. The Lane County officials have given their assurance that the majority of these lots have very good soil and drainage conditions and are located in areas which have been designated by either the city or county for future service by community wide sewerage systems.

This problem of lots too small for installation of redundant drainage systems was brought to the department's attention for the first time at the Commission meeting on January 25, 1974 but was not recognized as being as extensive as it actually is.


Discussion

The temporary rules adopted on January 25, 1974 preclude the development of some 300 or more lots in the Eugene-Springfield area and perhaps others in other areas of the state. These particular lots were previously approved by local officials for installation of subsurface sewage disposal systems but because of insufficient land area they can not provide enough space for either a replacement area or installation of a redundant drainage system. It is either impractical or impossible to enlarge the boundaries of such lots because of adjacent developments.

Because of the favorable soil and drainage conditions which exist in most of these cases it is considered to be entirely feasible to install subsurface sewage disposal facilities which will function satisfactorily until such time as public sewers become available. The temporary rules adopted on January 25, 1974 can be amended to permit such installations and to include adequate safeguards to assure protection of the environment. If such installations are not permitted it will cause severe and undue economic hardship on the owners and developers.

Recommendation

It is therefore the recommendation of the Director that the attached proposed amendments to the Temporary Rules Pertaining to Subsurface Sewage Disposal be approved and adopted to become effective immediately.



DIARMUID F. O'SCANNLAIN
Director

KHS:mm
2/12/74

Attachment: Proposed Amendments to Temporary Rules Pertaining to Standards for Subsurface Sewage and Nonwater-Carried Waste Disposal.

Proposed Amendments

To

Temporary Rules Pertaining to Standards for Subsurface Sewage
and Nonwater-Carried Waste Disposal

1. In the first line of Subsection IV.C.1., after "2", delete "and" and insert a comma, and after "3" insert "and 4".
2. In Section IV.C., after subsection 3, insert a new subsection 4 to read as follows:

"4. On lots or parcels for which the deeds had been recorded or a subdivision plot or partitioning approved prior to January 1, 1974, a subsurface sewage disposal system may, with prior approval of the Director, be installed without either a replacement disposal area or redundant disposal field system, provided all of the following conditions are met:

- a. The size of the lot is not sufficient to provide space for a replacement area.
- b. The lot is located within an area designated in a city or county plan for future sewer service.
- c. Water supply will be by a community water system.
- d. The soil in the lot has a textural classification which has been substantiated by a soil scientist's report and which requires a minimum side wall seepage area of not more than 150 square feet per 150 gallon daily waste flow and otherwise complies with the requirements pertaining to depth to restrictive layer and to temporarily perched groundwater.
- e. The lot has adequate space for a full initial drainfield as required by these rules for the particular soil classification, and the subsurface sewage disposal system will otherwise meet all requirements of these rules."

OREGON LANDOWNERS ASSOCIATION PROPOSED AMENDMENT NO. 2 TO SB 951

A CONCEPT

1. Establish a \$10,000,000 Consumer Protection Revolving Account and provide that it be administered by either the State Land Board or the Land Conservation and Development Commission.
2. Whenever a consumer (owner) is denied a permit for a septic tank by the DEQ, the consumer (owner) shall be eligible for a refund of his purchase price from the fund if he can prove that at the time the lot was purchased (or was lawfully platted and approved by a governing body) state government would have (or did issue) a permit for a septic tank for the lot.
3. After refunding the purchase price, state government shall take *temporary* title to the lot and dispose of it by;
 - a. Transferring it to the State Park System to be used as a park or designated as "open space", or
 - b. Holding title until a sewer system is available and then selling to the highest bidder, or
 - c. Transferring it to the county or city in which the land is located.

Proposed Amendments to Septic Tank Rules

2-22-74

Submitted by: Jim Allison

ORE. LANDOWNER'S

ASSOC.

