

3/28/1975

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



State of Oregon
**Department of
Environmental
Quality**

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A G E N D A**

OREGON ENVIRONMENTAL QUALITY COMMISSION

March 28, 1975

Room 602, Multnomah County Courthouse, 1021 S.W. 4th Ave., Portland, Oregon

9:00 a.m. A. Minutes of February 28, 1975 Commission Meeting

B. February, 1975 Program Activity Report

Ron Myles

C. Tax Credit Applications

Ron Myles

AIR QUALITY

D. Status Report: Portland Transportation Control Strategy. Tri-Met

NORTHWEST REGION

E. Status Report/ Commission Review

Proposed Action on Air Contaminant Discharge Permit Applications:

Cascade Energy, Inc., Rainier

Oregon Steel Mills, Portland

Pennwalt Corporation, Portland

John Kowalczyk

F. Proposed Rule for Establishment of Priority Criteria for Issuing Air Contaminant Discharge Permits

John Kowalczyk

G. Variance Request: Beaver Lumber Company, Columbia County

Tom Bispham

PUBLIC FORUM

VEHICLE INSPECTION DIVISION

10:30 a.m. H. Public Hearing: Proposed Rules on Vehicle Emission Control Periodic Inspection Program (OAR Chapter 340, Sections 24-300 to 24-350)

Ron Householder

LUNCHEON BREAK***

ENFORCEMENT

1:30 p.m. I. Commission Review: DEQ v. Zidell Explorations, Inc.

Peter McSwain

LAND QUALITY

2:00 p.m. J. Resolution: Acquisition of Alkali Lake Site, Lake County

Pat Wicks

AIR QUALITY

K. Proposed Rule Adoption: Amendments to Rules on Open Burning (OAR Chapter 340, Sections 23-006, and 23-025 to 23-050)

Tom Bispham

* Note addition of Item D and Public Forum

** Due to the unpredictable nature of time allocation, the Commission reserves the right to consider agenda items not involving public hearings at any time during the meeting.

*** The Commission will breakfast and lunch at the Hilton (Trees Restaurant). Breakfast will be at 7:30 a.m.

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MINUTES OF THE SIXTY-SIXTH MEETING
OF THE
OREGON ENVIRONMENTAL QUALITY COMMISSION
February 28, 1975

Pursuant to the required notice and publication, the sixty-sixth meeting of the Oregon Environmental Quality Commission was called to order at 9:00 a.m. on Friday, February 28, 1975. The meeting was convened on the main floor of Harris Hall at 125 East 8th Street, Eugene, Oregon.

Commissioners present included: Mr. B.A. McPhillips, Chairman; Dr. Morris Crothers; Dr. Grace S. Phinney; (Mrs.) Jacklyn L. Hallock; and Ronald M. Somers.

Department staff members present included Kessler R. Cannon, Director; Ronald L. Myles, Deputy Director; and three assistant directors, Frederick M. Bolton (Enforcement), Harold M. Patterson (Air Quality), and Harold L. Sawyer (Water Quality). Chief Counsel, Raymond P. Underwood and several additional staff members were present.

MINUTES OF THE JANUARY 24, 1975 COMMISSION MEETING

It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried that the minutes of the January 24, 1975 EQC meeting be adopted as distributed.

MOTION RE: KRUSE WAY

Commissioner Somers noted that in June of 1973, the Department received an application for Kruse Way. The application from Clackamas County came before the Commission in September of 1973 and had been subsequently tabled due to the problem of the intersection of Highways 217 and I-5, Mr. Somers stated. The latter road presently stops at Bangy Road, forcing motorists to take a right and follow Bangy to Bonita and causing excess traffic on that road, Carmen Drive, and Boones Ferry, he reported. Citing the two to five thousand trips per day presently causing a serious air quality problem in this area, causing inconvenience to nearby homes, and endangering the children of the area, Mr. Somers noted that Kruse Way might pose a solution to this problem which should be sought prior to the expiration of Clackamas County's funding opportunities in July of this year. It was recalled that the Department was unable to approve the plan as submitted, Kruse Way being a proposal which, taken alone, would be inconsistent with the State's implementation plan. In Mr. Somers' view, a trade of one inconsistent situation for another less inconsistent situation might be both worthwhile and within the Commission's jurisdiction to effectuate.

The implementation of the Kruse Way plan, coupled with appropriate cul-de-sacing and limitation of access, was seen as a possible tradeoff which would be favored by Clackamas County and the residents of the affected area. Such an arrangement would, in Mr. Somers' view, confine the ambient air problems to the freeway area, alleviating the problem in the residential area.

Mr. Dick Vogt of the Department's Air Quality Division addressed the problem, stating that under federal highway regulations, the final environmental impact statement could not be published prior to the Department's determination of the project's consistency with Oregon's Clean Air Implementation Plan. He reported that the Department had jurisdiction to oversee only the clean air aspects of the problems, remaining oblivious to considerations of traffic safety and efficient traffic flow. Without the consistency report from the Department, in Mr. Vogt's view, the project could not go forward. Perhaps, Mr. Vogt noted, the Commission might have jurisdiction to view those aspects of the projects other than clean air and make a policy directive based on its view. Mr. Cannon and Mr. Vogt concurred that the indirect source regulations applied only to those proposals which, within ten years of building, would result in at least twenty thousand Average Daily Traffics and that the Kruse Way had originally been expected to fall within this category. Subsequent projection of ridership of Tri-Met buses along the proposed roadway, however, indicated reduced Average Daily Traffics of 18,200 within ten years of building. It was reported that, since learning of the reduced average daily traffic expectation, the Department had "signed off" the project as not requiring an Indirect Source Permit.

Mr. Somers felt it would be appropriate for the Commission to take an action which would, in effect, amount to a comment on the consistency statement for Kruse Way. Mr. Somers and Mr. Vogt agreed that the proposal would violate ambient air standards only on rare occasions, if at all. It was MOVED by Mr. Somers, seconded by Mrs. Hallock and carried that the Commission direct the staff to draft a letter to the Oregon State Highway Division with a determination that Kruse Way is consistent with the Clean Air Implementation Plan if the following restrictions were placed:

- 1) provision for adequate traffic control measures on Bonita Road (such as a cul-de-sac) and maintenance of low traffic volumes on that roadway;
- 2) provision that Kruse Way be a limited access road (with the exception of Carmen Drive) so as to prevent the formation of excessive feeder streets along Kruse Way.

MID WILLAMETTE VALLEY CLEAN AIR AWARD

Dr. Grace Phinney was congratulated by Chairman McPhillips, the Commission members, and others present for having received jointly with Dr. Richard Boubel the first annual Mid-Willamette Valley Clean Air Award as presented by the Mid-Willamette Valley Air Pollution Authority and the Oregon Lung Association.

PROGRAM ACTIVITY REPORT FOR JANUARY 1975

Mr. Somers, inquiring of Mr. McSwain, asked if it were possible for the reports in the future to delineate between applications in terms of their longevity (such as thirty, sixty, and ninety days). Mr. Somers noted that the Legislature's Subcommittee on Trade and Economic Development had called the Commission to task for completed permit applications which were unprocessed. It was lamented that the Subcommittee did not understand federal regulations governing some permit applications and preventing faster processing of the Department's permit workload, in many instances quite current (such as in the case of Air Contaminant Discharge Permits). It was Mr. Somers' view that the Commission's attention should be directed to those permits whose applications were complete, to the exclusion of areas where applications were requiring more information for their completion. Mr. Cannon, noting that the Department had expended a good deal of time to provide all air contaminant discharge permit applicants with at least a temporary permit, suggested that the Department provide the Commission with a summary of all major complete permit applications still before the Department. It was noted that the temporary permits dealt with existing sources and that new sources had to be qualified under the Significant Deterioration requirements.

It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried that the January 1975 program activity report be approved by the Commission. (See Attachment A).

TAX CREDIT APPLICATIONS

Mr. Somers commended Mr. Hal McCall of Bohemia, Inc. for its bark utilization plant, an item on the list of tax credit applications. This, in Mr. Somers' view, was the type of activity needed in the State. Having assured himself that Bohemia's benefits were properly scheduled under the tax credit provisions, Mr. Somers MOVED that the tax credit applications be approved in accord with the Director's recommendation. The motion was seconded by Mrs. Hallock and carried by the Commission as follows:

<u>App. No.</u>	<u>Applicant</u>	<u>Claimed Cost</u>
T-566	Stayton Canning Company, Co-op Brooks Plant #5	\$ 14,641.60
T-567	Stayton Canning Company, Co-op Brooks Plant #5	413,711.58
T-596	Atlantic Richfield Company	121,141.48
T-623	Bohemia, Incorporated Bark Utilization Plant	4,521,276.00

AUTHORIZATION RE: PUBLIC HEARING ON NOISE SCHEDULE AMENDMENT TO THE RULES OF CIVIL PENALTIES

It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried to authorize the Department to hold a public hearing to consider a noise control schedule amendment to the rules pertaining to civil penalties.

VARIANCE REQUESTS RE: FOREST FIBER PRODUCTS COMPANY AND BARKER MANUFACTURING COMPANY

Addressing himself to the application for an extension of its compliance schedule by Barker Manufacturing Company in Multnomah County, Mr. Tom Bispham of the Department's Northwest Regional Office reported that the applicant had suffered an employees' strike in the latter part of 1974 which created a cash flow problem, necessitating an extension of its compliance schedule with regard to particulate emissions until July 15, 1975. It was reported that a compliance date prior to this time would result in shut down of the plant. Mr. Bispham noted that Hyster employees whose cars are subject to the wood particulate fallout from the Barker cyclones had indicated a great deal of satisfaction with Barker's self-monitoring program. It was MOVED by Mr. Somers, seconded by Dr. Phinney, and carried that the requested variance be granted Barker Manufacturing Company in accord with the Director's recommendations.

Turning to the application for an extension presented by Forest Fiber Products Company and noting that the company suffered from cash flow problems due to the current slump in the lumber industry, Mr. Bispham recommended that the variance be granted and the applicant be given a new compliance date of on or before June 1, 1975. It was MOVED by Mr. Somers, seconded by Mrs. Hallock and carried that the Forest Fiber Products Company be granted the variance as recommended by the Director.

ADOPTION OF PROPOSED AMENDMENTS TO THE INDIRECT SOURCE RULES

Chairman McPhillips noted that a public hearing on the proposed Indirect Source Rules had taken place and that further public comment, except in answer to inquiry by the Commission, would be inappropriate in today's meeting.

Mr. Dick Vogt of the Department's Air Quality Division directed the Commission's attention to a large wall map on which were marked those parking facilities affected by the rule.

Citing the testimony of local governments and of the Mid-Willamette Valley Air Pollution Authority, Mrs. Hallock stated that she would prefer that the rule be left as it stands, affecting Indirect Source parking facilities of fifty or more spaces. She based her reasoning on the numerous quantity of "fifty and over" lots and the fear that a proliferation of "ninety-nines" would be the result of the proposed rule. To adopt a 100 space facility as the threshold, she opined, were to ask the Multnomah County authorities to set up an air pollution authority of its own to handle the "gap." Mrs. Hallock inquired of staff if staff had enough manpower to process applications under the "fifty threshold" rule. Mr. Harold Patterson, head of the Department's Air Quality Division, pointed out that the processing of the Indirect Source permits had not yet been reduced to a routine. Mr. Patterson held out to the Commission the possibility that additional staff might be required to process permits under the present rule.

Mrs. Hallock expressed support for the local government "check offs" written into the proposed rule in its section 20-030(9).

Dr. Crothers objected that there was no measurable effect on air quality outside of core areas attributable to the parking facilities under regulation. He asked Mr. Verne Adkison of the Lane Regional Air Pollution Authority to comment on this objection. Mr. Adkison reported that, in his experience, the only significant effect on ambient air quality attributable to parking lots was experienced along freeways near interchanges where the emptying of parking lots caused a slowdown in vehicular traffic. This, it was conceded, was but an indirect influence of the parking lots themselves. Learning that Mr. Adkison's jurisdiction had never refused application for a parking facility of 100 spaces or less, Dr. Crothers decried the futility of requiring permits in cases where permits were never denied.

Mr. Somers expressed his view that even on a rural two-lane road a small parking lot (or small parking lots) could have an effect on the ambient air along the roadside. He went on to state that small parking lots in a grouping might result in daily violations at intersections on nearby highways causing ambient air standard violations which were of legitimate concern to the Commission.

Mr. Adkison noted that the Lane Regional Air Pollution Authority's processing of applications for parking facilities had been done with an eye to aiding the land use planner and encouraging ridership in the Lane mass transit buses. Mr. Adkison further stated the problem was the automobile itself and the use of the automobile in all its aspects would have to be included in the problem's resolution.

Dr. Crothers stated that the basic concepts of land use planning called for further congestion of population and, therefore, further congestion in vehicular traffic while the considerations of air quality called for greater sparcity in the use of the automobile. It was Dr. Crothers' view that the resolution of this conflict was called for along with a clear demarcation between land use planning concerns and environmental air quality concerns. Mr. Vogt pointed out that the rule contained a provision for screening of applications by local land use planning authorities prior to Departmental review, a provision which, in his view, would afford the Department an opportunity to align itself with land use planning concerns.

It was MOVED by Mrs. Hallock, seconded by Dr. Phinney, and carried that the Indirect Source rule be amended as follows:

The Director's recommendation that the threshold moving the rule's jurisdiction from facilities of fifty and over to facilities of 100 and over would not be accepted. That is: that Section 20-115(2)(a)(i) not be adopted; Section 20-129(1)(b) not be adopted; and that the proposed amendment Section 20-030(9) add the following language:

"An Indirect Source construction permit application shall not be considered complete until the applicant has provided to the

Department evidence that the Indirect Source in question is not in violation of any landuse ordinance or regulation enacted or promulgated by a constitutive local governmental agency having jurisdiction over the subject real property."

Further, additional minor changes proposed for the clarification of the rule were adopted by the motion. These include:

- a) Section 20-110(10)(b) ("Facilities" capitalized);
- b) Section 20-110(14), line 3 (addition of the words "in designated Parking Spaces");
- c) Section 20-115(5) (renumbered to 20-115(3));
- d) Section 20-115(6) (renumbered to 20-115(4));
- e) Section 20-125(1)(a)(iv), line 1 (the deletion of the word "of" and the insertion of "and quantity of Parking Spaces at the Indirect Source and");
- f) Section 20-125(1)(a)(vii), line two (the deletion of the word "spaces"); and
- g) Section 20-129(1)(a)(vi), line 2 (the insertion of "concurrent with or" and also the insertion of a comma after "the result of").

Dr. Crothers voted against the above motion.

VARIANCE REQUEST RE: INTERNATIONAL PAPER (GARDINER KRAFT PULP MILL)

Mr. Charles Clinton presented the staff report along with the Director's recommendation that International Paper Company be granted a variance for lime kiln particulate emissions and smelt dissolving tank vent particulate emissions with an extension of the final compliance date for installation of the non-condensable gas incinerator. The final compliance demonstrations were as follows: For the lime kiln particulate, January 21, 1976; for the smelt tank particulate, March 1, 1976; and for the non-condensable gas incinerator, May 21, 1975. It was MOVED by Mr. Somers, seconded by Mrs. Hallock and carried that the variance request be granted in accord with the Director's recommendation.

DEMONSTRATION PROJECT FOR HIGH-OCCUPANCY VEHICLE LANES (BANFIELD FREEWAY)

Mr. Dick Vogt of the Department's Air Quality Division presented the staff report along with the recommendation that the Commission conceptually approve the Oregon State Highway Division's proposed Banfield Freeway (I-80N) High Occupancy Vehicle Lane Demonstration Project.

Mr. Somers heartily endorsed the project, while reiterating his view that the appropriate curtailment of ingress (7:00 a.m. to 9:00 a.m.) and egress (3:00 p.m. to 6:00 p.m.) on the freeway from town to Hood Village would be an appropriate manner of reducing congestion on the Banfield Freeway. This ingress and egress curtailment would not apply to buses, emergency vehicles, or other high occupancy vehicles. It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried that the Director's recommendation be approved.

STATUS REPORT: DEPARTMENT OF ENVIRONMENTAL QUALITY V. ZIDELL EXPLORATIONS, INC.

It was MOVED by Mr. Somers, seconded by Dr. Phinney, and carried that the Director's recommendation to set this matter for review on the agenda of the regularly scheduled Commission meeting of March 28, 1975 be approved.

VARIANCE REQUEST, BROOKS-SCANLON, INC. (BEND, OREGON)

The staff report regarding Brooks-Scanlon proposed a program for log handling in the Deschutes River and included the Director's recommendation that Brooks-Scanlon should be required to implement their January 1975 plan immediately and that October 1, 1975 be maintained as the completion date for the project.

Mr. Leo Hopper, speaking on behalf of Brooks-Scanlon, alluded to the revised plan of January 10, 1975 providing for removal of all log handling activities from the Deschutes River area. It was argued for the plan that several new concepts incorporated therein could result not only in superior water quality protection but in other environmental improvements. The plan demonstrated, in Mr. Hopper's view, time well spent since the October 25, 1974 Commission meeting.

Mr. Hopper went on to recommend that the Commission extend the compliance deadline for implementation of the plan until either December 31, 1976 or, in the alternative, at least six months after approvals are received from all required state and local agencies. Both the time involved in obtaining the above approvals and present economic conditions in the industry were cited as reasons for the extension request.

In response to Mr. Somers inquiry, Mr. Hopper conceded that none of the requisite permits had been applied for to date. He noted that the State Land Board, in consultation with the Game Commission, would be required to approve, along with the Deschutes County Planning Board (a zoning change would be required). Mr. Somers, noting that the request in issue had been mailed to the Department in January, inquired as to why the other agencies had not been presented with the requisite applications at that time. Mr. Hopper replied that application was not made because Brooks-Scanlon was awaiting Commission action on the instant application for a variance. Mr. McPhillips inquired of Mr. Hopper why Brooks-Scanlon was requesting a twenty-one month delay when it was possible to complete the project within six months after receiving all of the required agency approvals. He questioned whether it would take fifteen months to obtain the necessary approvals. In answer, Mr. Hopper stated that economic conditions made a twenty-one month extension desirable while the minimum requirement would be six months after all necessary approvals.

Mr. McPhillips noted his disappointment with the reasoning based on economics, recalling that when the log-handling problem was first encountered the lumber industry was healthy and Brooks-Scanlon was financially able to implement any reasonable plan. Without its history of procrastination in this matter, the Chairman felt Brooks-Scanlon would not presently be facing economic problems with regard to implementation of the log handling plan.

Noting that the Commission's patient indulgence herein dated back to November of 1967 and had been rewarded by undue inertia on the part of the applicant, Mr. Somers MOVED that the Director's recommendation be adopted and that no further extension be granted to Brooks-Scanlon absent a showing before the Commission of undue delays in agency processing of requisite approvals. The motion was seconded by Dr. Crothers and carried.

CLEAN FUELS POLICY

Chairman McPhillips ruled out further public comment on the Clean Fuels Policy (as well as public comment on any of the three Air Contaminant Discharge Permit applications for oil refineries) on the ground that the public hearing had been conducted and all interested parties had received ample opportunity to participate.

Mr. John Kowalczyk of the Department's Northwest Regional Office agreed with Mr. Somers' understanding that the Clean Fuels Policy would not be implemented until January 1979 and that a public hearing on the matter would be required by July 1, 1977. Mr. Somers noted that there was a substantial margin of time in which to review the Clean Fuels Policy between the present time and its effective date.

Mr. McPhillips noted that the Commission's information from the Federal Energy Office did not give cause for apprehension that federal allocation of low sulphur fuels would result in frustration of the purpose of the Clean Fuels Policy.

Mr. Somers added that, even after the rule's implementation in 1979, a variance procedure would be available in those cases where the rule proved inappropriate. Citing recent discoveries that atmospheric formation of particulates resulted from SO₂ emissions, Dr. Phinney inquired of Mr. Kowalczyk what the relative advantages in reduction of particulates were with low sulphur fuels as opposed to low ash fuels. Mr. Kowalczyk replied that sulphur, both in terms of source particulate emissions and in terms of atmospherically formed particulate emissions was a far more substantial culprit than either ash or nitrogen, though standards with regard to these latter two conditions were desirable.

In response to Dr. Crothers' inquiry Mr. Kowalczyk stated ash emissions to be primarily metallic in type and no larger than sulphate particulate emissions.

At Mrs. Hallock's request, Mr. Kowalczyk responded to the apprehensions of Mayor Goldschmidt and the Multnomah County Commissioners that a Clean Fuels Policy would have an economic impact more detrimental than was supposed by the Department. Mr. Kowalczyk, while conceding that the Department's economic analysis of the Clean Fuels Policy was not compendious, averred that sufficient information was available to the Department to justify its recommendation of the Clean Fuels Policy. Mr. Kowalczyk went on to state that the possible benefits both from decreased atmospheric corrosion and

soiling of property and from decreased health problems in the community should not go unnoticed in the evaluation of the Policy. He noted also that economic benefits from reduced transportation of high sulphur fuels to the metropolitan area were to be expected. The narrowing price gap between distillate and residual fuels was cited as market competition which could keep the price of low sulphur residual fuel in check in coming years. Mr. Kowalczyk alluded to a recent study indicating that the Chicago community had saved 23.4 million dollars as a result of its Clean Fuels Policy. Those savings were listed in terms of diminished damage to property and diminished health problems. It could be expected he noted, that by the July 1977 public hearing more complete economic data would be available with which to evaluate Mayor Goldschmidt's skepticism. Dr. Phinney welcomed the information in regard to Chicago's Clean Air Policy, lamenting the circumstance whereby savings are identified as too infrequent and seldom accompanying the ubiquitous references to the cost of abatement equipment required to effectuate environmental controls. Mr. Kowalczyk held open the possibility that future benefits of this nature in the Portland area could be identified with an appropriate study. Dr. Crothers, opining that a Clean Fuels Policy would be needed in all areas in the future, MOVED that the Clean Fuels Policy as recommended by the Director be adopted. The motion was seconded by Mr. Somers.

Addressing himself to Mayor Goldschmidt's suggestion that fuel burners in primary categories (schools, hospitals, etc.) be given less strict requirements than other users, Mr. McPhillips questioned the sagacity of "watering down" the Clean Fuels Policy during its genesis. In response to Dr. Phinney's inquiry, Mr. Underwood expressed doubt as to whether the Commission would have statutory authority to grant preference to users in primary categories. Mr. McPhillips went on to state that hospitals and schools caused pollution in their use of high sulphur fuels just as other users did. Mrs. Hallock questioned whether cheaper high sulphur fuel would be available even if a small group of variances were permitted in primary categories. Mr. Kowalczyk predicted availability of the dirtier fuels from Washington State in such a pass. The above-mentioned motion to adopt the Clean Fuels Policy was unanimously carried by the Commission.

AIR CONTAMINANT DISCHARGE PERMIT (COLUMBIA INDEPENDENT REFINERY, INC. (CIRI))

Mr. Kowalczyk noted that, in drafting the three oil refinery permits, the staff had acquiesced in Dr. Phinney's patient and persistent request for metric equivalents to measurements where appropriate. It was further noted that "barrels" were measured the same internationally. Dr. Phinney applauded the staff's effort.

Mr. Kowalczyk mentioned that minor changes would be incorporated into all three refinery permit proposals. He then presented staff's conclusion with regard to the Air Contaminant Discharge Permit application of CIRI.

Conclusions

1. Using emission tradeoffs from a new clean fuels rule to approve CIRI is not considered unconstitutional inasmuch as the entire community will derive significant air quality improvement and economic benefit.
2. The possibility of significant quantities of clean fuels produced by CIRI being burned outside of the State of Oregon appears very slim due to the relatively small quantity of fuel produced by CIRI and the economic penalty that would be encountered by long distance transport of these fuels out of the state when they could be used in the state. In addition, the proposed permit requires CIRI to make up to 10,000 bbls/day of 0.5% sulfur residual fuel oil available for use in the area.
3. Air Quality Standards which are projected to be met after completion of the Oregon Clean Air Implementation Plan will not be violated by CIRI when the facility becomes operational considering tradeoffs from the proposed Clean Fuels Policy and baseline or background air quality.
4. In the event CIRI air emissions would tend to be greater than now projected, alternative means are available to keep emissions to within projected levels (such as requiring CIRI to burn more of the cleaner fuels produced in the refinery).
5. Air Quality impact in North Portland as a result of CIRI emissions is not considered to be significant as air quality improvements from a Clean Fuels Policy should have maximum beneficial tradeoff effects in north and northwest Portland.
6. Best available waste water treatment and compliance with EPA discharge criteria will be assured through permit issuance and detailed plan review procedures once engineering plans are completed and submitted to the Department.

Water quality impact of CIRI is not considered significant since water pollution discharges are relatively small. The Department is not aware of any unique problems that may result from discharge of properly treated refinery wastewaters into the Willamette River.

7. The Department is unaware of any significant conflict that the CIRI project may have with planning agency guidelines and requirements. Specific planning agency siting criteria for refineries does not exist but would probably relate heavily to environmental factors which are the responsibility of the Department and the Commission and which have been thoroughly considered for the proposed CIRI project.
8. Minor changes in the proposed CIRI Air Discharge Permit have been made at the request of CIRI. These changes are considered reasonable to prevent unjustified costly requirements primarily in the area of monitoring air emissions and product quality. None of the changes affect emission limits or performance requirements.

Mr. Kowalczyk concluded with the Director's recommendation that the Air Contaminant Discharge Permit for the CIRI phase one facility, as slightly modified from the initial draft permit, be issued.

Mr. Kowalczyk drew the Commission's attention to CIRI's request that Section B, Paragraph 3, Subparagraph B (page 7) of the proposed permit be altered to allow the permittee to use distillate fuel oils containing not more than 0.3% sulphur by weight. Noting that this would increase the allowable sulphur weight by .2 of a percent, Mr. Kowalczyk went on to say that several product mixes would become available to the permittee under the requested limitation whose use would not be detrimental to air quality. On this ground, he recommended that the request be honored.

In response to inquiry from Mr. Somers, Mr. Kowalczyk conceded that, based on data currently available to the Department, the permittee's proposal would avail the permittee of 25% of the allowable pollution allocation in the Portland Metropolitan Special Air Quality Maintenance Area. He went on to note, however, that future modeling might reveal information indicating that the permittee would be using less than the 25%. On this basis, Mr. Somers opined, the Commission was being called upon to make not only an environmental decision but also an economic decision. Mr. Kowalczyk noted that the Department had granted what was projected to be 25% to Oregon Steel Mills and what was projected to be 15% of the allowable amount to Cooke Industries. Mr. Kowalczyk expressed the opinion to Dr. Crothers that the proposed permit would not be inconsistent with the Commission's policy with regard to allocating pollutants in the airshed.

Dr. Crothers then requested that the record show his opinion that the Commission was being thrust into the middle of a quarrel between planning agencies and charged with economic decision making beyond the Commission's appropriate activities. It was Dr. Crothers' view that, given such a task, the Commission ought simply to make its decisions to the best of its ability based on environmental considerations alone, leaving other considerations to planning agencies.

Commissioner Somers, noting that the Commission was "appropriating air" along the same fashion that water rights were appropriated in the country's developing years, expressed concern that the Commission was moving headlong into a position of entertaining applications which, in the aggregate, would leave no allocable airshed left. Should the Commission, he asked, adopt the position that he with the oldest permit has first rights to pollute the air? Recalling that in the September meeting the Commission had directed the Department to go ahead in processing five major permits in the airshed, Mr. Somers noted that the Commission was, in effect, adopting a policy similar to the above. He went on to state a need for adoption, by rule or otherwise, of a clearcut method for establishing priorities. Asked for his reaction to this position, Mr. Underwood stated this to be a problem to which the Commission was coming. Mr. McPhillips cautioned against undue delay in addressing the problem. Mr. Cannon noted the Department had no authority to consider permit applications in other than chronological order and had no authority to measure them against criteria other than those set forth by the Commission. Mr. Somers saw

in the offering a policy based on date of application and good faith diligence in processing permits. Mr. Kowalczyk noted that each of the permits in question before today's meeting had written into it a date limitation for its use. Mr. Somers requested that Mr. Underwood give this problem some thought for the next Commission meeting.

Mr. Cannon noted that he and Mr. Kowalczyk met with the Multnomah County Commissioners and discovered that the property upon which the applicant proposed to build his refinery needed no rezoning of any type in order to accommodate the proposed installation. He added that, prior to the commencement of construction, Multnomah County would have to issue a building permit. This, in Mr. Cannon's view, represented a lever which would give to the local agency an opportunity to exercise control over the economic development of the area, relieving the Commission of inappropriate concerns over economic development. Coordination between the various jurisdictions involved in project approvals was badly needed, Mr. Cannon stated. Mr. Somers noted that, historically, zoners had often called upon the Commission to block a project which conformed to requirements of their own making. While it was Mr. Underwood's view that the interim rule for the Portland airshed constituted a start in the direction of ordering priorities, Mr. Somers felt that this did not go far enough and understood the statutory authority as requiring the Commission to adopt rules which would guarantee fair and equal treatment to all those in the area requesting permits. Mr. Underwood noted that, while a rule on the subject of chronological priorities did not exist, practice and procedure of the Department had been to process in chronological order. He alluded to the compliance schedules within the permits as assurance that each permittee would proceed with diligence to use the allocation he had received. Mr. McPhillips concurred in the view that the Commission and the Department were constrained to entertain applications as they are received.

In reply to questions by Dr. Phinney, Mr. Kowalczyk noted that, while the CIRI installation would have flexibility of production, the ten thousand barrels per day of low sulphur residual fuel required by the proposed permit would come close to the maximum low sulphur residual fuel output. He noted that a lesser "barrels per day" figure appearing in an earlier staff report as the output of the proposed installation was an average of the low and high range of outputs projected by the applicant. He thought that the proposed installation would be capable of producing about thirteen thousand barrels per day as a maximum.

It was MOVED by Dr. Crothers, seconded by Dr. Phinney, and carried that the proposed Air Contaminant Discharge Permit for Columbia Independent Refineries, Inc. be issued with the modification recommended by the staff. Commissioner Somers voted against the motion. Commissioner Hallock noted that her vote in favor of the motion was done with reservation on the ground that, while in her view CIRI was a good firm, an oil refinery did not really belong in Rivergate. Commissioner Somers noted that, in his view, the installation was an example of best application but was proposed on the wrong site.

AIR CONTAMINANT DISCHARGE PERMIT (CHARTER ENERGY COMPANY)

Mr. Kowalczyk drew the Commission's attention to the staff report which recommended that the Air Contaminant Discharge Permit for Charter Energy Company, slightly modified since the last EQC meeting, be issued.

In response to inquiry by Mr. Somers, Mr. Kowalczyk agreed that the proposed facility in question was outside of any critical air quality area. Mr. Kowalczyk noted, however, that federal requirements with regard to Significant Deterioration actually imposed cleaner air standards on the Charter facility than would be required for the CIRI facility.

It was Charter's contention, Mr. Kowalczyk reported, that to reach the desired fifty-two thousand four hundred barrels per day over a yearly average, the facility would have to be allowed up to fifty-six thousand four hundred barrels per day as a maximum rate for any given day. This provision would be necessary in view of the predicted two to three week yearly shut down of the installation. It was staff's view that, with the proper fuel mix, this increase over the proposed daily maximum of fifty-two thousand four hundred barrels could be permitted without incurring violation of the permit conditions or of ambient air standards. If adopted, this proposal would result in amendments to pages one and three of the proposed permit with regard to allowable monthly average crude oil processing capacity (Section A, Special Condition #7). It was MOVED by Mr. Somers, seconded by Dr. Crothers, and carried that the proposed Air Contaminant Discharge Permit of Charter Energy Company be issued with the modifications recommended by the staff.

AIR CONTAMINANT DISCHARGE PERMIT (CASCADE ENERGY, INC.)

Mr. Kowalczyk called to the Commission's attention the staff report and conclusions with regard to the proposed permit.

Dr. Crothers noted that the Department and the applicant remained in disagreement over certain terms of the proposed permit and questioned whether the Commission should act on a proposal which had not been deemed acceptable to the applicant. Further, Dr. Crothers noted, he was not satisfied with Mr. Odell's testimony with regard to the problems to be encountered when the refinery was operating close to a nearby bluff with private dwellings on it. Mr. Kowalczyk summarized the history of this application, indicating that a second modeling done by the applicant indicated lower emissions around the plant site and higher emissions on the hillside. In view of this, it was staff's position that the applicant should proceed with tighter restrictions than were desired by the applicant and conduct meteorological monitoring at the plant site to provide data on which to base future permit conditions. Mr. Odell, the applicant's engineering representative, was cited as in disagreement with the staff about the results to be expected from plant site monitoring. Noting the futility of Commission action on an application unacceptable to the applicant, Dr. Crothers MOVED that the matter be deferred until such time as the

disagreement between the applicant and the Department either came to impasse or resolution. His motion was seconded by Dr. Phinney. Mr. McPhillips referred to a letter from International Paper Company in which concern was expressed regarding the effect of the two proposed refineries in Columbia County on the Longview airshed of the Washington side of the river. Mr. McPhillips' response was to assure the writer that no action taken by the Commission could be expected to worsen the present state of deterioration of the Longview airshed.

The Commission was recessed for luncheon.

PUBLIC HEARING RE: PROPOSED RULES ON OPEN BURNING

Chairman McPhillips noted the outset that the rules under discussion did not pertain to field burning. He stated that the record would be open for ten days after the hearing in order to afford those interested an opportunity to submit written materials to the Commission on the proposed rules.

Mr. Doug Brannock of the Department's Air Quality Division gave the staff report. He noted that, under current rules, open burning of land clearing debris within most Special Control Areas of the state and open burning of domestic waste in Clackamas, Columbia, Multnomah, and Washington Counties was prohibited after July 1, 1974. Mr. Brannock stated that, at the request of several governmental agencies, the Director recommended a variance to the rules for 120 days to allow the burning of domestic wastes in sections of Columbia, Clackamas and Washington Counties. This variance was granted, Mr. Brannock reported, in action taken by the Commission on June 21, 1974. The proposed rules now subject to a public hearing were drafted to resolve previous valid objections, he explained. The Commission was told the rule would consolidate all rules pertaining to non-agricultural open burning in a single section of the Oregon Administrative Rules. In addition it was noted that the rule would extend cut-off dates for open burning of certain domestic wastes in the four-county metropolitan area, extend the time allowed for burning of yard cleanup materials, prohibit burning of land clearing debris within population centers of the Willamette Valley, allow burning of land clearing debris elsewhere in the state subject to EQC authority to issue daily burning classifications, provide "Emergency Conditions" handling of problems caused by log jams, storms, etc., expand the definition section, and provide an open burning policy statement. It was noted that at least two parties had requested that a hearing be conducted in the Portland area prior to the adoption of any Open Burning Rule affecting that area.

Mr. Brannock presented the staff's recommendation that the proposed rules be adopted subject to any testimony entertained by the Commission. Mr. Brannock went on to state that the staff agreed with the State Forester's proposal that section 20-050 of the rule has a Paragraph (6) added to it reading: "Burning on forest land permitted under the Smoke Management Plan filed pursuant to ORS 477.515."

The Commission's attention was called to the petition by several residents of Vernonia, Clatskanie, and Rainier school district to have their area excluded from the definition of Willamette Valley and from the Special Control Area designation in the proposed rule. In response to inquiry from Mr. McPhillips, Mr. Brannock indicated that orchard trimmings were subject to agricultural burning rules and would be subject to the proposed Open Burning Rule only in the case of a limited number of trees in conjunction with a single family dwelling.

Mr. Stewart Wells of the State Forestry Department addressed the Commission expressing satisfaction with the staff recommendation that the rule specifically permit burning pursuant to a Smoke Management Plan under ORS 477.515. Mr. Wells noted for the benefit of Commissioner Somers that, absent the paragraph proposed by staff, the rule would not affect burning under the Smoke Management Plan and explained that the change in wording was requested simply for the purposes of clarification. Mr. Somers asked whether Mr. Wells expected an increase in alternative uses of slash to avoid the necessity of its being burned in the open. Mr. Wells replied that good strides in this area were being made prior to the current slump in the lumber industry and that he hoped more progress would occur in the future.

Mr. Ray Wiley of the Oregon Environmental Council cautioned the Commission against relaxing standards below those required by the state's Implementation Plan, argued that during the previous ban on open burning ample time had been allowed for the development of alternatives, and beseeched the Commission not to pull threads from the fabric of the state's clean air provisions.

Mr. McPhillips called to the Commission's attention the position of Representative Dick Magruder of Columbia County. Representative Magruder, by letter, urged the Commission not to restrict open burning in Columbia County, not to regard Columbia County as a suburb of Portland, and not to restrict the right to burn land clearing debris in Columbia County. Chairman McPhillips noted that other individuals and groups from Columbia County had asked not to be included within the same rule restrictions applied to Multnomah County.

Mr. Fred Foshaug of the Columbia County Board of Commissioners opined that ninety-eight percent of the population of Columbia County was in accord with the above position and noted that Columbia County's principal pollution problem had its source across the river in Longview, a circumstance which would tend to nullify the benefits to be gained by open burning restrictions applying to Columbia County itself. He stated that the prevailing winds rendered very seldom those occasions on which open burning in Columbia County would have a detrimental effect on the airshed over Multnomah County.

The Columbia County Board of Commissioners had urged by letter that Columbia County, except for St. Helens, was not in need of open burning restrictions.

Since he had another engagement, Chairman McPhillips at this point turned the meeting over to Vice Chairman Crothers.

Mr. Jeffrey Goltz, attorney for the Camran Corporation in Seattle, addressed the Commission. He noted that the Commission had received written materials from his firm and added to them additional comment dealing with what, in his opinion, constituted a potential legal problem connected with the proposed rule on open burning. He alluded to a recent decision of the Washington Pollution Control Hearings Board in the State of Washington which held that there are alternatives to open burning which are less harmful to the environment and economically feasible. Mr. Goltz opined that more alternatives to open burning would appear on the market place if given the incentive of rules restricting open burning. Mr. Goltz went on to say that Oregon enjoyed a position of leadership in the field of environmental protection which would be diminished by relaxation of the Open Burning Rules. He agreed to make himself available to Commission counsel to discuss any questions that might arise with regard to the materials submitted.

Mr. Ray Weholt of the Camran Corporation presented the Commission with a written statement and addressed the Commission with his concerns. He stated the Camran Corporation to be in the field of providing technology which was of public interest, and thus to be divorced from industry in general in its overall interests. He noted, however, that his presence before the Commission was not for the purpose of selling Camran Corporation's alternative to open burning. For the benefit of Dr. Crothers, he described Camran Corporation's system as a relatively simple system which maintained the burning temperature at approximately fifteen hundred degrees and provided proper ventilation. The system, he reported, was easily moved to job sites. Referring to a clearing job which was bid in the Rogue River Basin Special Control Area after July of 1974, Mr. Weholt noted that the original bids were based on performance through open burning while subsequent bids were based on performance through alternatives to open burning. The price differential was reported to have been less than a hundred dollars per acre for the differing bids on the twenty-two hundred acre clearing task. Faced with the additional expense in eliminating waste, the contractor on that job, Mr. Weholt reported, merchandised more of the waste than he otherwise would have, providing resource recovery beneficial to the economy. Recovered resources totaled twenty million board feet of timber in Mr. Weholt's estimation and were augmented by five additional man-years of federally funded Oregon labor. In addition twenty million pounds of pollutants were said to have been prevented. In response to inquiry by Dr. Crothers, Mr. Weholt opined that, under the proposed rule, open burning of the aforementioned twenty-two hundred acre project in the Rogue River Basin would have been permitted.

Mr. Brannock noted that under the proposed rule open burning of land clearing debris in any area would still remain subject to the daily burning classification requirements. Addressing Dr. Crothers curiosity as to whether restriction of open burning in the Willamette Valley and

relaxation of the requirements elsewhere would result in increased application of systems such as that of Camran Corporation, Mr. Brannock noted that little or no open burning takes place in the Willamette Valley due to restrictions imposed by the Mid-Willamette Valley Air Pollution Authority.

Mrs. Hallock questioned whether the rule was geared to the convenience of large land clearing operators and away from concerns of air quality and resource recovery. Mr. Weholt reported that, while there was no technology available to deal with the problem of the small backyard burner, the technology was available to abate the problem of open burning on a large scale. He noted that, while his system did not involve resource recovery, the cost of using it made resource recovery desirable, providing incentive for land clearers to engage therein. Mr. Brannock affirmed Mr. Somers' impressions that the Rogue and Umpqua Basins were within the rule's Special Control Areas but were not within the rules Special Restricted Areas. Mr. Somers noted that the rule would permit the burning of domestic wastes in Special Control Areas until July 1, 1977. Mr. Cannon, dealing with the problem of land clearing debris burning, noted that the primary thrust of the rule was to relax land clearing debris burning restrictions in areas of the state outside of the population centers of the Willamette Valley and the Portland metropolitan area. It was then conceded that, under the rule as proposed, the twenty-two hundred acre project to which Mr. Weholt previously alluded could be open burned. Dr. Crothers expressed curiosity as to why the Rogue River basin would suddenly become an airshed with no problems and, conversely the Willamette Valley would suddenly become a problem area. He wished to know why Medford was neglected in the rule simply because it did not lie in the Willamette Valley. Mr. Rich Reiter, Administrator of the Department's Southwest Regional Office, was asked to comment on this circumstance. He explained that, asked for views on the rule formation, he was concerned by the difficulty in enforcing open burning restrictions in the Southwest Region. Slash and agricultural burning were cited as major sources which were not under control at the present time. Mr. Reiter decried the inconsistency in controlling small sources emitted by small private land clearing operations while gross sources went uncontrolled. It was Mr. Somers' view that the Commission lacked jurisdiction to deal with slash burning on government lands and with agricultural burning. He opined that the problem should be brought to the attention of legislators by the residents in the area. Dr. Crothers cautioned that "a foolish consistency is the hob goblin of small minds". Mrs. Hallock reminded Mr. Reiter that the policy statement in the rule included emphasizing resource recovery and encouraging the development of alternative disposal methods. Mr. Reiter contended that, while other considerations were involved, air quality was the primary consideration. He went on to contend that the population concentrations in the Rogue and Umpqua Valleys were differing from those in the Willamette Valley and requiring of different regulations. Dr. Crothers suggested that it might be appropriate to restrict open burning only in the Population Centers of the Rogue and Umpqua Valleys. Mr. Reiter found this suggestion unobjectionable but predicted that its impact would be minimal as, in his estimation, very little open burning takes place in the Population Centers of the Rogue and Umpqua Valleys.

Mr. Somers noted the irony of restricting the plywood industry's source emissions to ten percent opacity in an area where gross open burning sources go unchecked. He inquired as to whether the Commission would have jurisdiction to deal with the slash burning problem through a Class I designation of the affected forest areas. Mr. Patterson responded that the baseline data for such a classification was gathered in 1974, a time during which slash burning of a magnitude similar to the present slash burning was conducted routinely. Mr. Reiter concluded that something ought to be done to deal with the gross sources first, bringing the Commission's attention to the historical fact that the Commission had always proceeded against the gross sources first, making it easier to enlist public support for subsequent control of lesser sources. In response to questions by Mr. Somers, Mr. Cannon and Mr. Reiter agreed that the exemption of the burning of forest slash was a matter of state law and that ownership of the land did not play in the determination of jurisdiction. It was noted that in the twenty-two hundred acre project to which Mr. Weholt alluded, the initial determination was that it was a "forestry operation," a determination succeeded by a later decision that, forestry operation or not, land clearing (not slash burning) was involved. It was this latter aspect which brought the matter under the Department's jurisdiction.