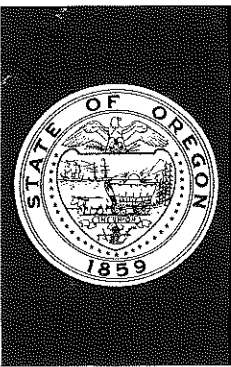
On page 31 of the (newly typed) temporary rules adopted 1-25-74, in Section VI. DISPOSAL AREAS in the first line of paragraph A, insert

" Except as provided in paragraph "H" of this section"

between "-" and "NO"

on page 41, insert a new paragraph "H" as follows:

H - Notwithstanding all other rules of this section, in those instances where a lot or parcel was lawfully created prior to Jan 25, 1974, a subsurface sewage disposal system shall be approved by the Department if it finds that no health hazards will be created and that there will be no degradation of the public waters of the State.



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—
DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To : Environmental Quality Commission
From : Director
Subject: Agenda Item No. H, February 22, 1974, EQC Meeting

City of Bend - Request for Funding Assistance for Predesign Pilot-Scale Test Project

Background

The City of Bend is proceeding with its program to provide sewers and sewage treatment for the city. A letter report from the city dated February 8, 1974 is attached. This report also contains a request for funding assistance for a predesign pilot-scale test project in the amount of \$35,000. Since the requested assistance is in the form of a grant, it will be necessary to secure the approval of the State Emergency Board.

Evaluation

The city is currently proceeding with separate projects on several fronts.

A. Construction Projects:

1. Sewers are being required in all new subdivisions.
2. The East Pilot Butte interceptor is being designed and will be constructed using EPA grant funds and local assessments and connection charges for financing.
3. Plans are being prepared for improvements to the present sewage treatment plant to permit treatment of septic tank sludge and vault toilet waste from the surrounding area including U. S. Forest Service recreational facilities.

B. Planning and study projects to establish criteria for future design:

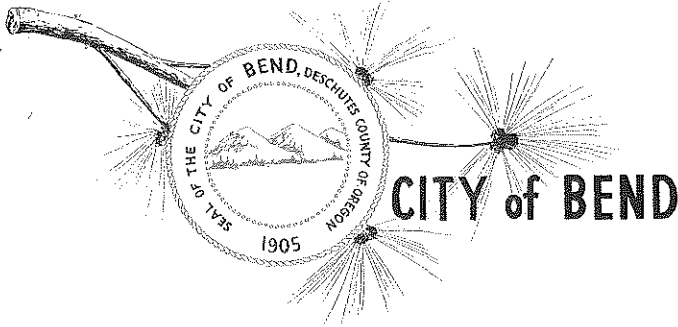
<u>Project</u>	<u>EPA Grant</u>	<u>Proposed Funding Local Funds</u>	<u>DEQ Grant</u>
1. Study of treatment & disposal alternative		\$ 10,000	
2. Pilot scale test of pressure & vacuum sewer alternatives	\$150,000	\$ 15,000	\$ 35,000
3. Evaluation of rock excavation alternatives		\$ 79,750	
<hr/>			
Totals for Study Projects	\$150,000	\$104,750	\$ 35,000

The city must provide \$50,000 in state or local money to secure the \$150,000 EPA grant. The city has budgeted revenue sharing money for sewerage projects but cannot use this money for the necessary federal project match.

The information to be obtained from the comparative evaluation of pressure and vacuum sewers and methods of rock excavation will provide basic information for design of the sewerage collection system which will be built over the next six years. Factual, on site study data should reduce sewer construction costs through better design and by reducing the expected large contingency factor in future construction bids. In addition, the data collected will be of considerable assistance in other sewer construction projects in the state where adverse ground conditions are encountered.

Conclusion

It is concluded that sewerage projects in the state can significantly benefit from DEQ grant participation in the study program proposed by the City of Bend.



POST OFFICE BOX 431

PHONE (503) 382-4211

February 8, 1974

Mr. Harold Sawyer
Director Water Quality Division
Dept. of Environmental Quality
1234 S. W. Morrison St.
Portland, OR 97205

Re: Annual Report,
R & D Grant Request
Bend, Oregon

Dear Mr. Sawyer:

During the year 1973, the City of Bend has continued its efforts to develop a sewer system to serve all of Bend.

To review our progress in regard to completed items and to review the status of on-going and pending studies, we submit this as our required annual report.

On March 7, 1973 the City Commission adopted the policy that all new subdivision developments in Bend shall include the construction of sanitary sewer laterals. In areas near existing sewer lines the system would connect while systems a distance away would be either dry or would utilize approved interim treatment.