Responding to Dr. Crothers' inquiry, Mr. Weholt stated that the solution to backyard burning would have to begin with restrictions which would pose an incentive to the installation of devices which could receive wastes for burning in given areas.

Mr. Weholt went on to say that in Washington and Oregon the U.S. Forest Service burns enough wood waste each year to supply over fifty percent of the needs of the pulp and paper industry. He guaranteed that the U.S. Forest Service would never do any better on its present budget and with the present laxity in the rules.

Mr. Somers and Dr. Crothers agreed that increased restrictions over slash burning should be sought.

Finally, Mr. Weholt suggested to the Commission that section 23-040(4) of the proposed rule, entitled Land Clearing Debris be amended by the deletion of sub-paragraphs A-D.

In response to Mrs. Hallock's inquiry, Mr. Cannon noted that the staff would evaluate whether it were desirable to hold further hearings on the Open Burning Rule in the Portland area as was requested by several parties.

The hearing was closed.

There being no more business before the Commission, Dr. Crothers adjourned the meeting.

MINUTES OF THE SIXTY-SIXTH MEETING

of EQC

February 28, 1975

APPENDIX A

Water Quality Control - Water Quality Division (21)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-2-75	Central Pt.	Hall Subn Sewers (revised plans)	Prov. Approval
1-3-75	USA (Durham)	C.O. No. 1 STP Contract	Approved
1-6-75	Madras	C.O. No. 1 STP Contract	Approved
1-8-75	Portland	C.O. No. 2 STP Contract	Approved
1-8-75	Florence	Replat of Lot 303 - Greentrees-Sewers	Prov. Approval
1-20-75	Toledo	Water Treatment Plant Sewer	Prov. Approval
1-20-75	Metolius	C.O. No. 1 - STP Project	Approved
1-20-75	Hood River	Contract Documents - Sludge Truck Acquisition	Prov. Approval
1-20-75	USA (Beaverton)	Sr. Adult Leisure Center Sewer	Prov. Approval
1-20-75	Corvallis	Contract Documents - Comminutor	Prov. Approval
1-24-75	Josephine Co.	Revised Plans - South Allen Creek Sewer	Prov. Approval
1-24-75	North Bend	Newark St. & Donnelly - Lombard St. Sewers	Prov. Approval
1-27-75	Yachats	C.O. #8 STP Contract	Approved
1-28-75	Coos Bay	C.O. #2 STP (#1) Contract	Approved
1-28-75	Portland	C.O. #9 STP Contract	Approved
1-28-75	Gresham	C.O. #1,2&3 STP outfall Contract	Approved
1-28-75	Portland	C.O. #1 - Grit Facilities Willow Creek Int. Sewer - Sect. 3	Approved
1-28-75	Corvallis	N.W. 9th St. Sewer (#175)	Prov. Approval
1-29-75	Astoria	C.O. No. 10 STP Project	Approved
1-29-75	Salem (Willow Lake)	Sludge Truck Purchase Contract Documents	Prov. Approval

Water Quality Control -Water Quality Division - Industrial Projects

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-6-75	Clackamas Co.	Yoder Twin Silo Farms - Manure Control & Disposal Facilities	Prov. Approval
1-7-75	Clackamas Co.	Mr. James Madsen - Manure Control & Disposal Facilities	Prov. Approval

Water Quality Control - Northwest Region (14)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-2-75	USA (Tigard)	S.W. Landlover Sanitary Sewer System	Prov. Approval
1-3-75	Portland	N.W. Front Ave. Sanitary Sewer System	Prov. Approval
1-7-75	CCSD#1	Woods Terrace Subdivision Sanitary Sewer System	Prov. Approval
1-15-75	CCSD #1	Brekke's Addition	Prov. Approval
1-15-75	USA (Denny Rd.)	E.J. Cole Sanitary Sewer extension near S.W. 88th & S.W. Jamieson	Prov. Approval
1-20-75	Salem (Willow)	Battlecreek Estates Sanitary Sewer System	Prov. Approval
1-20-75	USA (Tigard)	Terrace Trails Sanitary Sewer System	Prov. Approval
1-20-75	USA (Aloha)	Cross Creek No. 4 Sanitary Sewer System	Prov. Approval
1-20-75	East Salem Sewage & Drainage Dist #1	Wagon Rd. Estates C.O. (Sub. A. C. Pipe in lieu of Armco Truss Pipe)	Approved
1-23-75	USA (Tigard)	Farmers Ins. Group Office Park Sanitary Sewer System	Prov. Approval
1-23-75	Salem	Glen Creek Trunk-Phase II Proposal	Submitted to Marion-Polk Co. Local Gov. Boundary Commission
1-28-75	Salem (Willow)	Sanitary Sewer Trunkline - Railroad Trunk - Phase II	Prov. Approval
1-28-75	Woodburn	Lincoln Street Sanitary Sewer System	Prov. Approval
1-28-75	Wood Village	N.E. Sandy Rd.-off N.E. 238 Drive Sanitary Sewer System	Prov. Approval

Water Quality Control - Industrial Projects - Northwest Region

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1- -75	Dallas	Animal Waste Disposal System & Holding Tank for Joe Brateng	Approved
1- -75	McMinnville	Linfield College Boiler Room Drainage System	Reviewing-Completion prior to 3/1/75
1- -75	Brooks	Stayton Canning Co. Wastewater Irrigation System	Reviewing-Completion Prior to 3/1/75
1- -75	Stayton	Stayton Canning Co. Wastewater Irrigation System	Reviewing-Completion Prior to 3/1/75
1- -75	Astoria	Astoria Fish Factors Permit requirements/ Sewer Connect	Reviewing-Completion Prior to 3/1/75
1-6-75	Hammond	Point Adams Packing Co. Waste-	Reviewed and more
1-15-75	Wilsonville	water Screening Process	Information Requested
1-15-75		Joe Bernert Towing Co. Gravel Plant Recycling Water and Operation Modification	Reviewed and notified To Submit Engineering Plans on Approved Concept
1-14-75	Warrenton	Pacific Shrimp, Inc. Wastewater Screening & Discharge System	Reviewing-Completion Prior to 3/1/75

Air Quality Control - Air Quality Division

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-2-75	Jackson	Timber Products Co. Source Test on Boiler	Approved
1-6-75	Deschutes	Brooks Willamette, Bend Source Test on Dryers, Boilers & Roof Vents	Approved
1-6-75	Multnomah	Argay Square - 154 space shopping Center Parking Facility	Req. Additional Information
1-10-75	Multnomah	Pietro's Pizza Parlor-108 Space Joint Use Parking Facility	Approved With Conditions
1-13-75	Multnomah	Jantzed Beach Village Apartments 108 Space Residential Park. Fac.	Approved With Conditions
1-14-75	Multnomah	Shilo Inn-53 Space Motel Parking Facility	Completed Preliminary Evaluation
1-16-75	Multnomah	Sommerwood-588 Space Residential Parking Facility	Approved With Conditions
1-21-75	Umatilla	Babler Bros.-Source Test on Asphalt Plant	Approved
1-21-75	Klamath	Weyerhaeuser Co.-Source Test on hog Fuel Boiler	Approved
1-23-75	Multnomah	Tri Met-75 Space Bus Parking Facility	
1-24-75	Multnomah	Mt. Hood Comm. Col. Marycrest 450 Space Modification to Park. Facility	Req. Additional Information
1-24-75	Lincoln	Farwest Paving, Waldport-Source Test Report on Asphalt Plant	Approved
1-24-75	Deschutes	Deschutes Ready Mix Sand & Gravel Source Test on Asphalt Plant at Princeton	Approved
1-27-75	Deschutes	Brooks Willamette, Bend Plant Emission Test Report	Req. Additional Information
1-27-75	Klamath	Weyerhaeuser Co.-Source Test on Boiler	Rejected
1-28-75	Coos	Coos Co. Rd. Dept. Source Test Report on Asphalt Plant	Approved
1-28-75	Lake	Fremont Sawmill-Source Test Rep. on Hog Fuel Boiler	Approved
1-29-75	Clackamas	Fred Meyer Home Improvement Ctr. Modification of Existing Facility	Completed Preliminary Evaluation
1-29-75	Multnomah	No Change in Number of Spaces 1st Church of the Open Bible-31 Space Add. to Existing Facility	Completed Preliminary Evaluation
1-30-75	Coos	Georgia Pacific Corp.-Source Test on Hog Fuel Boiler	Approved
1-30-75	Baker	Ore. Portland Cement- Notice of Construction of Electrostatic Precipitator on Kiln 2 and Bag House on Finish Grind Dept.	Approved

Air Quality Control - Northwest Region

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-8-75	Clackamas	Hall Process Co. Pipe Coating & Wrapping	Reviewing Submitted Information
1-13-75	Multnomah	Cargill, Inc.-Control of Barge Unloading & Ship Loading Fac.	Drafting Approval Letter
1-20-75	Clackamas	Caffall Bros. Const. Portable Rock Crusher	Accepted for Filing 1-23-75
1-27-75	Multnomah	Chevron Asphalt Co. Crude Oil Storage Tank	Awaiting Additional Information on Storage Tank Specifications

Land Quality - Solid Waste Management Division

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
1-2-75	Crook County	Crook Co. Sanitary Landfill Existing Site-Operational Plan	Approved
1-9-75	Lane County	Marcola Transfer Station-New Site Construction & Operational Plans	Approved
1-17-75	Douglas	Tiller Transfer Station New Site Construction & Operational Plans	Approved
1-17-75	Morrow County	Eastern Ore. Farming Company	Letter



ENVIRONMENTAL QUALITY COMMISSION

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KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item B, March 28, 1975 EQC Meeting
February 1975 Program Activity Report

During the month of February staff action with regard to plans, permits specifications, and reports was as follows:

WATER QUALITY

1. Domestic Sewage: Activity with regard to one hundred forty six (146) matters was undertaken as follows:

WATER QUALITY DIVISION - 126 (see Attachment One)

Approval was given thirty six (36) plans.

Conditional Approval was given fourteen (14) plans.

Issued were seventeen (17) NPDES Permits.

Pending are various permits whose status is set forth in Attachment One-A.

NORTHWEST REGION - 46 (Attachment two)

Approval was given to twelve (12) plans.

Forwarded to the Port-Metro Boundary Committee was one (1) plan.

Issued were eight (8) NPDES Permits

Pending are seven (7) plans and eighteen (18) permit applications.

2. Industrial Sewage: Activity with regard to sixty four (64) matters was undertaken as follows:

WATER QUALITY - 50 (Attachment One-B)

Approval was given to two (2) plans.

Issued were forty seven (47) NPDES Permits.

Pending are one (1) plan and various permits as set forth in Attachment One-A.

NORTHWEST REGION - 14 (Attachment Two)

Approval was given to ten (10) plans.

Pending are four (4) plans.

AIR QUALITY

Pollution Control and Indirect Source Projects: Activity with regard to eight hundred thirty nine (839) matters was undertaken as follows:

AIR QUALITY DIVISION - 288 (Attachment Three)

Approval was given to four Indirect Source plans, and nine (9) Stationary Source plans.

Issued were one (1) Indirect Source permit and eleven (11) Industrial Source permits.

Pending are four (4) Indirect Source plans, six (6) Stationary Source plans, and two hundred fifty three (253) Industrial Source permit applications.

NORTHWEST REGION - 551 (Attachment Four)

Approval was given to six (6) Stationary Source plans.

Issued were three (3) permits and four (4) addendums.

Pending are eleven (11) Stationary Source plans and five hundred twenty seven (537) Permit applications.

SOLID WASTE MANAGEMENT

Activity with regard to five hundred two (502) matters was undertaken as follows:

LAND QUALITY - 489 (Attachment Six)

Approved was one (1) plan.

Issued were two (2) permits and one (1) permit amendment.

Pending are three hundred twenty three (323) permits and one hundred sixty two (162) plans.

NORTHWEST REGION - 13 (Attachment Five)

Issued were two (2) permits for General Refuse facilities, and one (1) permit for Industrial Solid Waste Disposal.

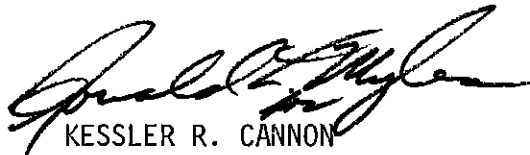
Pending are applications for five (5) General Refuse facilities, three (3) Demolition Solid Waste Disposal facilities, and two (2) Industrial Solid Waste Disposal facilities.

DISCUSSION

We have set forth the workload and current status of matters pending for the Commission's information. As is indicated in the attachments, staff has adopted what is considered to be reasonable scheduling for the disposition of pending matters.

DIRECTOR'S RECOMMENDATION

It is the Director's recommendation that the Commission give confirming approval to the staff action on plans and permits for the month of February, 1975.


KESSLER R. CANNON
Director

Month of February, 1975

Water Quality Control DivisionMunicipal Sewerage Projects:

(Plan Actions Completed - 50)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Lane	Springfield - S. 42nd St. San. Sewer	2-7-75	Prov. Approval
Umatilla	Hermiston - San. Sewer Projects - S-3, S-4, S-5, S-6	2-13-75	Prov. Approval
Umatilla	Hermiston - Underwood Addition San. Sewer	2-13-75	Prov. Approval
Douglas	Winchester Bay - C.O. #2 STP Project	2-14-75	Approved
Douglas	Winston - Winston Shopping Center Sewer	2-14-75	Prov. Approval
Jackson	BCVSA - Patio Village Subdn. Sewer	2-14-75	Prov. Approval
Washington	USA (Beaverton) - Cresmoor Lift Station By-pass	2-14-75	Prov. Approval
Jefferson	Metolius - C.O. #2 STP Contract	2-18-75	Approved
Sherman	Rufus - C.O. #1 & 2 STP Contract	2-18-75	Approved
Multnomah	Wood Village - C.O. #4 thru 17 - Int. Contract	2-18-75	Approved
Multnomah	Mult. Co. - Inverness STP - Sludge, Receiving Facility	2-19-75	Prov. Approval
Benton	Corvallis - Mason Place Sewer Lateral	2-19-75	Prov. Approval
Tillamook	NTCSA - Sch. I - 3 C.O.; Sch. II - 2 C.O.	2-19-75	Approved
Marion	Salem (Willow Lake) - Addendum #1 - Sludge Truck Contract	2-20-75	Approved
Douglas	Winchester Bay - C.O. #1 STP Contract & C.O. #1 - Sewer Contract	2-20-75	Approved
Josephine	Grants Pass - C.O. Nos. 1 - 10 STP Contract	2-20-75	Approved
Multnomah	Mult. Co. - Inverness Int. Unit 6-A	2-21-75	Prov. Approval
Douglas	Reedsport - Reedsport Real Estate Property Sewer	2-21-75	Prov. Approval
Curry	Harbor S. D. - Sewerage System	2-21-75	Prov. Approval
Deschutes	Bend - St. Charles Hospital San. Sewer	2-24-75	Prov. Approval
Jackson	Rogue River - Cedar Rogue Apts. - Sewage Holding Facilities	2-25-75	Prov. Approval

Water Quality Plan Action

ATTACHMENT ONE

Month of February, 1975

(Actions Pending - 12)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Baker	Huntington - Disinfection Facilities	1-16-75	Revision required by letter (Dated January 27, 1975).
Jefferson	Culver - Sewers & STP	1-20-75	Revision required by letter (Dated February 29, 1975).
Harney	Hines - Pump Station & Disinfection Facilities	1-24-75	Revision required by letter (Dated February 21, 1975).
Curry	Harbor S. D. - Holly Lane Sewer	2-4-75	Held pending construction of Harbor S. D. System response (Dated February 19, 1975).
Douglas	Spendthrift Mobile Park STP	2-14-75	Waiting for Field Office input.
Clackamas	Clackamas County S. D. #1 Interceptors Phase IV (Preliminary Plans)	2-2-75	Review to be completed upon submission of final plans.
Curry	Brookings - Harbor Interceptor Sewer (Preliminary Plans)	2-24-75	Under Review
Grant	Prairie City - Interceptor Sewer	2-14-75	Under Review
Marion	Labish Village Sewerage System	2-21-75	Under Review
Jackson	Medford - Black Stone Subdivision	2-21-75	Under Review
Coos	North Bend - Public Sewer Extension to serve Redeemer Church	2-21-75	Under Review
Multnomah	Inverness Interceptor Sewers Phases 6-B & 6-C	2-26-75	Under Review

Water Quality Permit Action

Month of February 1975

Water Quality Control DivisionMunicipal Sources:

Permits Issued - 17 NPDES

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Josephine	City of Cave Junction OR-002833-9	2-18-75	NPDES Issued
Columbia	City of Clatskanie OR-002023-1	2-12-75	NPDES Issued
Jackson	City of Eagle Point OR-002229-2	2-12-75	NPDES Issued
Union	City of Elgin OR-002243-8	2-12-75	NPDES Issued
Marion	City of Jefferson OR-002045-1	2-18-75	NPDES Issued
Marion	City of Mt. Angel OR-002876-2	2-23-75	NPDES Issued
Clackamas	D & R Development Company (Mt. Hood Golf Club Terrace) OR-002738-3	2-23-75	NPDES Issued
Clackamas	Bowman's Mt. Hood Resort OR-002745-6	2-18-75	NPDES Issued
Union	City of North Powder OR-002240-3	2-12-75	NPDES Issued
Multnomah	Port of Portland (Ship Repair Yard) OR-002294-2	2-12-75	NPDES Issued
Douglas	City of Riddle OR-002063-0	2-23-75	NPDES Issued
Douglas	City of Riddle (Water Filtration Plant) OR-002121-1	2-12-75	NPDES Issued
Douglas	City of Sutherlin OR-002084-2	2-18-75	NPDES Issued
Jackson	City of Talent OR-002085-1	2-12-75	NPDES Issued
Washington	USA of Washington County (Cedar Hills Treatment Plant) OR-002760-0	2-12-75	NPDES Issued
Washington	USA (Sunset Valley Plant) OR-002009-5	2-12-75	NPDES Issued
Douglas	City of Yoncalla OR-002296-9	2-23-75	NPDES Issued

Water Quality Permit Action

Month of February 1975

Water Quality Control DivisionIndustrial and Municipal Sources:

Applications Pending - 398 NPDES; 42 State

<u>Location</u>	<u>Source</u>	<u>Date of Initial Application</u>	<u>Date of Completed Application</u>	<u>Status</u>
Various	70 NPDES Permits	Various	Various	Not yet drafted
Various	30 State Permits	Various	Various	Not yet drafted
Various	107 NPDES Permits	Various	Various	Pencil draft
Various	7 State Permits	Various	Various	Pencil draft
Various	45 NPDES Permits	Various	Various	Applicant review
Various	5 State Permits	Various	Various	Applicant review
Various	85 NPDES Permits	Various	Various	Public notice
Various	91 NPDES Permits	Various	Various	EPA Final Review

NOTE: All permits are scheduled for drafting by March 31 with issuance to be completed by June 30, 1975.

Water Quality Permit Action

Month of February 1975

Water Quality Control DivisionIndustrial Sources:

Permits Issued - 47 NPDES

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Ameron Pipe Products OR-002207-1	2-12-75	NPDES Issued
Clatsop	Astoria Fish Factors OR-000110-4	2-12-75	NPDES Issued
Multnomah	Atlantic (Linnton) OR-000114-7	2-23-75	NPDES Issued
Clackamas	Avison Lumber Company OR-002877-1	2-23-75	NPDES Issued
Coos	Bandon Fisheries, Inc. OR-002140-7	2-12-75	NPDES Issued
Curry	Blanco Fisheries, Inc. OR-000021-3	2-12-75	NPDES Issued
Curry	Brookings Plywood OR-000195-3	2-18-75	NPDES Issued
Jackson	Eagle Point I. D. OR-002677-8	2-12-75	NPDES Issued
Coos	Eureka Fisheries OR-000205-4	2-12-75	NPDES Issued
Lincoln	Fish Commission (Alsea) OR-002711-1	2-12-75	NPDES Issued
Tillamook	Fish Commission OR-002712-0	2-18-75	NPDES Issued
	(East Fork Trask)		
Clatsop	Fish Commission OR-002714-6	2-18-75	NPDES Issued
	(North Nehalem)		
Tillamook	Fish Commission (Trask) OR-002716-2	2-18-75	NPDES Issued
Washington	City of Forest Grove OR-002309-4	2-12-75	NPDES Issued
	(Forest Grove Filter Plant)		
Washington	GAF (Hall Blvd.) OR-002227-6	2-12-75	NPDES Issued
Coos	G.P. (Coquille-Ply) OR-000143-1	2-12-75	NPDES Issued
Umatilla	Hermiston I. D. OR-002805-3	2-18-75	NPDES Issued
Multnomah	Kaiser Cement & Gypsum OR-000161-9	2-12-75	NPDES Issued
	(Portland)		
Coos	Lakeside Water Dist. OR-002254-3	2-18-75	NPDES Issued
Multnomah	Linnton Plywood Assoc. OR-002141-5	2-12-75	NPDES Issued
Malheur	Malheur Drainage Dist. OR-002386-8	2-12-75	NPDES Issued
Marion	Mallorie's Dairy, Inc. OR-002669-7	2-12-75	NPDES Issued
Jackson	Medford I. D. OR-002652-2	2-12-75	NPDES Issued
Jackson	Medford Water Comm. OR-000204-6	2-12-75	NPDES Issued
Lincoln	City of Newport WTP OR-002249-7	2-12-75	NPDES Issued
Yamhill	Norpac (Dundee) OR-002166-1	2-18-75	NPDES Issued
Malheur	Ore-Ida Foods OR-000240-2	2-12-75	NPDES Issued
Douglas	Oregon Water Corp. OR-000218-6	2-18-75	NPDES Issued
	(Winchester)		
Multnomah	Pacific Resins (Ptld.) OR-000229-1	2-18-75	NPDES Issued
Columbia	PGE (Trojan Nuclear) OR-002345-1	2-28-75	NPDES Issued
Clatsop	Point Adams Packing OR-000086-8	2-12-75	NPDES Issued
Coos	Qualman Oyster Farms OR-002331-1	2-18-75	NPDES Issued
Douglas	Roberts Creek W. D. OR-002293-4	2-23-75	NPDES Issued
Jackson	Rogue River Valley OR-002676-0	2-12-75	NPDES Issued
Malheur	Skyline Farms, Inc. OR-002649-2	2-12-75	NPDES Issued
Jackson	Talent I. D. OR-002641-7	2-12-75	NPDES Issued

<u>Location</u>	<u>Source</u>		<u>Date of Action</u>	<u>Action</u>
Washington	Tektronix (Industrial)	OR-002862-2	2-12-75	NPDES Issued
Marion	Terminal Ice & Cold Storage Co. (Salem)	OR-002235-7	2-18-75	NPDES Issued
Wasco	City of The Dalles (Wicks WTP)	OR-002089-3	2-18-75	NPDES Issued
Douglas	Umpqua Basin Water	OR-002292-2	2-12-75	NPDES Issued
Curry	Warrenton Seafood Co.	OR-000172-4	2-12-75	NPDES Issued
Marion	West Foods, Inc.	OR-002883-5	2-23-75	NPDES Issued
Curry	Western States Ply	OR-002165-2	2-18-75	NPDES Issued
Klamath	Weyerhaeuser (Klamath)	OR-000254-2	2-12-75	NPDES Issued
Washington	Willamette-Hi Grade	OR-002398-1	2-18-75	NPDES Issued
Douglas	Winchester Bay Seafood	OR-000070-1	2-18-75	NPDES Issued
Multnomah	Zidell Explorations	OR-002607-7	2-12-75	NPDES Issued

Water Quality Plan Action

Month of February, 1975

Industrial Waste Projects

(Plan Actions Completed - 2)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Deschutes	Brooks Scanlon, Bend Log Handling Plan	2-13-75	Approved
Douglas	International Paper, Gardiner Glue Recirculation Facilities	2-25-75	Approved

(Action Pending - 1)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Lincoln	Georgia Pacific, Toledo Treatment Facility Modification	2-28-75	Under Review

Water Quality Plan Action

Month of February, 1975

Northwest RegionMunicipal Sewerage Projects:

(Plan Action Completed - 13)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Portland - Central County Sanitary Service District - Revised - Argay Square - N.E. 122nd south of Sandy Blvd. - Sanitary Sewers	2/13/75	Approved
Yamhill	Dayton - Palmer Addition - Sanitary sewer system.	2/19/75	Approved
Washington	Aloha - USA-Mathis Square, Sanitary Sewers	2/19/75	Approved
Washington	Aloha - USA-Dinehanian-Sanitary sewer extension.	2/19/75	Approved
Clackamas	Lake Oswego - Lake Grove Pharmacy - Sanitary sewer.	2/19/75	Approved
Multnomah	Gresham - Bon Al Park-Phase 1 Sanitary sewer.	2/25/75	Approved
Multnomah	Gresham - June Heights - S.E. 21st Place - Sanitary sewer.	2/26/75	Approved
Multnomah	Portland - Central County Service District No. 3 (Inverness) - N. E. 121st Avenue, Stanton St. and Knott Street - Sanitary sewer.	2/27/75	Approved
Clackamas	Wilsonville - Block G and I - Sanitary sewer.	2/27/75	Approved
Washington	Somerset West (USA) - Rock Creek Country Club - Sanitary service.	2/27/75	Approved
Multnomah	Portland - (Columbia STP) - N. W. Thurman St. west of Aspen Ave. - Sanitary sewer.	2/27/75	Approved
Multnomah	Gresham - S. E. 257th Drive - Sanitary sewer extension.	2/27/75	Approved
Columbia	Rainier - Rainier School District - Sanitary sewer extension	2/ 7/75	Submitted to Port-Metro Area Local Gov't Boundary Committee

(Plan Action Pending - 7)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Tillamook	Garibaldi - Polly Ann Park - Sanitary Sewer	2/14/75	Under study - Field verification required. Tentative approval scheduled 3/4/75.
Clackamas	Oregon City - Library Road Sanitary sewer.	2/25/75	Tentative approval scheduled 3/5/75
Marion	Keizer - Sanitary District (Willow) West of Mistletoe - Loop sanitary sewer.	2/25/75	Tentative approval scheduled 3/5/75.
Washington	Somerset West (USA) - Rock Creek No. 10 - Sanitary sewer.	2/27/75	Tentative approval scheduled 3/5/75
Marion	Mt. Angel - Cherry Street - Sanitary sewer.	2/28/75	Tentative approval scheduled 3/7/75.
Washington	Forest Grove - 4th Avenue - L.I.D. No. 4 - Sanitary sewer.	2/28/75	Tentative approval scheduled 3/7/75.
Washington	Metzger - Argent Subdivision Sanitary Sewer.	2/28/75	Tentative approval scheduled 3/7/75.

Industrial Waste Projects:

(Plan Action Completed - 10)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Yamhill	McMinnville - Linfield College Boiler room drainage system	2/21/75	Approved
Marion	Brooks - Stayton Canning Company - Wastewater irrigation system.	2/6/75	Approved
Marion	Stayton - Stayton Canning Company - Wastewater irrigation system.	2/19/75	Approved
Clatsop	Astoria - Astoria Fish Factors - Permit requirements/sewer connect.	2/10/75	Approved
Clatsop	Hammond - Point Adams Packing Company - Wastewater screening process.	2/19/75	Approved
Clatsop	Warrenton - New England Fish Company - Wastewater screening system.	2/19/75	Approved
Clatsop	Astoria - Bumble Bee Seafood Elmore Cannery- Wastewater screening.	2/20/75	Approved
Clatsop	Astoria - Bumble Bee Seafood Cold Storage Plant	2/24/75	Approved
Clatsop	Astoria - Ocean Foods of Astoria - Modification of waste screening process.	2/27/75	Approved
Clatsop	Astoria - Astoria Seafood - Waste screening facilities.	2/27/75	Approved

(Plan Action Pending - 4)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Clackamas	Wilsonville - Joe Bernert Towing Co. - Gravel Plant Recycling water and operation modification.	1/15/75	Resubmit/Revised plans are scheduled for receipt and evaluation in May 1975.
Clatsop	Astoria - Barbey Packing Company - Wastewater screening process	2/7/75	Resubmit/Required information of flows and location of discharge 2/12/75.
Washington	Aloha - Intel Fab IV Neutralization system (USA)	12/5/74	Requested additional info 1/75.
Multnomah	Portland - Pennwalt Corp.- Outfall & Diffusion system plans.	12/16/74	Tentatively scheduled for evaluation and approval 3/75.

Water Quality Permit Action

Month of February, 1975

Northwest Region

Municipal Sources:

(Permits Issued - 8 NPDES; 0 State*)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Marion	City of Jefferson	2/18/75	NPDES Issued
Washington	USA - Sunset Valley	2/12/75	NPDES Issued
Columbia	Clatskanie	2/12/75	NPDES Issued
Washington	USA - Cedar Hills	2/12/75	NPDES Issued
Clackamas	Mt. Hood Golf Course (Bowmans)	2/18/75	NPDES Issued
Washington	Tektronix Domestic Plant	2/12/75	NPDES Issued
Marion	Mt. Angel	2/23/75	NPDES Issued
Clackamas	Mt. Hood Golf Club (D & R)	2/23/75	NPDES Issued

(Applications Pending - 18 NPDES; 0 State*)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Marion	Salem-Willow Lake STP.	-	-	Awaiting EPA approval Expected issuance in March.
Tillamook	Pacific City S.D.	(No application)		No system installed.
Tillamook	Netarts-Oceanside	(No application)		No system installed.
Clatsop	Hammond	-	-	No system installed, awaiting Clatsop Plains Study.
Clatsop	Westport-Wauna	-	-	No system installed.
Clatsop	Sundown S. D.	-	-	District is under Civil Penalty. Permit will be drafted when this is resolved.
Yamhill	Sheridan - The Delphian Foundation	1/9/75	-	Draft being typed, expected issuance in May.
Marion	Mt. Angel	-	-	Will be issued in March.

(Applications Pending - Continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Clackamas	Mt. Hood Golf Course	-	-	Expected issuance in March.
Clackamas	Clackamas - Oak Acres Mobile Home Park	-	-	Draft being typed, expected issuance in May.
Clackamas	Happy Valley Mobile Homes	-	-	Approved by Director. To be issued in March.
Clackamas	Government Camp S.D.	-	-	Awaiting EPA approval, expected issuance in April.
Washington	Oak Hills - USA	-	-	Awaiting EPA approval, expected issuance in April.
Multnomah	Portland - Panavista	-	-	Approved by Director. To be issued in March.
Clackamas	River Village Mobile Homes	-	-	On Public Notice until 4/7/75, will be issued in May.
Washington	Somerset West, USA	-	-	Awaiting EPA approval, expected issuance in April.
Washington	Tualatin	-	-	Approved by Director, to be issued in March.
Washington	Durham USA	-	-	On Public Notice until 3/27/75, expected issuance in April.

Industrial Sources

(Permits Issued - 17 NPDES; 0 State*)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Columbia	PGE Trojan - Nuclear Power Plant	2/28/75	NPDES Issued
Washington	Progress - Willamette Hi-Grade Sand & Gravel.	2/18/75	NPDES Issued
Multnomah	Portland - Zidell - Ship dismantling	2/12/75	NPDES Issued
Washington	Progress - GAF - Film processing.	2/12/75	NPDES Issued
Multnomah	Linnton - Linnton Plywood - Plywood.	2/12/75	NPdes Issued

Industrial Sources (Permits Issued - Continued)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Portland - ARCO - Oil Terminal.	2/23/75	NPDES Issued
Washington	Forest Grove Water Treatment Plant.	2/12/75	NPDES Issued
Multnomah	Port of Portland - Ship Repair Yard.	2/12/75	MPDES Issued
Multnomah	Portland - Kaiser Cement - Cement.	2/12/75	NPDES Issued
Multnomah	Portland - Pacific Resins.	2/18/75	NPDES Issued
Clackamas	Molalla - Avison Lumber Co. - Sawmill.	2/23/75	NPDES Issued
Marion	Mallories Dairy	2/12/75	NPDES Issued
Clatsop	Astoria - Astoria Fish Factors - Fish processor.	2/12/75	NPDES Issued
Clatsop	Hammond - Pt. Adams Packing - Fish processor.	2/12/75	NPDES Issued
Yamhill	Dundee - Norpac Growers Nut packers.	2/12/75	NPDES Issued
Marion	Salem - West Foods - Food processor.	2/23/75	NPDES Issued
Marion	Salem - Terminal Ice Cold Storage Plant.	2/18/75	NPDES Issued

(Applications Pending - 88 NPDES;) State*)
 (5 New Sources - See list below)
 (83 - Existing Sources - See footnote 1/)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Action</u>
Multnomah	Portland - Columbia Independent Refinery- Oil refinery.	-	12/23/74	On public notice, expected issuance in May.
Columbia	Rainier - Cascade Energy Oil refinery.	-	12/31/74	On public notice, expected issuance in May.
Columbia	Columbia City - Anadromous Fish Hatchery	-	10/18.74	On public notice, expected issuance in March.
Columbia	Columbia City - Charter Oil - Oil refinery.	-	12/14/74	On public notice, expected issuance in May.
Clackamas	Clackamas - Dravon Medicals Sterilization Laboratory.	-	11/12/74	Awaiting EPA approval, issuance in March.

1/ Footnote:

The 83 remaining applications are for existing sources that are operating on automatic extensions of existing permits or temporary permits. The majority of these permits are drafted and awaiting review and approvals with the expected issuance to be prior June 1975.

Air Quality Plan Action

Month of February, 1975

Air Quality Control DivisionIndirect Sources:

Plan Action Completed - 4

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Rivergate Oregon Steel Mills 47 space parking expansion	2/5/75	Determination, Indirect Source Rule not applicable. Action completed.
Clackamas	Gladstone Gladstone Center 400+ space parking facility	2/12/75	"
Clackamas	Kruse Way 4 lane arterial	2/24/75	1) "
		2/28/75	2) Determination of consistency with Implementation Plan by EQC.
Clackamas	Oak Grove Fred Meyer Improvement Center Modified facility, no increase in parking.	2/27/75	Determination, Indirect Source Rule not applicable. Action completed.

Air Quality Plan Action

Month of February, 1975

Air Quality Control DivisionDirect, Stationary Sources:

Plan Action Completed - 9

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Wallowa	Wallowa Rogge Lumber Sales Sawmill construction plans	2/7/75	Approved
Baker	Huntington Oregon Portland Cement Preliminary plans for installation of a baghouse for the finish grind department.	2/10/75	Approved
Baker	Huntington Oregon Portland Cement Preliminary plans for installation of an electrostatic precipitator for kiln #2	2/10/75	Approved
Baker	Baker Baker Ready Mix Plans for upgrading wet scrubber	2/14/75	Approved
Douglas	Dillard Ten Mile School boiler installation	2/18/75	Approved
Douglas	Roseburg Umpqua Dairy Products Co. Boiler installation	2/19/75	Approved
Douglas	Gardiner International Paper Co. Alternative non-condensable gas incinerator	2/27/75	Approved conditionally
Douglas	Gardiner International Paper Co. Lime kiln scrubber	2/27/75	Approved conditionally
Douglas	Gardiner International Paper Co. Baghouse	2/28/75	Approved

Air Quality Plan Action

Month of February 1975

Air Quality Control DivisionDirect, Stationary Sources:

Actions Pending - 6

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Jackson	Medford Boise Cascade Corporation Veneer drier emissions control system	12/1/73	Waiting additional information
Coos	North Bend Weyerhaeuser Company Cyclo screen dynamic separator	7/1/74	Pending, to be completed by June 1975
Lincoln	Toledo Georgia Pacific Corporation Hog fuel boiler, tire metering system	2/18/75	Being reviewed
Klamath	Klamath Falls Weyerhaeuser Company Air/Air condenser (veneer drier emission control system)	9/13/74	Approval pending Inspection of similar unit recently started up at Springfield mill; to be completed March 31, 1975
Coos	North Bend Weyerhaeuser Company Veneer drier emissions control system	8/15/74	"
Klamath	Bly Weyerhaeuser Company New boiler	1/6/75	Additional informa- tion requested

Air Quality Permit Action

Month of February, 1975

Air Quality Control DivisionIndirect Sources:

Permits Issued - 1

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Wood Village Shilo Inn 56 space parking facility	2/12/75	Permit Issued

Applications Pending - 4

<u>Location</u>	<u>Source</u>	<u>Date of initial applic.</u>	<u>Date of completed application</u>	<u>Action</u>
Multnomah	Sommerwood 588 space residential development	10/25/74	1/16/75	Permit notice issued Proposed issuance date 3/14/75
Washington	Beaverton Hyland Hills 471 space shopping center	10/9/75	1/31/75	"
Washington	Somerset West 149 space commercial center	9/17/74	2/5/75	"
Multnomah	Portland Tri-Met 75 space bus parking facility	1/23/75	2/14/75	Permit notice issued. Proposed issuance date - 4/2/75

Air Quality Permit Actions

Month of February, 1975

Air Quality Control DivisionIndustrial Sources

Permits Issued - 11

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Coos County	Eastside, Bullards Sand & Gravel (06-0003) Asphalt Plant	2/1/75	Permit Issued
Coos County	North Bend, Menasha Corporation (06-0015) Pulp Mill	2/6/75	"
Curry County	Gold Beach, Curry County Crushers (08-0006) Asphalt Plant	2/18/75	"
Deschutes County	Redmond, Redmond Tallow Co. (09-0032) Rendering Plant	2/6/75	"
Hood River County	Hood River, Champion International (14-0009) Sawmill	2/6/75	"
Klamath County	Klamath Falls, Klamath Tallow Co. (18-0020) Rendering Plant	2/6/75	"
Lake County	Lakeview, Louisiana Pacific Co. (19-0006) Sawmill, Millwork	2/6/75	"
Lincoln County	Philomath, 3-G Lumber (21-0029) Sawmill	2/6/75	"
Umatilla County	Pendleton, Rogers Construction (30-0066) Asphalt Plant	2/6/75	"
Wheeler County	Kinzua, Kinzua Corporation (35-0002) Sawmill	2/6/75	"
State Wide (Portable)	McCall Crushing (37-0090) Rock Crusher	2/21/75	"
State Wide	Various Source Categories	2/75	Issued 139 Temporary Permits

Air Quality Control DivisionIndustrial Sources

Permit

Applications Pending -

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
Malheur County	Ontario, Monroc Inc. (23-0021) Rock Crusher	2/7/75		Application Received
Portable	Bullards Sand & Gravel (37-0091) Asphalt Plant	2/20/75		"
Portable	Peter Kiewit Sons' Co. (37-0095) Asphalt Plant	2/26/75		"
Baker County	Baker, Baker Ready Mix, (01-0028)	Prior to 7/1/74		Permit prepared. Awaiting evaluation from region office. Est. Issue 6/15/75
Coos County	North Bend, Johnson Rock Products, (06-0009)	"		"
Crook County	Prineville, Ochoco Ready Mix, (07-0011)	"		"
Curry County	Gold Beach, Pacific Ready Mix, (08-0021)	"		"
	Brookings, Ferry Creek Rock and Concrete, (08-0030)	"		"
Deschutes County	Bend, Bend Ready Mix, (09-0038)	"		"
	Redmond, Redmond Ready Mix, (09-0039)	"		"
	Redmond, Deschutes Ready Mix, (09-0052)	"		"
	Bend, Deschutes Ready Mix, (09-0053)	"		"
Douglas County	Roseburg, Beaver State Ready Mix, (10-0098)	"		"
	Myrtle Creek, Tri City Ready Mix, (10-0087)	"		"
	Roseburg, Umpqua Ready Mix, (10-0086)	"		"
	Roseburg, Jimelcrete, (10-0095)	"		"
	Roseburg, PreMix Concrete Pipe, (10-0096)	"		"
	Reedsport, Bohemia Umpqua Division, (10-0103)	"		"
	Hood River, Hood River S & G & Ready Mix, (14-0015)	"		"
	Cascade Locks, Hood River S & G & Ready Mix, (14-0016)	"		"

Permit
Applications Pending -
(continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
Jackson County	Ashland, M. C. Lininger, (15-0071)	Prior to 7/1/74		Permit prepared. Awaiting evaluation from region office. Est. Issue 6/15/75
	Rogue River, Pine Street Ready Mix, (15-0082)	"		"
	Medford, Tru-Mix Leasing, (15-0090)	"		"
	Central Point, M. C., Lininger, (15-0062)	"		"
Jefferson County	Madras, Deschutes Ready Mix, (16-0018)	"		"
Josephine County	Grants Pass, Davidson Ready Mix, (17-0041)	"		"
	Grants Pass, Gilbert Rock and Ready Mix, (17-0048)	"		"
	Cave Junction, Mel Barlow, (17-0051)	"		"
	Grants Pass, Gary L. Peterson, (17-0053)	"		"
Klamath County	Klamath Falls, Klamath Ready Mix, (18-0042)	"		"
	Klamath Falls, Klamath Falls Concrete Products Industries, (18-0041)	"		"
Malheur County	Nyssa, Oregon Concrete Pro- ducts, (23-0014)	"		"
	Ontario, R T P Concrete, (23-0015)	"		"
	Ontario, Flynn S & G, (23-0013)	"		"
Morrow County	Boardman, Ready Mix S & G, (25-0014)	"		"
Umatilla County	Milton Freewater, Ready Mix S & G, (30-0057)	"		"
	Pendleton, Pendleton Ready Mix, (30-0019)	"		"
	Pendleton, Central Cement, (30-0020)	"		"
Union County	Island City, R. D. Mac, (31-0010)	"		"
Wasco County	Tygh Valley, Tygh Valley S & G, (33-0017)	"		"
	The Dalles, The Dalles Con- crete, (33-0019)	"		"

Permit
Applications Pending -
(continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
Portable	State Wide, ACCO Contractors, (37-0055)	Prior to 7/1/74		Permit prepared. Awaiting evaluation from region office. Est. Issue 6/15/75
	State Wide, Bi State Ready Mix, (37-0056)	"		"
	State Wide, ACME Vickery, (37-0077)	"		"
	State Wide, Ready Mix S & G, (37-0054)	"		"
Baker County	Baker, Ellingson Lumber Co., (01-0003)	"		Public Notice Issued Est. Issue 4/1/75
Coos County	Bandon, Rogge Lumber Sales, (06-0019)	"		"
	Bandon, Rogge Lumber Sales, (06-0057)	"		"
Curry County	Sixes, Rogge Lumber Sales, (08-0016)	"		"
Jackson County	Central Point, Louisiana Pacific, (15-0007)	"		"
	Central Point, Mt. Pitt Co., (15-0023)	"		"
	White City, Medford Moulding, (15-0037)	"		"
	Central Point, Steve Wilson Co., (15-0044)	"		"
	White City, Oregon Cutstock & Moulding, (15-0047)	"		"
	White City, Alder Mfg. Co., (15-0060)	"		"
Josephine County	Grants Pass, Spaulding & Sons, (17-0013)	"		"
Wallowa County	Wallowa, Rogge Mills, (32-0011)	"		"
Malheur County	Ontario, Monroc Inc., (23-0021)	"		"
Deschutes County	La Pine, Russell Industries, (09-0031)			Est. Issue 5/1/75
Portable	State Wide, Peter Kiewit Sons' Co., (37-0095)	"		"
	State Wide, Rogge River Paving Co., (37-0028)	"		"
	State Wide, J. C. Compton Co., (37-0044)	"		"
	State Wide, Oregon State Highway Division (37-0002)	"		"