On April 18, 1973 the City Commission passed Ordinance No. NS-962 that sets procedure for developing sanitary sewer assessment districts and assessing sewer costs to those properties benefited.

The City continued its development of administrative procedures by adopting on November 7, 1973, a Sewer Policy that provides a general guide to the City staff and the public who wish to receive City sewer service.

A major step in the funding of sewers was taken by the City when the City Commission passed Resolution No. 1188 that sets connection charges on all connections to the public sewer system. The resolution was passed January 2, 1974.

We are currently completing further administrative procedures and policy by final review of an ordinance regulating the use of the public sewer system. The first reading of the ordinance was made on February 6, 1974 at the regular City Commission meeting.

The construction of sewers in Bend during 1973 included 800 feet of lateral lines, and 4,000 feet of trunk sewer built by private developers. The large trunk line will ultimately serve approximately 900 acres. In addition to the new construction, 71 new connections were made to existing lines.

The items you have requested to be covered by the annual report are as follows:

1. Status of all engineering studies, on-going and proposed including final plans.

ANSWER:

- 1,A,1 Preliminary Design and Alternatives for the East Pilot Butte Interceptor Sewer. Final plans are currently being prepared by a consultant.
- 1,A,2 Study on the feasibility of accepting privy vault wastes at the Bend Treatment Plant. The study was completed during May of 1973. The City and the U. S. Forest Service have entered into a contract for construction and operation of the facility. Final plans are currently being prepared.
- 1,B On-going and proposed studies.
- 1,B,1 Research and Demonstration project on sewer construction in rock terrane.

Part A, Vacuum and Pressure Sewers.

We are currently reviewing with E.P.A. a R & D project estimated to cost \$200,000.00. The project outline is enclosed and noted as Item B,1. Funding for the project would be 75% Federal (E.P.A.) and 25% Local. Due to our sewer ~~planning~~ funds being Federal Revenue Sharing Funds that cannot be matched with other federal funds, we would request a R & D Hardship Grant from the State Dept. of Environmental in the amount of \$35,000.00. We would meet the remaining E.P.A. requirement by supplying \$15,000.00 of in-kind services.

Part B, Rock Excavation.

The City Commission has budgeted \$79,750.00 in Federal Revenue Sharing funds that would fund this part of the overall R & D project.

- 1,B,2 A study of Alternate Treatment and Disposal Systems.

The City has retained the consulting engineers, Stevens, Thompson and Runyan of Portland to do the study. We expect the report to be complete within 30 days.

Upon completion of the S.T. & R. treatment study, the remainder of our Revenue Sharing funds would be used to proceed with final design and grant application. The actual program will be effected by the outcome of the treatment study.

2. Detailed schedule for the financing and construction which will take place in 1974. This should include the amount of money budgeted for sewer construction during the year.

ANSWER:

2,A Improvements to the Bend Sewage Treatment Plant.
Grit chamber and septic tank dumping facility has been funded by E.P.A. Due to our recent contract with the U. S. Forest Service for construction and operation of a facility to treat privy vault wastes, we have delayed the approval project to redesign the septic tank dumping facility. This work should be completed in 60 days to submit to D.E.Q. and E.P.A. for a scope change of the approved project.

2,B Study Program, R & D on Vacuum Sewers and Rock Excavation.

As noted under 1,B,1 above, the City is continuing in its effort to obtain a grant to accomplish the R & D program. Funding would be dependent on our receiving the R & D grant.

2,C Study of Alternate Treatment and Disposal Systems.

As noted under 1,B,2 above, funding is a joint effort of the City of Bend and Brooks Resources. This limited program is costing approximately \$10,000.00.

2,D East Pilot Butte Interceptor Sewer.

Final plans are presently being prepared. Upon completion of plans a grant application will be submitted for 75% of cost. The local 25% will be funded from assessments and connection charges.

3. Overall construction time-table showing how the project will be completed by January, 1980.

ANSWER:

The preliminary planning should be complete in this calendar year. It is not necessary to wait until all the planning is final before starting final design and initial construction.