Permit
Applications Pending -
(continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
Portable	State Wide, Deschutes Readymix, S & G, (37-0026)	Prior to 7/1/74		Public Notice Issued Est. Issue 5/1/75
	State Wide, L. W. Vail Co., (37-0068)	"		"
Klamath County	Bly, Weyerhaeuser, (18-0037)	"		Est. Issue 5/15/75
Coos County	Coquille, Coos County (06-0002)	"		Public Notice Issued Est. Issue 3/25/74
Grant County	Prairie City, Delbert Taynton, (12-0018)	"		"
Klamath County	Klamath Falls, Jeld-Wen Inc., (18-0006)	"		"
Jackson County	White City, Cascade Wood Products, (15-0005)	"		"
	White City, Eugene Burrill Lumber Co., (15-0011)	"		"
	Central Point, Double Dee Lumber Co., (15-0010)	"		"
	Ashland, Bellview Moulding Mill, (15-0070)	"		"
Klamath County	Klamath Falls, Pacific Crushing Co., (18-0012)	"		"
Lake County	Lakeview, Louisiana Pacific, (19-0002)	"		"
Lincoln County	Toledo, Guy Roberts Lumber Co., (21-0013)	"		"
	Newport, Paul Barber Hardwoods Co., (21-0020)	"		"
	Yachats, Dahl Lumber Co., (21-0021)	"		"
Umatilla County	Pendleton, Hermiston Asphalt Products, (30-0003)	"		"
	Hermiston, E. S. Schnell & Co., (30-0071)	"		"
Wallowa County	Joseph, Boise Cascade, (32-0001)	"		"
Grant County	John Day, San Juan Lumber Co., (12-0004)	"		Public Notice Issued Est. Issue 4/1/75
Hood River County	Cascade Locks, Cascade Locks Lumber Co., (14-0005)	"		"
Lincoln County	Toledo, Georgia Pacific, (21-0005) renewal	"		Est. Issue 6/1/75

Permit
Applications Pending -
(continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
Portable	State Wide, L. W. Vail Co., (37-0043) renewal	Prior to 7/1/74		Public Notice Issued Est. Issue 5/1/75
	State Wide, Oregon State Highway Division, (37-0004) renewal	"		"
	State Wide, Babler Bros. Inc., (37-0094)	"		"
	State Wide, L. W. Vail Inc., (37-0025) renewal	"		"
	State Wide, Roseburg Paving, (37-0029) renewal	"		"
	State Wide, ACCO Contractors, (37-0053) renewal	"		"

Permit
Applications Pending -
(continued)

Industrial Sources

Other Applications Pending - 163

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appl.</u>	<u>Date of Completed Appl.</u>	<u>Status</u>
State-wide (except Willamette Valley)	Furniture	Prior to 10/1/74		Number of applica- tions pending and est. Issuance Date 4 (11/30/75)
	Shingle		1 (7/31/75)	
	Sawmills		54 (10/31/75)	
	Millwork		14 (12/31/75)	
	Wood Products		1 (9/1/75)	
	Asphalt Plants		5 (7/1/75)	
	Rock Crushers		19 (8/1/75)	
	Concrete		5 (6/1/75)	
	Foundry		3 (10/1/75)	
	Cement		1 (7/1/75)	
	Hospitals		31 (1/1/77)	
	Feed & Grain		11 (1/1/76)	
	Boilers		12 (1/1/77)	
	Incinerators		2 (1/1/77)	

Air Quality Plan Action

Month of February 1975

Northwest RegionDirect, Stationary Sources:

(Plan Action Completed - 6)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Multnomah	Portland - Rhodia Chipman Division Expanding formulation facilities.	2/26/75	Approved
Multnomah	Portland - Martin Marietta - Control of alumina loading into railroad cars.	2/13/75	Approved
Multnomah	Portland - Cargill, Inc. - Control of barge unloading & ship loading facilities.	2/1/75	Approved
Multnomah	Portland - Chevron Asphalt Company - Crude oil storage tank.	2/13/75	Approved
Multnomah	Portland - Georgia Pacific-Linnton wood chip handling facilities - Replacement of pneumatic system.	2/14/75	Approved
Multnomah	Portland - McCall Oil Company - 270,000 bbl. #6 fuel oil storage tank.	2/19/75	Approved

(Plan Action Pending - 11)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Multnomah	Portland - Port of Portland Bulk loading facility.	6/12/74	Requested information on controls 7/22/74. (Info will be submitted by Port when funding is approved for project.)
Marion	Salem - Boise Cascade - New washer.	7/17/74	Requested engineering design on controls 8/15/74 and received 1/24/75. Approval letter to be drafted Prior to 3/15/75.
Marion	Salem - Boise Cascade - New digester.	7/17/74	Requested engineering design on 8/15/74 and received 1/24/75. Approval letter to be drafted prior to 3/15/75.

AQ (Plan Action Pending - continued)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Clackamas	Eagle Creek - Barton Sand & Gravel - Rock crusher.	7/31/74	Requested information on final process design 9/17/74. Letter of cancellation being drafted prior to 3/17/75. Water Permit denied.
Clatsop	Wauna - Crown Zellerbach - Control of TRS emissions.	11/4/74	Requested additional information on system operating parameters 12/23/74. Approval letter to be drafted prior to 3/18/75.
Multnomah	Portland - Boeing of Portland - Scrubber for salt fume.	11/26/74	Requested information on adequacy of system 12/19/74 & on 2/3/75 company advised alternative design being investigated.
Clackamas	Clackamas - Hall Process Company - Pipe Coating and Wrapping.	1/8/75	Reviewing submitted information. Expected completion date 3/20/75.
Multnomah	Portland - Portland Willamette - Baghouse for brass smelting furnace.	2/3/75	Requested additional information on 2/20/75 and received on 2/26/75. Expected review completion date 3/20/75.
Multnomah	Portland - Simpson Timber/Chemical Div. Forced evaporation system.	2/4/75	Approval letter being drafted prior to 3/15/75.
Clackamas	Colton - Colton School Paint Spray Booth.	2/18/75	Drafting letter prior to 3/15/75. Requesting additional info.
Multnomah	Portland - Pacific Carbide & Alloy - Ducting cyclone exhaust to new baghouse.	2/3/75	Approval letter being drafted prior to 3/15/75.

Air Quality Permit Action
Month of February, 1975

Northwest Region

Direct, Stationary Sources:

(Permits Issued - 3 and Addendums Issued - 4)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Tillamook	Tillamook-Crown Zellerbach, Wilson River Division - Lumber Mill	2/6/75	Permit Issued
Washington	Forest Grove - Forest Fibre Products Hardboard Manufacturing.	2/10/75	Permit Issued
Columbia	St. Helens - Riechhold Chemicals - Chemical Manufacturing	2/26/75	Permit Issued
Columbia	Scappoose - Little d Lumber, Inc. Lumber mill.	2/28/75	Addendum Issued
Clackamas	Estacada - Estacada Rock Products - Rock crusher.	2/21/75	Addendum Issued
Multnomah	Portland - Dant & Russel Inc. - Lumber mill.	2/6/75	Addendum Issued
Multnomah	Troutdale - Reynolds Metal Company - Aluminum Manufacturing.	2/13/75	Addendum Issued

(Applications Pending - 527)

(New Sources - - - - - 15 See listing below.)
(Existing Sources- - - - - 139 See footnote 1/)
(Fuel Burning - Boilers- - - - - 373 See footnote 2/)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Clatsop	Warrenton - AMAX Alum. New Aluminum reduction plant.	11/9/73	-	Assessing adequacy of submitted information as requested by the Department resulting from issues raised at public hearings.
Multnomah	Portland - Union Carbide #1 furnace product change.	11/21/73	-	Final information received 2/13/75. Issued proposed permit 2/28/75.
Clatsop	Astoria - Layton Funeral Home - Cremation Incinerator.	2/28/74	--	Requested additional information on 5/14/74 & received 10/29/74. Emission data from similar unit indicates non-compliance. Letter sent asking if Layton wished n/c to be cancelled.

(Applications Pending - Continued)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Multnomah	Portland - Columbia Independent Refinery Oil refinery.	4/2/74	-	Authorization to issue permit received at EQC meeting of 2/28/75.
Columbia	Rainier - Cascade Energy Inc. - Oil refinery.	4/31/74	-	Issued proposed permit 12/24/74. EQC deferred action at 2/28/75 meeting to March meeting to allow staff to resolve Cascade's objections to permit.
Multnomah	Portland - Oregon Steel Mills-Rivergate Pellet metallizing.	7/18/74	-	Awaiting commitment on construction schedule.
Columbia	St. Helens - Charter Energy Company - New oil refinery.	9/11/74	-	Issued proposed permit 12/24/74. EQC authorized issuance of permit at 2/28/75 meeting.
Multnomah	Portland - Resource Recovery Byproducts- Paper classifier.	11/1/74	-	Issued proposed permit 2/25/75.
Multnomah	Portland - Pennwalt Corp. - Expansion of chlorine-caustic soda manufacturing.	11/4/74	-	Awaiting commitment on construction schedule.
Multnomah	Portland - Zidell Explorations, Inc.- New secondary aluminum smelter.	11/12/74	-	Awaiting additional information on source test results, 2/24/75.
Multnomah	Portland - Kaiser Permanente Medical Center - Controlled atmospheric incinerator.	11/22/74	-	Issued proposed permit 2/25/75.
Clackamas	Caffal Bros. Const. Portable rock crusher.	1/20/75	-	Operating without valid permit in violation of opacity standards. Enforce- ment action taken 2/25/75.
Multnomah	Portland - Portland Bolt & Mfg. Co. - Relocation.	12/31/74	-	Permit being drafted. Expected completion date prior to 4/1/75.
Washington	Durham (USA) - Sludge incinerator, lime recalciner and steam boilers.	12/31/74	-	Awaiting additional infor- mation on process and air pollution control equipment.

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Applcn.</u>	<u>Status</u>
Columbia	Beaver - Kaufmann Chemical Corp. - Bulk solid materials handling facility.	2/25/75	-	Verifying whether acceptable for filing.

Footnotes:

- 1/ These permits are of existing sources that are operating on automatic extensions of existing permits or on temporary permits. Of this number approximately 1/3 are ready for final review, 1/3 are being typed and 1/3 are being drafted. All permits on existing sources are expected to be issued prior to June 30, 1975.
- 2/ All fuel burning (boiler) permits are final typed and are being processed for approval. Expected completion date to 5/1/75. These permits are all on existing sources and do not hinder their operation.

Solid Waste Permit Action

Month of February, 1975

Northwest RegionGeneral Refuse (Garbage) Facilities

(Permits Issued - 2)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Columbia	Clatskanie - Chris Nielsen	2/25/75	Permit Issued
Multnomah	Portland - Macadam Processing Center, Transfer Station.	2/27/75	Permit Issued

(Applications Pending - 5)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Action</u>	<u>Status</u> <u>1/</u>
Clatsop	City of Astoria	4/23/73	-	Operating with temporary permit.
Clatsop	Cannon Beach - Chris Elsasser	4/23/73	-	Operating with temporary permit.
Clatsop	Elsie	4/23/73	-	Operating with temporary permit.
Clatsop	Seaside Sanitary Service	4/23/73	-	Operating with temporary permit.
Clatsop	Warrenton - Excel Services	4/23/73	-	Operating with temporary permit.

1/ The Clatsop-Tillamook Intergovernmental Council Solid Waste Plan has just been adopted and not yet implemented. Close out permits will be issued on the above prior to 6/30/75.

Demolition Solid Waste Disposal Facilities

(Permits Issued - 0)

(Applications Pending - 3)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Action</u>	<u>Status</u>
Marion	Salem Airport - City of Salem	4/25/73	-	Operating with temporary permit. <u>1/</u>
Multnomah	Hidden Valley Land Reclamation	10/11/73	-	Operating with temporary permit. <u>2/</u>
Polk	John Fowler	3/16/73	-	Operating with temporary permit. <u>1/</u>

1/ Permits to be issued prior to 6/30/75.
2/ Awaiting MSD Study

Industrial Solid Waste Disposal Sites

(Permits Issued - 1)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Yamhill	Fort Hill Lumber	2/75	Permit Issued

(Applications Pending - 2)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Applcn.</u>	<u>Date of Completed Action</u>	<u>Status</u>
Marion	Green Veneer, Inc.	7/18/74	-	Operating with temporary permit. Permit to be issued prior to 6/30/75.
Multnomah	Pacific Carbide	9/5/74	-	Operating with temporary permit. Will be included in Water Quality permit to be issued prior to 6/30/75.



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

ATTACHMENT SIX

INTEROFFICE MEMO

To: E. A. Schmidt

Date: March 5, 1975

From: W. H. Dana *WHD*

Subject: Summary of Permit and Plan Review Activities, February 1975

I. Permits

- A. Permits Issued - - - - - 2
 - 1. Lincoln County - Clark Sludge Site (Renewal)
 - 2. Yamhill County - Fort Hill Lumber Co. (Issued by NWRO)
- B. Permits Amended- - - - - 1
 - 1. Lane County - Rattlesnake Landfill
- C. Proposed Permits Mailed- - - - - 7
 - 1. Benton County - I.P. Miller Lumber Company
 - 2. Columbia County - Clatskanie Landfill
 - 3. Douglas County - Fugate Sludge Lagoon (Issued by SWRO)
 - 4. Douglas County - Tiller Transfer Station
 - 5. Lane County - Marcola Transfer Station
 - 6. Linn County - Sweet Home Transfer Station
 - 7. Multnomah County - Macadam Processing Center (Issued by NWRO)

II. Plan Review

- A. Operational Plans Approved - - - - - 1
 - 1. Linn County - Sweet Home Transfer Station

SOLID WASTE PERMIT ACTION

Month of February 1975

Solid Waste Management DivisionGeneral Refuse (Garbage) Facilities:

(Permits Issued - 1)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Lane Co.	Rattlesnake Landfill existing site	2/4/75	Permit Amended

(Applications Pending - 108 temporaries, 2 renewals, 5 new site applications)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Application</u>	<u>Date of Completed Application</u>	<u>Status</u>
Columbia Co.	Clatskanie Landfill	6/23/72	2/1/75	Under temp. permit. Proposed reg. permit issued. Final permit expected 3/75.
Douglas Co.	Camas Valley Landfill	6/12/72	2/30/74	Under temp. permit. Proposed reg. permit expected 3/75.
Douglas Co.	Canyonville Landfill	6/12/72	12/17/74	Under temp. permit. Awaiting staff review of operat- ional plan. Proposed reg. permit expected 4/75.
Douglas Co.	Reedsport Landfill	6/12/72	12/17/74	Under temp. permit. Awaiting staff review of operat- ional plan. Proposed reg. permit expected 4/75.
Gilliam Co.	Arlington Landfill	5/15/72	11/14/74	Under temp. permit. Regional staff to coordinate site upgrading. Pro- posed reg. permit expected 4/75.
Harney Co.	Burns Landfill	5/17/72	8/1/74	Under temp. permit. Regional staff to draft reg. permit by 5/75.
Umatilla Co.	Pilot Rock Landfill	5/17/72	8/14/74	Under temp. permit. Regional staff to Coordinate site closure as soon as possible. Proposed reg. permit expected 4/75.

<u>Location</u>	<u>Source</u>	<u>Date of Initial Application</u>	<u>Date of Completed Application</u>	<u>Status</u>
Umatilla Co.	Hermiston Landfill	6/23/72	8/14/74	Under temp. permit. Regional staff to draft reg. permit by 7/75.
Umatilla Co.	Weston Landfill	5/17/72	8/14/74	Under temp. permit. Regional staff to draft regular permit by 7-75.
99 other sites with temporary permits (Incomplete applications)				Most awaiting completion of regional solid waste management plans. Regional staff to draft permits by 7/75 IF POSSIBLE.
Marion Co.	Brown's Is. Landfill	12/15/74	12/15/74	Renewal. Regular permit expired 12/31/74. Permit extended by letter for indefinite period. Regional staff to draft proposed new permit as soon as possible.
Washington Co.	Hillsboro Landfill	1/31/75	1/31/75	Renewal. Regional staff to draft proposed new permit in 3-75.
Douglas Co.	Tiller Transfer Station	12/5/74	12/5/74	Proposed new facility. Proposed permit issued. Final permit expected in 3-75.
Jefferson Co.	Culver Landfill	7/8/74	7/8/74	Proposed new facility. Proposed permit issued 8/9/74, but County uncertain whether or not to open site. County now asked to make a final decision as soon as possible.

<u>Location</u>	<u>Source</u>	<u>Date of Initial Application</u>	<u>Date of Completed Application</u>	<u>Status</u>
Lane Co.	Marcola Transfer Station	12/23/74	12/23/74	Proposed new facility. Proposed permit issued. Final permit expected in 3/75.
Linn Co.	Sweet Home Transfer Station	12/17/74	1/30/75	Proposed new facility. Proposed permit issued. Final permit expected in 3/75.
Multnomah Co.	Macadam Tire Processing Center	12/11/74	2/5/75	Proposed new facility. Proposed permit issued. Final permit expected in 3-75.

Demolition Solid Waste Disposal Facilities:

(Permits Issued - 0)

(Applications Pending - 2)

<u>Location</u>	<u>Source</u>	<u>Date of Application</u>	<u>Date of Completed Application</u>	<u>Status</u>
Marion Co.	Salem Airport Landfill	6/20/72	8/14/74	Under temp. permit. Regional staff to draft reg. permit by 7/75.
Polk Co.	Fowler Demolition Landfill	8/8/72	8/14/74	Under temp. permit. Regional staff to draft reg. permit by 7/75.

Industrial Solid Waste Disposal Facilities:

(Permits Issued - 1)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Yamhill Co.	Forthill Lumber Co.- existing site.	2/10/75	Permit Issued

(Applications Pending - 11 temporaries, 1 new site application, 14 letter authorizations, 16 existing site applications with no action)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appli.</u>	<u>Date of Completed Appli.</u>	<u>Status</u>
Benton Co.	Hobin Lumber Co.	6/21/73	6/29/73	Under temp. permit exp. 7/1/75. Regional staff to draft reg. permit as soon as possible.

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appli.</u>	<u>Date of Completed Appli.</u>	<u>Status</u>
Douglas Co.	C & D Lumber	6/29/73	6/29/73	Letter authoriz- tion issued with no exp. date. Regional staff to draft regular letter authoriza- tion or permit as soon as possible.
Douglas Co.	U.S. Plywood Roseburg	7/13/73	7/13/73	" " " " "
Hood River Co.	Champion Internat'l. Dee Site	7/13/73	7/13/73	" " " " "
Hood River Co.	Champion Internat'l. Neal Creek Site	7/13/73	7/13/73	" " " " "
Jackson Co.	Boise Cascade, Medford	7/2/73	7/2/73	" " " " "
Lincoln Co.	Publishers Paper, Toledo	9/28/73	9/28/73	" " " " "
Linn Co.	Bauman Lumber	6/19/73	6/19/73	" " " " "
Linn Co.	Cedar Lumber	7/11/73	7/11/73	" " " " "
Linn Co.	Dean Morris Lumber	6/28/73	6/28/73	" " " " "
Linn Co.	Willamette Industries, Foster	7/5/73	7/5/73	" " " " "
Baker Co.	Oregon-Portland Cement	6/19/73	-----	Existing site. Requested letter Authorization. regional staff to respond as soon as possible.
Jackson Co.	Jackson Co. Park Dept. Wood Waste disposal site	1/12/74	-----	" " " " "
Coos Co.	Coos Head Timber	6/21/73	6/21/73	Existing site. Regional staff to investigate as soon as possible.
Coos Co.	International Paper, Gardiner	12/13/74	12/13/74	" " " " "
Coos Co.	Roseburg Lumber, Coquille	7/18/73	8/30/73	" " " " "
Coos Co.	Westbrook Pole & Piling	5/7/74	5/7/74	" " " " "
Coos Co.	Weyerhaeuser, Allegany	6/21/73	4/12/74	" " " " "
Coos Co.	Weyerhaeuser, Horse Flats	6/21/73	4/12/74	" " " " "
Douglas Co.	L & H Lumber	6/20/74	6/20/74	" " " " "
Douglas Co.	Roseburg Lumber Co. 5 mill sites	7/9/73	6/3/74	" " " " "
Lincoln Co.	Georgia-Pacific, Toledo	7/2/73	3/14/73	(5 applications) " " " " "
Linn Co.	Willamette Industries, Sweet Home	7/5/73	12/28/73	" " " " "

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appli.</u>	<u>Date of Completed Appli.</u>	<u>Status</u>
Benton Co.	Paul Barber Hardwood	12/19/73	5/20/74	Under temp. permit exp. 7/1/75. Regional staff to draft reg. permit as soon as possible
Douglas Co.	Reedsport Mill	8/8/73	8/8/73	" " " " "
Douglas Co.	Superior Lumber	6/20/73	7/12/73	" " " " "
Josephine Co.	Josephine Co. Industrial Sludge Disposal Site	7/18/73	7/18/73	" " " " "
Josephine Co.	Rough & Ready Lumber	6/25/73	7/13/73	" " " " "
Lane Co.	Georgia-Pacific Irving Rd. Eugene	6/22/73	6/22/73	" " " " "
Lane Co.	Georgia-Pacific Springfield	6/28/73	9/7/73	" " " " "
Lane Co.	Hines Lumber	6/29/73	5/30/74	" " " " "
Marion Co.	Green Veneer	6/1/73	7/3/73	" " " " "
Multnomah Co.	Pacific Carbide	6/25/73	6/25/73	" " " " "
Douglas Co.	Round Prairie	10/2/74	11/12/74	Proposed new facility will not be used until summer. Region staff to draft reg. permit in 4/75.
Benton Co.	I.P. Miller Lumber	6/25/73	6/25/73	Letter authorization issued with no exp. date. Proposed reg. permit issued 4/14/75. Final permit to be issued in 3/75.
Benton Co.	Willamette Industries, Philomath	7/3/73	7/3/73	Letter authorization issued with no exp. date. Regional staff to draft regular letter authorization or permit as soon as possible.
Coos Co.	Coos Bay Plywood, Millington Flats	6/20/73	7/2/73	" " " " "
Curry Co.	U.S. Plywood, Gold Beach	7/13/73	7/13/73	" " " " "

Sludge Disposal Facilities:

(Permits Issued - 1)

<u>Location</u>	<u>Source</u>	<u>Date of Action</u>	<u>Action</u>
Lincoln Co.	Clark Sludge Disposal Site-existing facility	2/18/75	Permit issued (renewal)

(Applications Pending - 1)

<u>Location</u>	<u>Source</u>	<u>Date of Initial Appli.</u>	<u>Date of Completed Appli.</u>	<u>Status</u>
Douglas Co.	Fugate Sludge Lagoon	6/12/72	12/6/74	Under temp. permit. Pro- posed reg. permit issued. Final permit expected in 3/75.



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

ATTACHMENT SIX

INTEROFFICE MEMO

To: E. A. Schmidt

Date: March 5, 1975

From: W. H. Dana *WHD*

Subject: Work Projects Pending - February 28, 1975

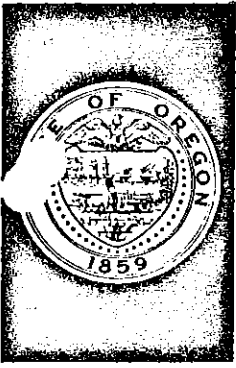
I. Permits

A.	Incomplete Permit Applications Pending - - - - -	16
1.	Existing Disposal Sites- - - - -	9
2.	New Disposal Sites- - - - -	7
B.	Complete Permit Applications Awaiting Staff Action - - - - -	24
1.	Existing Disposal Sites - - - - -	23
2.	New Disposal Sites - - - - -	1
C.	Temporary Permits Pending - - - - -	123
1.	Domestic Sites - - - - -	110
2.	Industrial Sites - - - - -	13

II. Plans

A.	Operational Plans for Permitted Sites Pending - - - - -	1
B.	Operational Plans for non-permitted or temporarily permitted Sites Pending - - - - -	161*

* The number 161 represents the sum of 123 temporary permits pending, 16 incomplete applications pending minus 1 site which has a temporary permit, and 24 complete applications pending minus 1 renewal for a permitted site. All applications are assumed to include an operational plan.



ENVIRONMENTAL QUALITY COMMISSION

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KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item C, March 28, 1975, EQC Meeting
Tax Credit Applications

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


KESSLER R. CANNON

AHE

March 17, 1975

Attachments

Tax Credit Summary
Tax Credit Review Reports (5)



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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>
Crown Zellerbach Corporation Flexible Packaging Division North Portland	T-619	Piping which separates uncontaminated cooling water from contaminated waste waters	\$102,948	80% or more	Issue
Crown Zellerbach Corporation West Linn Division	T-620	Structural revisions to existing primary clarifier system	2,070,533	80% or more	Issue
Menasha Corporation Paperboard Division	T-624	Spent Liquor incinerator system	3,058,849	80% or more	Issue
Amfac Foods, Incorporated Lamb-Weston Division	T-626	Impingement scrubber and associated duct work	54,667	80% or more	Issue
Amfac Foods, Incorporated Lamb-Weston Division	T-627	Secondary treatment facilities	487,425	80% or more	Issue

Appl: T-619

Date: 3-13-75

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

1. Applicant

Crown Zellerbach Corporation
Flexible Packaging Division - North Portland
P. O. Box 17128
Portland, Oregon 97217

The applicant owns and operates a manufacturing plant at 3400 North Marine Drive in Portland, Oregon in Multnomah County. The plant manufactures packaging products for commercial and retail goods.

2. Description of Claimed Facility

The claimed facility consists of piping which separates uncontaminated cooling water from contaminated waste waters, piping which discharges the contaminated waste water into a surge tank from which it will be discharged into the Portland sewer system (not yet available), pretreatment facilities for removing oil, wax, and solidified plastic wastes from industrial wastes, and a sampling manhole with flow metering equipment.

The claimed facility was placed in operation in January, 1974. Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility Cost: \$102,948 (Accountant's certification was submitted)

3. Evaluation of Application

Installation of the claimed facilities was required by DEQ waste discharge permit issued 4-18-72.

Prior to the construction of the claimed facility, untreated industrial and domestic waste water was discharged to the Columbia River through six outfalls. With the claimed facility, all contaminated waste waters have been separated from uncontaminated waste waters and are now being pretreated and discharged to the river at a single outfall. As soon as the City of

T-619
3-13-75
Page 2.

Portland provides a sewer at this location, this single out-fall will be connected to the City of Portland sewerage system, eliminating the discharge of pretreated wastes.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$102,948 with 80% or more of the cost allocated to pollution control be issued for the facilities claimed in Tax Application No. T-619.

RJN:rgs
3-13-75

State of Oregon
Department of Environmental Quality
TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Crown Zellerbach Corporation
West Linn Division
West Linn, Oregon 97068

The applicant owns and operates a groundwood pulp and paper manufacturing plant in West Linn, Oregon in Clackamas County.

2. Description of Claimed Facility

The claimed facility consists of structural revisions to the existing primary clarifier system to improve efficiency; a collection sump with necessary pumps, piping, instrumentation, electrical switchgear, etc. to pump the clarified effluent to the secondary treatment system; a 92,000,000 gallon aeration pond, eight 75 H.P. mechanical aerators, necessary pumps, chemical tanks, piping, instrumentation, electric wiring, etc.; an outfall line from the secondary pond to the receiving stream; sludge dewatering and handling equipment; and additional facilities within the mill to collect and pump effluent streams to primary treatment.

The claimed facility was placed in operation in July 1971. Certification is claimed under the 1969 Act with 100% allocated to pollution control.

Facility cost: \$2,070,533 (Accountant's certification was submitted.)

3. Evaluation of Application

Prior to the construction of the claimed facilities, waste products from the wood grinders and paper manufacturing were discharged to public waters after receiving primary treatment. The claimed facilities were constructed as a result of Oregon State Sanitary Authority Waste Discharge Permit No. 7, issued December 28, 1967, which required secondary treatment of total mill wastes by July 1, 1972. Investigation reveals that the facilities were designed, constructed, operated, and maintained quite well.

It is concluded that this facility was installed for pollution control.

T-620
Tax Relief Application Review
Report - March 12, 1975
page 2

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$2,070,533 with 80% or more of the cost allocated to pollution control be issued for the facilities claimed in Tax Application No. T-620.

RJN:NWR
March 12, 1975

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

1. Applicant

Menasha Corporation
Paperboard Division
P. O. Box 329
North Bend, Oregon 97459

The applicant owns and operates a plant which manufactures corrugating medium from hardwood chips, softwood sawdust and recycled container board.

2. Description of Claimed Facility

Spent liquor incinerator system consisting of the following:

- A. Dorr-Oliver Spent Liquor Evaporation Plant with weak liquor holding pond, preheater, tanks, evaporator module, compressor, turbine, surge tanks, piping and necessary pumps and controls.
- B. Dorrco Fluisolids concentrated spent liquor incineration reactor plant with tanks, venture scrubber, reactor, bucket elevator, solids handling equipment, air compressors and dryers, salt cake handling equipment, building exhaust fans and louvers and necessary pumps, piping and controls.
- C. Associated electrical, structural and concrete foundations.

The claimed facility was completed and placed into operation November 1974.

Facility cost: \$3,058,849 (accountants certification was attached to the application).

Certification is claimed with 100% of the cost allocable to pollution control.

3. Evaluation of Application

Installation of the claimed facility was completed to reduce the total BOD load to the Pacific Ocean by about 70%. Suspended solids load to the ocean is reduced by approximately 25%. Installation was required by DEQ.

The annual income derived from the inorganic solids recovered is greatly exceeded by operating costs. No steam is produced from the operation. Thus the only benefits derived from the claimed facilities are pollution control.

Southwest region staff visited the mill in February 1975 and determined that the system is working properly.

4. It is recommended that a pollution control certificate be issued for the facilities claimed in application T624, such certificate to bear the actual cost of \$3,058,849 with 80% or more allocable to pollution control.

WDL:rb
March 13, 1975

Date March 12, 1975

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

1. Applicant

Amfac Foods, Incorporated
Lamb-Weston Division
Box 23507
Portland, Oregon 97223

The applicant owns and operates a potato processing plant located at Hermiston, Oregon. This plant produces 75,000 Tons of French fries and other frozen potato products per year.

2. Description of Claimed Facility

The facility described in this application is an impingement scrubber and associated duct work which controls the emission of condensable hydrocarbons from the potato fryers and dryers.

The facility was placed in operation in December, 1972.

Facility cost: \$54,667 (Accountant's certification was provided). Certification is claimed under the 1969 Act with 100% allocated to pollution control.

3. Evaluation of Application

This facility was installed as part of a new plant. The installation of the facility was required by the Department because it represented highest and best practicable treatment.

The plans and specifications for the facility were reviewed and approved by the Department. The facility is operating satisfactorily.

The value of the oil collected by this facility does not cover the operating expenses of the facility. Therefore, it is concluded that the system was installed and operated for pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Certificate bearing the cost of \$54,667 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application Number T-626.

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

1. Applicant

Lamb - Weston
A Division of Amfac Foods, Incorporated
Box 23507
Portland, Oregon 97223

The applicant owns and operates a potato complex near the confluence of the Umatilla and Columbia rivers.

2. Description of the Claimed Facility

Secondary Treatment Facilities claimed herein consist of:

- a. Secondary pumping station - two, three stage vertical turbine pumps, 2,000 GPM, each.
- b. Concrete pump station and 200,000 gallon surge basin to pump clarified effluent to the irrigation field regulating basin (DRWG. E 190 - 504 - 1) including two clear water effluent pumps.
- c. Pressure dipping to irrigation system approximately 20,000 feet spiral welded pipe twelve inch diameter (wrapped).
- d. Irrigation storage basin (30 million gallon capacity) and irrigation pump station, including two - two stage vertical turbine pumps, 2,000 GPM, each
- e. Fixed sprinkler system for 300 acre irrigation field.
- f. 889 acres of land for waste treatment and disposal.

The claimed facility was completed December 1972.

Certification in claimed under the Oregon Act with 100% of the cost allocated to pollution control.

Facility lost: \$487,425 (Certified Public Accountant Statement was attached to the application.

3. Evaluation of Application

The secondary waste treatment and disposal facilities described above were installed at the time of plant construction. Without

such a facility approximately 22,000 lbs. of BOD per day and 2,000 lbs. of Suspended Solids would be discharged to the waters of the state. All wastes are disposed of on land.

A fixed irrigation system is presently installed for waste disposal on 300 acres of land. Additional land was acquired to provide for irrigation area expansion and to insure against runoff to an adjacent drainage way. The claimed land costs for the 869 acres acquired for waste treatment and disposal in \$133824.

The applicant claims no profit is derived from operating these facilities. Thus the facilities serve only as pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued for the claimed facilities in application T627, such certificate to bear the actual cost of \$487,425 with 80% or more allocable to pollution.

WL/mr

TAX CREDIT CERTIFICATE SUMMARY

from 01-19-68 through 03-28-75

<u>YEAR</u>	<u>AIR QUALITY CONTROL</u>	<u>LAND QUALITY CONTROL</u>	<u>WATER QUALITY CONTROL</u>	<u>TOTAL</u>
1968	\$2,294,697.89	-0-	\$3,945,434.98	\$6,240,132.87
1969	1,020,995.50	-0-	3,855,140.61	4,876,136.11
1970	1,740,022.96	-0-	5,862,682.77	7,602,705.73
1971	7,345,828.44	-0-	9,971,528.83	17,317,357.27
1972	14,038,915.58	-0-	2,232,197.73	16,271,113.31
1973	12,813,119.41	-0-	13,076,118.61	25,889,238.02
1974	11,273,032.05	-0-	3,755,051.00	15,028,083.05
1975 (excluding J3-28-75)	57,859.88	\$4,982,649.00	757,469.43	5,797,978.31
03-28-75 (proposed)	<u>54,667.00</u>	<u>-0-</u>	<u>5,719,755.00</u>	<u>5,774,422.00</u>
GRAND TOTAL TO DATE	\$50,639,138.71	\$4,982,649.00	\$49,175,378.96	\$104,797,166.67



ENVIRONMENTAL QUALITY COMMISSION

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KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item D, March 28, 1975, EQC Meeting

Status Report: Portland Transportation Control Strategy.
Tri-Met

Tri-Met will present a status report.

KESSLER R. CANNON
Director

PWM:vt
3/20/75



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REMARKS OF WILLIAM G. HALL
Director of Planning, Tri-Met
At The Hearing Of
THE ENVIRONMENTAL QUALITY COMMISSION
March 28, 1975

In April of 1973, Tri-Met submitted a Transit Improvement Program to the DEQ as part of the transportation control strategy. The goal of our program was to increase ridership to and from the downtown by 50% before July 1, 1975, this year.

Last October, Tri-Met's Assistant General Manager, Steve McCarthy, gave you a progress report. He explained the successes of our overall program, and described the status of each of the elements of the Transit Improvement Program. He reported to you at that time that it did not appear that we were going to meet the ridership goal by July of this year.

I am pleased to announce today that we will achieve our goal; and we now expect to exceed it.

Since February of this year, Tri-Met's average downtown ridership has been consistently above 78,000 riders a day--well above the 50% increase over the base year figure of 50,000, which was our goal. Our system-wide average daily ridership is about 90,000 riders a day. If we include transfers, the total daily ridership is 110,000. This is more riders every day now than we had at the height of last year's gasoline crisis.

We have come a long way in two years. We have completed most of the work in the Transit Improvement Program. We have exceeded it in some cases, and dropped some programs that we felt were not productive enough. Most importantly, people have responded to the program.

We have proved to ourselves that the citizens of the region will ride the bus if good service is provided, if they understand how to use the service; if it is an attractive alternative to taking their cars.

We have been improving services steadily in the last two years. We have also been talking to people. We have been working at CRAG and with local governments; we have held many meetings in the community; we are learning what people want in public transit.

Last Fall, the Tri-Met Board adopted five year goals, which we feel reflect what people have been telling us; and which state what we want to accomplish in better transit service by 1979. I would like to briefly cite our five year goals.

1. We want to double our daily ridership by 1979. This means 145,000 riders every day on Tri-Met.
2. We want to double the percentage of travelers who enter downtown by bus; from the current 18% to 36% by 1979.
3. We want to provide better transportation alternatives for the handicapped and elderly, so that thousands of senior citizens and physically disabled do not look upon the simple act of moving as a luxury.
4. We want to design our system to support regional land use plans and local government planning efforts, so that people will work and live in areas where the entire transportation system can best serve them.
5. Tri-Met wants to provide efficient, safe and convenient transit service throughout the region. This is basic.

6. Finally, we want to do all this--provide the capacity, improve services, maintain the quality and provide for special needs--and pay for it with at least 40% of the cost met from the farebox.

We have developed a program to accomplish these goals. It is an extensive program, developed with the help of the Federal Government, CRAG, the Oregon Department of Transportation, and especially local governments and citizens throughout the region. It is a lean program. It is not technologically spectacular--at least it does not have BART or mono rail in it. All the elements are designed to get service on the ground. The program will provide basic transit services for more people; it is designed to make transit attractive and provide the level and quality of service we think people have demonstrated that they want.

The Tri-Met Five-Year Program is still being modified to reflect changes in regional priorities and plans. But I would like to touch briefly on some of the basic elements of the program as it is planned.

*We need more capacity. In a period of five weeks, Tri-Met Line #56, Forest Grove, increased ridership by 42% as a result of the institution of the flat fare on January 15 of this year. We added seven more buses, and the buses on Line #57 are now full again. We have had similar experiences on other lines, some increasing ridership as much as 88% in a few weeks. Systemwide, we are now operating at 106% capacity for the entire fleet during the peak hours. We have 100 buses on order, which we hope to have delivered this time next year. We will need them. We need them now.

What will we use them for?

*We plan to increase frequencies on lines that consistently run over capacity. The less time people have to wait for a bus, and if it is not so crowded they can't get on, more people will be inclined to ride Tri-Met.

*We still do not serve the entire district. We need more buses to do that. Every day, we get requests for more service--buses where there are no buses now, or more buses where there are not enough. We recently received a request from a group called the Ad Hoc Committee for better Tri-Met service to Clackamas County. It included a list of requests for service, each of which represented a genuine transit need. Each request would require more buses that we do not have now. And the cost of these requests would total \$1,034,000 per year for operation.

*We get similar requests from everywhere in the region. Gresham needs a Gresham local--like Beaverton and Oregon City have now. The new Kaiser Hospital needs good service from Milwaukie, Sellwood and Lake Oswego. St. Johns needs better transit access to the Lloyd Center and southeast Portland. Estacada, Carver, Boring and Damascus need better service. Gaston, Gales Creek, and Banks simply need service. People need to get to Swan Island more conveniently. More people would ride the bus if awkward transfers were not required; better crosstown service is planned so people won't have to go downtown to get to the Airport from Oregon City, or to Lloyd Center from northwest Portland. We have implemented many of these improvements. More are needed and more are part of the Five-Year Plan.

*Our plans call for bus routes within $\frac{1}{4}$ mile of every home in the urban area, within $\frac{1}{2}$ mile of every suburban home. In rural

areas, we plan to run a bus line to a park and ride lot in the community center.

*People do not like to wait in the rain. We are installing 20 bus passenger shelters each week now, and plan to have 715 up by 1976 so that people will have a dry place to wait for the bus. The shelters will have maps and schedule information so people can more easily find out what bus to take where.

*We also plan a whole new system of bus information signs-- 4,000 of them, so people can more easily learn how to use the system.

*We also plan to continue an aggressive marketing program to inform people about new and existing transit services available to them.

*We have already implemented 59 neighborhood park and ride lots, with the cooperation of churches, businesses, and the State of Oregon. These include a total of 2,116 parking spaces. The use of these spaces keeps cars out of downtown, and provides an access point for people to use transit for commuting. These park and ride lots have been made operational at no cost to Tri-Met, except the cost of putting Tri-Met signs up. We plan many more of these.

*We also plan at least five major park and ride stations in suburban communities. The Beaverton interim park and ride station is the first step. It is a place where 120 people can park, wait in a shelter, and take any of five lines in either direction. The Beaverton Station will double in size by this summer, and have plenty of information available to inform people where they can go from the station by bus. With continued cooperation from private industry and local governments, we will have more of these suburban stations, at least five, and maybe more.

*We will run non-stop express service from these stations on exclusive lanes reserved for buses. The Banfield High Occupancy Vehicle Lane project which this commission heard last month was the first step in developing exclusive transit facilities, and we plan more around the region. These facilities will provide an enormous savings in time for the bus patron and enormous cost savings to the public.

*Tri-Met currently has a systemwide off-peak ridership of 40%. To improve this, we are designing off-peak service improvements to capture riders other than the typical commuter; these will cost more money, but will allow us to make more efficient use of our fleet.

*The Tri-Met Board has approved a six-part regional program for special transportation services for the handicapped and elderly. This is a first step to meet an enormous need. We have substantial federal financial support, but it will require about 300,000 additional dollars per year from our own funds to operate the program.

*We are planning for the long-range needs of the transit system as well. We need a new maintenance facility to provide efficient maintenance of the fleet. We plan a substation for storing buses, and for reducing dead-run time. This facility will reduce bus runs on city streets by almost one thousand miles a day, thereby reducing congestion. This could save us as much as \$350,000 per year, but will require capital investment now. We are also working with local governments and the State Highway Division to make street improvements to improve the efficiency and convenience of bus operation. All this to save money.

*We are investigating alternative modes for the future, also. If cost/benefit analysis indicates significant operational cost savings, we may want to consider light rail to Oregon City or trolley buses

for some lines. The increased capital costs of installing these modes will require their careful consideration by the Tri-Met Board, as well as community willingness to fund them.

Those are some of the elements of our five-year program. They are designed to meet the needs as we foresee them. They will provide the region, at the end of the five years, with an efficient, attractive transit system, with a transit mall, exclusive bus lanes, park and ride stations, shelters, express service, shorter waits, better information, better regional access, and many more transit riders.

We are not forcing people out of their cars. We have already proved that when we offer good public transit, people take the bus.

We have met the initial clean air goal for transit; our five year goals are going to be much harder to meet, but we think we can do it if we provide better service. This is going to cost money.

That is the hard part. We cannot pay for even these basic programs without public support.

Public transit is a public service. Part of the cost must be borne by the public in the form of taxes, just as the automobile is supported by taxes. No transit district in the country pays its entire way from the farebox alone. We are currently covering about 50% of our costs from the farebox. Seattle's farebox revenue covers only one-third of its costs.

At the end of this fiscal year, Tri-Met will have \$7 million in accumulated cash reserves. At that time, the payroll tax reverts from .4 to .3%. If we continue the present public transit program without

imposing any additional taxes, our expenses will outrun revenues in January or February of next year--in about nine or ten months.