All of our plans at this time are contingent on Bend receiving substantial help from the State and Federal Government. The substantial help we refer to is the funding by E.P.A. and D.E.Q. of our R & D study project and then followed by engineering and construction grants that reflect the extreme hardship of sewer construction in Bend due to the total rock excavation in an urban area. The whole basis of our program is that through research and grants, sewers can be constructed in Bend at a cost to property

owners somewhat close to the average sewerage cost elsewhere in the State.

TENTATIVE CONSTRUCTION TIME-TABLE

1974 - Complete Planning Studies

Start Detail Design including final plans and specifications.

Construct East Pilot Butte Interceptor Sewer.

Construct improvement to Bend Sewage Treatment Plant.

1975 - Start construction of West Treatment Plant.

Start construction of expansion of existing treatment plant.

Start construction of overall interceptor system.

1976 - Continue treatment plant and interceptor construction.

1977 - Complete treatment plant and interceptor construction.

1979 - Continue local lateral construction.

1980 - Complete local lateral construction.

4. Summary of building permits issued during 1973 indicating the number connected to drain holes and the number connected to drain fields.

Total number of building permits issued for new building during 1973 was 217.

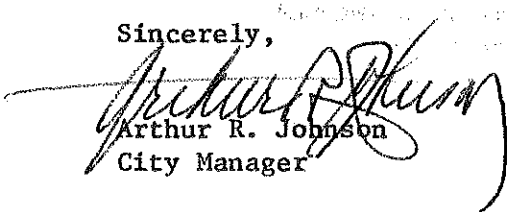
The permit breakdown is as follows:

71	new sewer connections
92	drain holes permits
54	drain field permits

The City has continued to actively pursue a program to sewer the City of Bend with the ability to extend into the adjoining developing areas. It is hoped this information will assist the Environmental Quality Commission in their evaluation of whether Bend should continue to be classified as a temporary drain hole permit area. It is our hope that this classification can continue.

Please accept this letter report as our request for a R & D grant in the amount of \$35,000.00 to help fund our pending E.P.A. Vacuum Sewer Research and Development Project as noted under Item 1,B above.

Sincerely,


Arthur R. Johnson
City Manager

ARJ:at

Encl.

(Outline vacuum R & D study)

cc: John Borden
Bend - D.E.Q.



ENVIRONMENTAL QUALITY COMMISSION

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DIARMUID F. O'SCANNLAIN
Director

MEMORANDUM

To : Environmental Quality Commission
From : Director
Subject: Agenda Item No. I, February 22, 1974, EQC Meeting

Skyline Loop (Eugene) Mandatory Annexation Area

Background

An area east of the City of Eugene known as the Skyline Loop Area in Lane County has been designated by the Oregon State Division of Health as an emergency health hazard area. The area was surveyed in February 1971 and reevaluated in June 1973. A 46% subsurface sewage disposal system failure rate was documented.


By Resolution #2242 at the Eugene City Council, the Health Division was requested to initiate mandatory annexation procedures under ORS 222.855 et seq. The City Engineering Department developed preliminary plans, specifications and a time schedule for removing or alleviating the health hazard. These have been prepared and submitted to the DEQ.

Evaluation

Preliminary plans and specifications together with a time schedule for design and construction of sanitary sewers for the Skyline Loop Mandatory Annexation Area have been prepared by the City of Eugene. The documentation submitted appears to be in sufficient detail to satisfy the law. The conditions dangerous to public health within the territory to be annexed can be removed or alleviated by the construction of sanitary sewers as proposed.

Recommendation

It is the Director's recommendation that the Commission approve the proposal and certify said approval to the Health Division.


DIARMUID F. O'SCANNLAIN
Director

CPH:ak
February 11, 1974



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Employees of DEQ
From: Diarmuid F. O'Scannlain *D*
Subject:

Date: February 28, 1974

Today, my last day as Director of the Department, I want to express my very deep appreciation to each and every one of you for the dedicated conscientious effort you have shown to the Department and its program.

I want to add my special appreciation to your personal support that you have given me in a number of areas where events forced us into new areas with regard to our statutory responsibilities.

We had a period of change and I believe that the change is almost complete. I know that you will give my successor, Kess Cannon, your complete support as he moves to continue the environmental enhancement programs which we are charged to implement. Kess has assured me that no further changes are contemplated and I am delighted to be able to pass this word on to you.

DFO'S:cm