We are receiving a very substantial level of federal grant assistance, but cash flow remains a serious problem.

At present program levels, we will run a deficit of \$4.3 million by the end of the next fiscal year. The deficit will increase. To accomplish the program, I have outlined and maintain our substantial growth rate in ridership, we will need \$35 million more than we can raise under current taxing ordinances over the five years.

This leaves us with essentially three choices for the next year alone.

1. We can make major reductions in service programs soon, in order to reduce costs. The impact on overall ridership of such reductions is difficult to calculate, but will be enormous.
2. We can impose increased or additional taxes soon, to cover the projected deficit next year.
3. We can wait until next winter to do anything, and then make drastic cutbacks; this would result in a "minimum" public transit system for the region.

Let me give some examples of some of our choices for reducing services:

1. We can eliminate all Sunday service throughout the region. This would save us only \$1,860,466 per year.
2. We can eliminate all the new Tri-Met lines implemented since January 15. This would save us \$931,724 per year.
3. We can eliminate or cut back all lines with off peak utiliza-

tion of less than 50%. Entirely eliminating service on eight lines, and drastically cutting off-peak service on 21 other lines could save us a maximum of \$2,690,215 per year, exclusive of lost revenue.

Even if we did all of these, we would save a maximum of \$4,290,405 per year--just about the projected deficit for next year. Of course, this does not include the lost revenue from these cuts, nor does it include the reduced ridership that would result systemwide.

We could also cut some capital improvements. We would stop ordering additional buses, for example, or not build park and ride stations. If we make major cuts in transit service, however, it will be impossible to meet our ridership goals. It will make it impossible for us to significantly contribute to clean air goals by the EPA deadline of July 1, 1976. It will also mean that transit probably won't play a major role in meeting future regional transportation needs.

The second alternative, that of imposing additional or increased taxes also presents us with some choices.

1. We can raise the payroll tax to .5% in July. This would raise \$5.8 million annually.
2. If the legislature passes the vehicle registration fee for transit districts, we can impose a \$10 fee in July, and raise \$4.2 million for capital, road-related expenses in Fiscal Year 1976.
3. We can impose a .5% payroll tax in July, as well as a \$5 vehicle registration fee, and put the vehicle registration fee on the ballot for use as general operating revenue. If this were to pass at the ballot box, we would then drop the payroll tax back to .4%. This would raise \$5.7 million annually.

Those are, roughly, the alternatives for keeping our programs alive next year.

We think we have accurately evaluated the need for public transit in this community. The depth of the public's willingness to support it is what has yet to be determined. No legislation in Salem is going to eliminate the need for raising more taxes locally for public transit. The legislature has given us revenue tools, and we hope will give us additional tools this session. The decisions will be made here, however, and we must make our decisions fairly soon if we are to avoid falling back to a "minimal" system, laying off hundreds of drivers, and relegating public transit to a minimum role in transportation and a cleaner environment for this region.

Tri-Met is going to need help from the public in making the decisions necessary to fund a good transit system. The response so far has been very good. We will be scheduling a series of public hearings over the next few months to probe the depth of this public support. We are optimistic, but we are going to need all the help we can get.

Draft

REMARKS OF WILLIAM G. HALL
At The Hearing Of
THE ENVIRONMENTAL QUALITY COMMISSION
March 28, 1975

In April of 1973, Tri-Met submitted a Transit Improvement Program to the DEQ as part of the transportation control strategy. The goal of our program was to increase ridership to and from the downtown by 50% before July 1, 1975, this year.

Last October, Tri-Met's Assistant General Manager, Steve McCarthy, gave you a progress report. He explained the successes of our overall program, and described the status of each of the elements of the Transit Improvement Program. He reported to you at that time that it did not appear that we were going to meet the ridership goal by July of this year.

I am pleased to announce today that we will achieve our goal; and we now expect to exceed it.

Since February of this year, Tri-Met's average downtown ridership has been consistently above 78,000 riders a day--well above the 50% increase over the base year figure of 50,000, which was our goal. Our system-wide average daily ridership is above 90,000 riders a day. If we include transfers, the total daily ridership is 110,000. This is more riders every day now than we had at the height of last year's gasoline crisis.

We have come a long way in two years. We have completed most of the work in the Transit Improvement Program. We have exceeded it in some cases, and dropped some programs that we felt were not productive enough. Most importantly, people have responded to the program. ~~✗~~

~~have exceeded it in some cases, and dropped some programs that we felt were not productive enough. Most importantly, people have responded to the program.~~ We have proved to ourselves that the citizens of

the region will ride the bus if good service is provided, if they understand how to use the service; if it is an attractive alternative to taking their car.

We have been improving services steadily in the last two years. We have also been talking to people. We have been working at CRAG and with local governments; we have held lots of meetings in the community; we are learning what people want in public transit.

Last Fall, the Tri-Met Board adopted five year goals, which we feel reflect what people have been telling us; and which state what we want to accomplish in better transit service by 1979. I would like to briefly cite our five year goals.

1. We want to double our daily ridership by 1979. This means 145,000 riders everyday on Tri-Met.
2. We want to increase the percentage of travelers who enter downtown by bus. We want to double this from the current 18% to 36% by 1979.
3. We want to provide better transportation alternatives for the handicapped and elderly, so that thousands of senior citizens and physically disabled do not look upon the simple act of moving as a luxury.
4. We want to design our system to support regional land use plans and local government planning efforts, so that people will work and live in areas where the entire transportation system can best serve them.

5. Tri-Met wants to provide efficient, safe and convenient transit service throughout the region. This is basic.
6. Finally, we want to do all this--provide the capacity, improve services, maintain the quality and provide for special needs, and pay for it with at least 40% of the cost met from the farebox.

We have developed a program to accomplish these goals. It is an extensive program, developed with the help of the Federal Government, CRAG, the Oregon Department of Transportation, and especially local governments and citizens throughout the region. It is a lean program. And it is not technologically spectacular--at least it does not have BART or mono-rail in it. All the elements are productive and designed to get service on the ground. The program provides basic services for more people, designed to make transit attractive and provide the level and quality of service we think people have demonstrated that they want.

The Five-Year Program is still being modified to reflect changes in regional priorities and plans. But I would like to touch briefly on some of the basic elements of the program as it is planned.

*We need more capacity. In the five weeks after January 15, Line #57, Forest Grove, increased ridership by 42% as a result of the institution of the flat fare. We added seven more buses, and the buses on Line #57 are now full again. We have had similar experiences on other lines, some increasing ridership as much as 88% in a few weeks. Systemwide, we are now operating at 106% capacity for the entire fleet during the peak hours. We have 100 buses on order, which

we hope to have delivered this time next year. We will need them. We need them now. ~~4~~ What will we use them for?

*We plan to increase frequencies on lines that consistently run over capacity. The less time people have to wait for a bus, and if it is not so crowded they can't get on, more people will be inclined to ride Tri-Met.

*We still do not serve the entire district. We need more buses to do that. Everyday, we get requests for more service--buses where there are no buses now, or more buses where there are not enough. We recently received a request from a group called the Ad Hoc Committee for better Tri-Met service to Clackamas County. It included a list of requests for service, each of which was a genuine expression of real transit need. Each item required more buses that we do not have now. And the cost of these requests would total \$1,034,000 per year to operate. But they are needed services.

*We get similar requests from everywhere in the region. Gresham needs a Gresham local--like Beaverton and Oregon City have now. The new Kaiser Hospital needs good service from Milwaukie, Sellwood and Lake Oswego. St. Johns needs better transit access to the Lloyd Center and southeast Portland. Gaston, Gales Creek, and Banks need service; Estacada, Carver, Boring and Damascus need better service. People need to get to Swan Island more conveniently. More people would ride the bus if awkward transfers were not required. Better crosstown service is planned so people won't have to go downtown to get to the Airport from Oregon City, or to Lloyd Center from northwest Portland. We have implemented many of these improvements. More are needed and more are part of the Five-Year Plan.

*Our plans call for bus routes within $\frac{1}{4}$ mile of every home in the urban area, within $\frac{1}{2}$ mile of every suburban home. In rural areas, we plan to run a bus line to a park and ride in the community center.

*People do not like to wait in the rain. We are installing 20 bus passenger shelters each week now, and plan to have 715 up by 1976 so that people will not have to dash through the rain to catch the bus. The shelters will have maps and schedule information so people can more easily find out what bus to take where.

*We also plan a whole new system of bus information signs-- 4,000 of them, so people can more easily learn how to use the system.

*We also plan to continue an aggressive marketing program to inform people about new and existing transit services available to them.

*We have already implemented 59 neighborhood park and ride lots, with the cooperation of churches, businesses, and the State of Oregon. These include a total of 2,116 parking spaces. The use of these spaces keeps cars out of downtown, and provides an access point for people to use transit for commuting. These park and ride lots have been made operational at no cost to Tri-Met, except the cost of putting Tri-Met signs up. We plan many more of these.

*We also plan at least five major park and ride stations in suburban communities. The Beaverton interim park and ride station is the first step. It is a place where 120 people can park, wait in a shelter, and take any of five lines in either direction. It will double in size by this summer, and have plenty of information available to inform people where they can go from the station by bus.

With continued cooperation from private industry and local governments, we will have more of these suburban stations, at least five, and maybe more.

*We will run non-stop express service from these stations on exclusive lanes reserved for buses. The Banfield High Occupancy Vehicle Lane project which this commission heard last month was the first step, and we plan more around the region. These facilities will provide an enormous savings in time for the bus patron and enormous cost savings to the public.

*We are designing off-peak service improvements to capture riders other than the typical commuter. ^{Currently, off-peak ridership is — 10% systemwide.} ^{improvements} these will cost more money, but will allow us to make more efficient use of our fleet.

*The Tri-Met Board has approved a six-part regional program for special transportation services for the handicapped and elderly. This is a first step to meet an enormous need. We have substantial federal financial support, but it will require about 300,000 additional dollars per year from our own funds to operate.

*We are planning for the long-range needs of the transit system as well. We need a new maintenance facility to provide efficient maintenance of the fleet. ^{This will reduce bus runs on city streets by almost 1000 miles a day, and} We plan a substation for storing buses, and for reducing dead-run time. ~~which~~ could save us as much as \$350,000 per year, but will require capital investment now. We are working with local governments and the State Highway Division to make street improvements to improve the efficiency and convenience of bus operation. All this to save money.

*We are investigating alternative modes for the future, also. If cost/benefit analysis indicates significant operational cost savings, we may want to consider light rail to Oregon City or trolley buses

for some lines. The increased capital costs of installing these modes will require their consideration by the Tri-Met Board, as well as community willingness to fund them.

Those are some of the elements of our five-year program. They are designed to meet the needs as we foresee them. They will provide the region, at the end of the five years, with an efficient, attractive transit system, with a mall, exclusive bus lanes, park and ride stations, shelters, express service, shorter waits, better information, better regional access, and many more transit riders.

We are not forcing people out of their cars. We have already proved that when we offer good public transit, people take the bus.

We have met the initial clean air goal for transit; our five year goals are going to be much harder to meet, but we think we can do it if we provide better service. This is going to cost money.

That ~~This~~ is the *hard* ~~rough~~ part. We cannot pay for even these basic programs without public support.

Public transit is a public service. Part of the cost must be borne by the public in the form of taxes, just as the automobile is supported by taxes. No transit district in the country pays its entire way from the farebox alone. We are currently covering about 50% of our costs from the farebox. Seattle's farebox revenue covers only one-third of its costs.

At the end of this fiscal year, Tri-Met will have \$7 million in accumulated cash reserves. At that time, the payroll tax reverts from .4 to .5%. If we continue the present public transit program without

imposing any additional taxes, our expenses will outrun revenues in January or February of next year--in about nine or ten months.

We are receiving a very substantial level of federal grant assistance, but cash flow remains a serious problem.

At present program levels, we will run a deficit of \$4.3 million by the end of the next fiscal year. The deficit will increase. To accomplish the program I have outlined, we will need \$35 million more than we can raise under current taxing ordinances over the five years.

This leaves us with essentially three choices for the next year along.

1. We can make major reductions in service programs soon, in order to reduce costs. The impact on overall ridership of such reductions is difficult to calculate.
2. We can impose increased additional taxes, or raise the fares, soon, to cover the projected deficit next year.
3. We can wait until next winter to do anything, and then make drastic cutbacks--resulting in a minimum public transit system for the region.

Let me explain what some of our choices are in reducing services.

1. We can eliminate all Sunday service throughout the region. This would save us only \$1,860,466 per year.
2. We can eliminate all the new Tri-Met lines since January 15. This would save us \$931,724 per year.
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TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON

TRI-MET



PACIFIC BUILDING
520 S.W. YAMHILL STREET
PORTLAND, OREGON 97204
(503) 233-8373

March 26, 1975

Mr. Kessler R. Cannon, Director
Department of Environmental Quality
1234 SW Morrison Street
Portland, OR 97205

ATTENTION: Mr. Carl A. Simons, Supervisor
Air Quality Maintenance Programs

Dear Mr. Cannon:

Tri-Met, by letter of April, 1973, committed the transit district to providing a 50% increase in riders, from 50,000 per day to 75,000 per day, to and from the downtown by July 1, 1975. This commitment was Tri-Met's part of the area's plan to meet federal EPA clean air requirements. (The EPA later extended the deadline for meeting standards to July 1, 1976.)

Tri-Met's commitment was to be achieved through implementation of a number of service improvements and planned projects recommended by the DeLeuw, Cather Study, 1 - Immediate Improvements in Public Transportation, Portland-Vancouver Metropolitan Area.

Regional transportation planning, an ongoing process, has developed an improved short range (5-year) program. The program, Transit Development Program (TDP), will be submitted to the Urban Mass Transportation Administration by July, 1975, for approval as UMTA procedures require.

The TDP will be a comprehensive plan, containing most of the elements of the program to meet the clean air commitment, but shifting emphasis to low-capital improvements, redefining certain projects, and adding needed projects (such as a program for providing special transportation for the elderly and handicapped).

Mr. Kessler R. Cannon
March 26, 1975
Page Two

Tri-Met has already completed or implemented many of the projects listed in our letter of April, 1973. In addition, major new programs have been implemented: 1) discontinuance of zone fares (35¢ flat fare), 2) monthly pass available for \$13, 3) establishment of a downtown Portland free zone (no fares required for rides within the 288-block area).

The combination of these service improvements has effectively accomplished the goal to which Tri-Met committed -- increasing downtown ridership from 50,000 per day to 75,000 per day. In February, 1975, an average of 78,002 riders per weekday were carried. It is projected that the average for the entire calendar year 1975 will exceed the desired 75,000 figure.

Upon UMTA approval of our area's new Transit Development Program, Tri-Met will submit that to the DEQ for proper substitution for the outdated program. The new TDP will provide ample assurance that Tri-Met's commitment for increased transit ridership will be kept and, in fact, exceeded by July 1, 1976.

Sincerely,



Stephen R. McCarthy
Assistant General Manager

SRM:sg



ENVIRONMENTAL QUALITY COMMISSION

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

Robert W. Straub

GOVERNOR

TO: Environmental Quality Commission

B. A. McPHILLIPS
Chairman, McMinnville

From: Director

GRACE S. PHINNEY
Corvallis

Subject: Agenda Item No. E, March 28, 1975, EQC Meeting

JACKLYN L. HALLOCK
Portland

Cascade Energy Inc. - Proposed Issuance of Air Contaminant
Discharge Permit

MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

Background

KESSLER R. CANNON
Director

The Department recommended issuance of an Air Contaminant Discharge Permit for the proposed Cascade Energy, Inc. 30,000 barrel per day oil refinery at Rainier, at the February 28, 1975 EQC meeting. The proposed permit did not incorporate the meteorologically controlled fuel switching program to cleaner oil which was requested by Cascade at the January 24, 1975 public hearing. This fuel switching program, which would involve switching to cleaner fuels during certain meteorological conditions, had been requested by Cascade as a means of meeting all air quality rules including Class II air quality deterioration limits, while minimizing economic impact of operating the refinery on clean fuels all year long.

Just prior to the February 28, 1975 EQC meeting, Cascade informed the Department and the EQC that it would demand a formal hearing on the permit, if issued as recommended, unless reasons "having a high level of technical validity" were given why the Cascade proposed fuel switching program was rejected. The EQC noted that the unresolved issue of fuel switching was of great importance to Cascade and therefore directed the Department to reevaluate Cascade's request and report back to the EQC at its March 28, 1975 meeting.

The Department has reviewed the history leading up to the fuel switching issue with the following findings:



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1. The Department found that Cascade's initial air quality impact analysis indicated:
 - a. Ground level impacts greater than Class II deterioration limits.
 - b. Elevated receptor (hillside) air quality impacts, requested by the Department, had not been made.
2. The Department notified Cascade of the deficiencies noted above and offered a solution to the matter by requiring Cascade to burn a cleaner fuel mix.
3. Cascade accepted the Department's approach and a fuel mix which appeared to the Department to meet all air quality impact requirements, was mutually agreed upon. The permit prepared for the January 24, 1975 public hearing was drafted on this basis.
4. Prior to the January 24, 1975 public hearing, Cascade expressed a desire to lessen economic impact of burning the clean fuel mix and proposed improved air impact modeling which might show that cleaner fuels were not necessary. The Department indicated at that time that results of the improved or revised modeling would be considered.
5. The Department fully considered Cascade's revised air impact modeling submitted at the January 24, 1975 public hearing before making recommendations at the February 28, 1975 meeting to not use revised impact projections and to not allow the fuel switching program. The reasons that fuel switching and revised modeling were not considered acceptable to the Department were briefly summarized in the Department's February 28, 1975 report to the EQC. This report, indicated,
 - a. Adverse air quality impacts were still projected to occur on the Rainier hillside.
 - b. Additional meteorological data was needed at the plant site to provide sufficient assurance that air quality deterioration limits would not be exceeded in the vicinity of the plant site.
 - c. Sufficient information was not submitted to fully evaluate the air quality impact of the fuel switching proposal.

Discussion

The Department has reassessed Cascade Energy's revised modeling and fuel switching proposal and concludes that it would be technically unsound to accept them. The Department prepared a memo (attached) citing more detailed reasons for the Department's conclusions and transmitted the essence of these reasons to Cascade on March 13, 1974 along with other findings of the Department's reassessment. The following is a summary of this reasoning and findings.

Revised Modeling Not Used. The Department found that meteorological data used in the revised air impact projections submitted by Cascade contained significant data gaps. These data gaps, which amounted to almost 1700 hours of missing data for the year (19% of the year) were judged by the Department of such magnitude to raise significant questions as to the validity of revised ground level air impact projections (particularly short-term air impact projections). The Department therefore gave more consideration to the initial ground level impact projections which were based on more complete meteorological data. Unfortunately, neither the Department nor Cascade could foresee the data gaps in revised modeling until work was well underway.

Fuel Switching to Protect Hillside from Adverse Impact Discounted. Elevated receptor (hillside) air impacts in the revised modeling confirmed the potential for SO₂ impacts greater than deterioration limits even with fuel switching to all distillate fuel oil. Cascade considered these impacts unrealistic but did not present any impact projection data for consideration by the Department which Cascade felt were realistic and which would assure air quality standards and deterioration limits would be met. The Department therefore gave more consideration to its analysis that elevated receptor impacts would be within deterioration limits if air emissions were within limits contained in Cascade's proposed permit.

Other Information Conveyed to Cascade. Other information conveyed to Cascade as a result of reassessment of Cascade's revised impact projections included:

1. Options available to Cascade which might be exercised prior to or shortly after refinery startup to justify a fuel switching program on a technically sound basis, such as:
 - a. Revised impact modeling using a full year's plant site meteorological data and more directly applicable hillside impact models.
 - b. Change in the Rainier area air quality deterioration classification.
 - c. Actual measurements of air impacts at the plant site using tracer and air monitoring techniques.

2. Examples of documented adverse air impacts on elevated receptors in the State of Oregon.
3. Recent developments of hillside impact models including one model by EPA which is nearly validated and scheduled to be published soon.
4. Criteria considered reasonable by the Department for considering future requests by Cascade for revised emission limits, including:
 - a. Applicable air quality deterioration limits shall not be exceeded.
 - b. At least twelve (12) consecutive months of plant site meteorological data must be obtained for further revised modeling with minimal data loss (less than five percent).
 - c. Necessity to use impact models which have been validated and which would be considered to give reasonably accurate projections of air quality impact in the plant site area particularly on the Rainier hillside.

The Department discussed all the above items with Cascade representatives at a meeting on March 14, 1975. It is believed that Cascade representatives now have a much better understanding of the rationale behind the Department's position and more clearly understands future potential and criteria for obtaining permit changes. Cascade representatives indicated they would discuss the Department's position with their client, but they did not expect to have any response to the Department prior to the writing of this report.

Conclusions

1. Air impact modeling utilized in the Department's January 24, 1975 report on Cascade indicated air quality standards and deterioration limits would be met at ground level and hillside receptors if a fuel mix of residual and distillate oil were burned.
2. Cascade's revised modeling submitted at the January 24, 1975 public hearing raised questions as to the accuracy of ground level impacts and magnitude of hillside impact due to significant meteorological data gaps in the modeling technique and lack of actual hillside impact projection data.
3. The Department continues to believe, after reassessment of Cascade's proposal and further discussions with Cascade representatives, that the air impact projections using distillate and residual oil fuel mix required in the proposed permit should be maintained as being the most technically sound approach at this time to assure that applicable air quality standards and deterioration limits would be met.

Director's Recommendation

It is the Director's recommendation that the attached proposed air contaminant discharge permit for the Cascade Energy facility which is identical to the permit proposed for adoption at the February 28, 1975 EQC meeting, be issued.

Further, it is the Director's recommendation that the following conditions be established as prerequisites to be met in order for the Department to consider making future revisions in Cascade's permitted air emission rates:

1. Air quality deterioration limits applicable to the Rainier area are not exceeded (Federal Register, December 5, 1974, Volume 39, No. 235).
2. At least twelve (12) consecutive months of plant site meteorological data is obtained for use in any revised impact modeling with minimal data loss (less than five percent).
3. Air quality impact models be used by Cascade in any future impact projections which have been validated and which would be considered by the Department to give reasonably accurate projections of air quality impact in the vicinity of the plant site, particularly on the Rainier hillside.
4. Sufficient tracer studies and monitoring be conducted while the plant is in operation to define actual air impact should a controversy still exist as to the validity of improved air impact modeling.



KESSLER R. CANNON
Director

JFK:cs
3/18/75

Attachments

1. February 27, 1975 letter from Environmental Disciplines, Inc.
2. March 14, 1975 interoffice memorandum
3. Proposed Permit

environmental disciplines inc

planning · environmental engineering · architecture · urban design · economic analysis

520 s.w. sixth avenue
portland, oregon 97204
(503) 226-3921

February 27, 1975

Mr. B.A. McPhillips, Chairman
Environmental Quality Commission
1234 S.W. Morrison
Portland, Oregon

RE: Cascade Energy, Inc., Agenda Item 1, February 24
EQC Meeting

Dear Mr. McPhillips:

We have reviewed the staff report and revised draft permit for the Cascade Energy oil refinery and are still not satisfied that our client is receiving a, completely fair shake.

We are pleased and appreciative that our recommendations regarding the post-construction compliance testing and monitoring program were accepted for the most part. From the standpoint of these details, it is a good tight permit for both DEQ and the applicant.

Where we still disagree with staff is in the critical matter of whether Cascade will be required to burn a large amount of No. 2 oil. As it now stands, they will have to burn roughly half No. 2 and half low sulfur residual oil to supply the refinery's external energy requirements.

As a consultant, I must admit to being disturbed about the selective disregard given by the staff report to a very laborious and conscientious effort by EDI to provide information to DEQ in the form of our supplementary analysis dated January 23, which I presented at the public hearing. The staff report statement on page 3, paragraph 5 that "Cascade's refined modeling did not show a lesser air quality impact but did indicate adverse impact occurred for a relatively short period of time" is a rather serious misstatement of fact. The results of our additional studies in fact showed major reductions in the projected refinery impacts at all ground level receptors: as an example, the peak 24-hour impacts went

Mr. B.A. McPhillips
Page 2
February 27, 1975

from 30 $\mu\text{g}/\text{m}^3$ to 7 for particulate, and from 100 to 42 $\mu\text{g}/\text{m}^3$ for SO_2 . I find the presence of these higher numbers, which appeared in the January staff report, in Table 1 of the current one, most objectionable. The additional study was done at the staff's request, and according to methods approved in advance by them--and yet the results are ignored when all is done.

I would suggest that the agency has an obligation to give a reason for discounting important information submitted in good faith.

The same kind of selective disregard is given to our proposed solution to the potential problem of our "flagpole sitter" receptors on the hill above the refinery. You will recall we stated that we did not believe there was likely to be a real problem, but readily admitted to uncertainty in the analysis and therefore the potential for a problem to exist--for a very small number of hours a year. But you will also recall we went a step further, and proposed a solution to the potential problem. In my opinion this solution is practical, economic, and adequately protective of the environment. It assures standards will be met.

What the staff report states with respect to this is that "the Department does not believe that enough sound information is available to approve the fuel switching proposal," and then lays on a requirement to conduct a one year pre-construction monitoring program to produce more data. I fail to understand the reasoning behind this response--the results of such a study would only confirm how frequently the fuel switching will have to be done. Whether it's 3 hours or 300 hours, Cascade is committed to burning No. 2 whenever the wind blows toward the hill at night, and common sense tells you it will work. It would be a real mistake to force Cascade to waste high quality diesel oil the year around for no reason other than that your staff wants to resolve all uncertainties, regardless of whether they are relevant or not.

The economic consequences of the staff recommendation are not entirely clear. Most of the weather equipment required will be needed for the fuel switching system anyway, except for the \$1,000 tower. The data collection, analysis, and the modeling it would lead to are estimated at \$20,000. Keep in mind, however, the staff

Mr. B.A. McPhillips
Page 3
February 27, 1975

recommendation is open-ended in that it sets no conditions or criteria for what information will be "adequate to justify approval of the fuel-switching proposal.

Our client has informed us that he is uncertain whether operation of the refinery using No. 2 fuel oil is economically feasible. Our first estimate is that it will add from \$1,200 to \$1,600/day, or \$430,000 to \$580,000/year to the refinery operating costs.

I would strongly urge the Commission to consider this matter carefully before acting on the Cascade permit. We believe we have presented a realistic proposal based on sound technical analysis and that no good reason has been given for rejecting it. Unless such reasons--with a high level of technical validity and persuasiveness--are forthcoming at this meeting, our client has informed us of his intention to demand a formal hearing under the procedures of ORS 447.733. We are confident that such a hearing, held before a hearings officer with rules of testimony and cross-examination of witnesses, will allow the technical fact and speculation to be separated in such a way that the Commission will be able to render an equitable decision.

Thank you for your consideration. I appreciate that this detail may seem less important to you than the larger question of a fuels policy and permits for 3 refineries at the same time, but I can assure you it is of no small consequence to our client, and as a matter of equity and policy is worthy of great thoughtfulness on your part.

Yours very truly,



F. Glen Odell, P.E.
President

FGO/mbk

cc: Commissioner Morris K. Crothers
Commissioner Jacklyn L. Hallock
Commissioner Grace S. Phinney
Commissioner Ronald M. Somers
Mr. Kessler R. Cannon
Mr. E.J. Weathersbee



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: EJWeathersbee
From: JFKowalczyk
Subject: AQ - Cascade Energy, Inc.
Columbia County

Date: March 14, 1975

Response to EDI's February 27, 1975 letter to the EQC.

The Department recognizes and commends Cascade Energy, Inc for making design changes in their proposed plant which should lessen air impact. However, the Department did not revise air impact projections or incorporate the meteorologically controlled fuel switching program in the revised Air Contaminant Discharge Permit for Cascade Energy, Inc. for the following reasons:

1. Meteorological data used for revised air impact projections submitted by Cascade contained significant data gaps. Had these gaps, which amounted to almost 1700 hours of missing data for the year (19% of the year) not been present, revised ground level air impact projections could have been significantly different (particularly short-term air impact projections). The Department, therefore, gave more consideration to initial ground level impact projections which were based on more complete meteorological data. Unfortunately, neither the Department nor Cascade could foresee the data gaps in revised modeling until work was well underway.
2. Elevated receptor (hillside) air impacts in the revised modeling confirmed the potential for SO₂ impacts greater than deterioration limits, even with fuel switching. Cascade considered these impacts unrealistic but did not present any impact projection data (for consideration by the Department) which Cascade felt were realistic and which would assure standards would be met. The Department therefore gave more consideration to its analysis that elevated receptor impact would be within deterioration limits if emissions were within limits contained in the proposed permit.

In summary, since impact modeling indicated air quality standards and deterioration limits would be met at ground level and hillside receptors if a fuel mix of residual and distillate oil were burned according to Department analysis, and that Cascade's revised modeling raised questions as to accuracy of ground level impacts and magnitude of hillside impact, the Department concluded that impact projections using the distillate-residual oil fuel mix requirements in the proposed permit should be maintained as being the most technically sound approach at the time to base assurance that applicable standards would be met.

Economic Impact of Fuel Switching

The Department felt economic impact of burning cleaner fuels would be minimized by allowing Cascade options to remodel impact when better meteorological data was available and more applicable modeling techniques were also available. The potential of reclassifying the Rainier Area to Class III limits also would exist. Any or all of these options could be done prior to plant operation and fuel requirements could be changed at that time if air quality standards could be met.

Should Cascade ultimately still need to burn a mix of clean fuels to meet air quality standards, the economic impact projections may not be as great as portrayed (\$1,200 to \$1,600 per day). The Department has recently checked fuel oil pricing on the West Coast at refineries, public utilities and through other reference sources for residual oil (less than 0.5% sulfur) and distillate oil (less than 3/10% sulfur) and found that fuel cost differentials for Cascade would probably run from \$300 to \$1,000 per day with a distinct possibility that little or no cost differential would occur in the future if present trends continue.

Elevated Receptor Impacts

The elevated receptor hillside impact projections have been considered highly questionable by Cascade. The Department has analyzed Cascade's revised hillside impact in much greater depth by scanning some 7000 hours of meteorological data used for modeling. The Department also has conducted further investigation into latest techniques in projecting hillside impacts with the following findings:

1. Adverse elevated receptor air impacts do occur with the following examples cited:
 - a. Adverse SO₂ hillside impacts from the Wauna Kraft Mill were projected near the Wauna Mill site (which is only 15 miles from the Cascade site). The projected adverse levels of SO₂ were qualitatively confirmed to the north and south of the plant on a hillside similar to the Rainier hillside by measurement of high sulfur levels in Douglas Fir needled. Reference: EPA publication 660/3-74-018, dated August 1974.
 - b. Elevated receptors in the Salem area at the Civic Center and Pioneer Trust Building have experienced SO₂ concentrations from the nearby Boise Cascade Pulp Mill approaching near plume centerline concentrations.
 - c. Significant complaints regarding odors from the kraft pulp mill at Springfield have come from residents on the Coburg hills.
2. The Rainier hillside south the the Cascade plant site rises to nearly 700 feet while calculated plume rises from Cascade's refinery are frequently on the order of 400 to 500 feet (occurring at nighttime stable conditions and, under higher wind speed, at daytime or nighttime conditions). This would greatly enhance potential for adverse plume impingement on the hillside.

3. Relatively flat terrain lies to the north of the Cascade plant site. A significant amount of northerly winds channeled from the Cowlitz River Canyon blow from the Cascade site toward the Rainier hillside (20% to 30% of the time [1700 to 2500 hours] during the year). This would further enhance potential for adverse plume impingement on the hillside.
4. Projected hillside impact using most widely recognized techniques which admittedly are considered conservative, indicate potential occurrence of relatively high concentrations of SO₂ (10,000 micrograms per cubic meter at 1/2% sulfur oil) occurring for short periods of time (one hour) over relatively small areas on the hillside.
5. Meteorological conditions that cause short-term high SO₂ impacts at elevated receptors can occur more frequently than three² hours per year and with no predictability on numerous points on the hillside (56 out of 168 hours during a week in August, 1973 and 37 out of 168 hours during a week in January, 1973).
6. Based on the information and analysis above, even if ground level impacts were accurate and well within air quality standards, fuel switching to distillate fuel to protect from adverse hillside affects would have to be done essentially at any time winds were out of a northwest to the east 135 degree sector. Such fuel switching would have to be almost instantaneous considering that impacts occur almost instantaneously and considering the rather unpredictable occurrence of these adverse winds. Cascade would probably find, on a practicable basis, that operation on distillate fuel would have to take place a large portion of yearly operation (probably in excess of one-half of each year's operation).
7. Presently used equations appear to be the most acceptable approach to approximating hillside impacts according to nationally renown experts. More sophisticated techniques appear to be on the immediate horizon, including:
 - a. Development of conservation of mass grid cell models which can account for terrain features while modeling hillside impacts.
 - b. Wind tunnel simulations of hillside impacts such as work being done by the University of Colorado.
 - c. Actual measurement of hillside impacts using tracer and air monitoring techniques, such as work under contract by EPA.

It would be expected that some, if not all of these approaches would be sufficiently developed in the future prior to Cascade operation, such that revisions in impact projections could be made to utilize improved methodology. At least a years worth of plant site met data (with data loss less than 5%) would be required for any remodeling efforts.

8. Finally, and most important, the Department has just learned of a hillside impact modeling study in Utah conducted by EPA which has validated a hillside impact model through use of over one years worth of actual site monitoring. Applying this model to the Cascade hillside impact has revealed that it would be justified to require burning 0.2% sulfur distillate (in lieu of proposed 0.3% sulfur) fuel oil when the wind is blowing toward the hillside to meet Class II deterioration limits.

Recommendations

1. Retain presently proposed fuel mix requirements in light of the significant meteorological data voids in the revised modeling effort.
2. In light of recent EPA hillside modeling efforts, it would appear to be justified to require fuel switching to 75% distillate (at 0.2% sulfur maximum) and 25% refinery gas within 15 minutes of occurrence of any of the following conditions. Such fuel switch would need to continue until the following conditions do not occur for more than one hour:
 - a. Wind speed ≥ 1 mph ≤ 8 mph
Wind direction: 135° quadrant from NW to E
Time of day: 1 hour before sunset to 1 hour after sunrise
 - b. Wind speed < 1 mph
Wind direction: any
Time of day: 1 hour before sunset to 1 hour after sunrise
 - c. Wind speed > 8 mph
Wind direction: 135° quadrant from NW to E
Time of day: any

However, since EPA has not published their hillside impact model, as yet, and has indicated that they would like to collect at least one more year of ambient data to further validate this model, it would appear premature to impose further emission restrictions on Cascade.

It is recommended that the following conditions be a prerequisite for the Department to consider making revisions in Cascade's air emission limits:

1. Air quality deterioration limits (Federal Register, December 5, 1974, Volume 39, No. 235) applicable to the Rainier Area are not exceeded.
2. At least 12 consecutive months of plant site meteorological data is obtained with minimal data loss (less than 5% consecutive).
3. Air quality impact models are developed and validated which would be considered to give a reasonably accurate projection of air quality impact, particularly on the Rainier hillside and sufficient tracer studies and monitoring be conducted while the plant is in operation to define actual impact should a controversy still exist as to validity of improved hillside impact modeling.

/cs

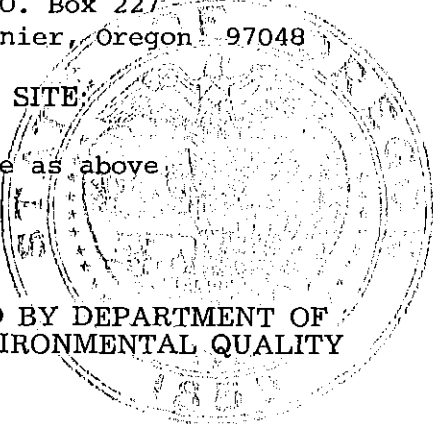
PRELIMINARY DRAFT

Permit Number: _____
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AIR CONTAMINANT DISCHARGE PERMIT

Department of Environmental Quality
1234 S.W. Morrison Street
Portland, Oregon 97205
Telephone: (503) 229-5696

Issued in accordance with the provisions of
ORS 468.310

<p>ISSUED TO: Cascade Energy Inc. P. O. Box 227 Rainier, Oregon 97048</p> <p>PLANT SITE: Same as above</p> <p>ISSUED BY DEPARTMENT OF ENVIRONMENTAL QUALITY</p>  <p>Kessler R. Cannon Director</p> <p>Date</p>	<p>REFERENCE INFORMATION</p> <p>Application No. <u>294</u></p> <p>Date Received <u>May 31, 1974</u></p> <p>Other Air Contaminant Sources at this Site:</p> <table><thead><tr><th>Source</th><th>SIC</th><th>Permit No.</th></tr></thead><tbody><tr><td>(1) _____</td><td></td><td></td></tr><tr><td>(2) _____</td><td></td><td></td></tr></tbody></table>	Source	SIC	Permit No.	(1) _____			(2) _____		
Source	SIC	Permit No.								
(1) _____										
(2) _____										

SOURCE(S) PERMITTED TO DISCHARGE AIR CONTAMINANTS:

Name of Air Contaminant Source	Standard Industry Code as Listed
Petroleum Refining 30,000 BBL/day Capacity	2911
Fuel Burning Equipment - Residual and Distillate oil both exceeding 250 million BTU/hr. (63 million kg-cal/hr) (heat input)	4961

Permitted Activities

Until such time as this permit expires or is modified or revoked, Cascade Energy Inc. is herewith permitted in conformance with the requirements, limitations and conditions of this permit to construct a petroleum refinery with a design capacity no greater than 30,000 BBL/day in Rainier, Oregon and to discharge air contaminants therefrom.

Compliance with the specific requirements, limitations and conditions contained herein shall not relieve the permittee from complying with all rules and standards of the Department and the laws administered by the Department.

Section A: Petroleum Refining
Section B: Fuel Burning Equipment

Cascade Energy Inc.

SECTION A - PETROLEUM REFINING

Performance Standards and Emission Limits

1. The permittee shall at all times maintain and operate all air contaminant generating processes and all air contaminant control equipment at full efficiency and effectiveness such that the emissions of air contaminants are kept at the lowest practicable levels.
2. Emissions of air contaminants from petroleum refining and all associated air contaminant control equipment shall not exceed any of the following:
 - a. An opacity equal to or greater than twenty (20) percent opacity for a period or periods aggregating more than thirty (30) seconds in any one hour from any single non fuel burning source of emissions.
 - b. An emission of particulate matter which is larger than 250 microns in size provided such particulate matter does or will deposit upon the real property of another person.
3. The permittee shall not cause or permit the emissions of odorous matter in such a manner as to contribute to a condition of air pollution or exceed:
 - a. A scentometer No. 0 odor strength or equivalent dilution in residential and commercial areas.
 - b. A scentometer No. 2 odor strength or equivalent dilution in all other land use areas.

Scentometer Readings

Scentometer No.	Concentration Range No. of Thresholds
0	1 to 2
1	2 to 8
2	8 to 32
3	32 to 128

4. The permittee shall not sell, distribute or make available for use any distillate fuel oil, in the entire state of Oregon, containing more than the following percentages of sulfur: (OAR, Chapter 340, Sections 22-005, 22-015, 22-025).
 - a. ASTM Grade 1 fuel oil - 0.3 percent by weight
 - b. ASTM Grade 2 fuel oil - 0.5 percent by weight
5. The permittee shall not sell, distribute or make available for use in the entire state of Oregon any residual fuel oil (oil meeting the specifications of ASTM Grade 4, Grade 5, or Grade 6 fuel oil), containing more than 1.75 percent sulfur by weight. (OAR, Chapter 340, Sections 22-005, 22-010, 22-025).

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6. After January 1, 1979, if the Department so requires by rule, the permittee shall not sell or distribute for use in Multnomah, Washington, Clackamas and Columbia counties of Oregon any residual fuel oil (oil meeting the specifications of ASTM Grade 4, Grade 5 or Grade 6 fuel oil) containing more than 0.5 percent sulfur by weight. (OAR, Chapter 340, Sections 22-005, 22-010, 22-025).

Special Conditions

7. The permittee shall operate the refinery such that the monthly average crude oil processing capacity does not exceed 30,000 BBL/day and shall, prior to construction submit detailed plans and specifications to the Department for review and approval, for at least the following: All petroleum storage and loading equipment, sulfox plant, by-product sulfur handling, storage and shipment facilities, cooling tower, vapor recovery system and the flaring system. Said refinery shall incorporate highest and best practicable treatment and control facilities and procedures throughout.
8. The permittee shall handle, transfer, store and subsequently load for shipment all by-product sulfur as a liquid unless otherwise approved by the Department in writing. If because of process equipment breakdown it becomes necessary for the sulfur by-product to be stored in a solid form, it shall be stored in a completely enclosed area. All displaced air from this enclosed area must pass through an air pollution control system, approved by the Department before being discharged into the atmosphere.
9. The permittee shall be subject to the following provisions with regards to the unloading, transferring, storage and loading of all petroleum liquids.
 - a. Petroleum liquid having a true vapor pressure of 78 mm Hg or less shall be stored in vessels equipped with a conservation vent or equivalent.
 - b. Petroleum liquid having a true vapor pressure in excess of 78 mm Hg but not greater than 570 mm Hg shall be stored in vessels equipped with a floating roof or equivalent.
 - c. Petroleum liquid having a true vapor pressure in excess of 570 mm Hg shall be stored in vessels equipped or tied in with a vapor recovery system or its equivalent.
 - d. All hatch covers must be kept in good operating condition and must be closed at all times except during actual gauging operations.
 - e. Shall, as a minimum requirement comply with all applicable conditions of OAR, Chapter 340, Section 28-050.
10. The permittee is prohibited from discharging any treated or untreated water to any public waterway unless such discharge is the subject of a valid Waste Discharge Permit issued by the Department of Environmental Quality.

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11. The permittee shall comply with all applicable Department noise control regulations and demonstrate compliance no later than 90 days after facility start-up.
12. The permittee shall cover all API gravity separators to control hydrocarbon emissions.
13. The permittee shall submit to the Department written documentation of the following increments of progress by no later than the dates indicated below, that the proposed oil refinery is a viable project and is proceeding towards completion. If at any time it is apparent that the project is not viable as determined by failure to adhere to the following schedule, the permit shall be subject to modification or revocation.
 - a. Proceed with preliminary on site engineering March 1, 1975
 - b. Final decision to build refinery in two phase or in one phase March 1, 1976
 - c. Complete engineering contracts for major process design April 1, 1976
 - d. Obtain crude supply, marketing and financial commitments March 1, 1976
 - e. Commence construction of preliminary site work May 1, 1976
 - f. Order major delivery items May 1, 1976
 - g. Orders complete for balance of process equipment April 1, 1978
 - h. Start up of 15,000 BBL/day refinery July 1, 1978
 - i. Start up of 30,000 BBL/day refinery January 1, 1979
14. The permittee shall submit for Department review and approval prior to start-up of the refinery, the analytic methods that will be used by the refinery to determine sulfur, ash and nitrogen content (percent by weight).
15. Operation of the flares shall be considered a breakdown condition and therefore subject to general condition number 11 of this permit.
16. Continuous monitoring of specific emissions and emission points may be required by the Department after review of final engineering plans and specifications.
17. The permittee shall provide within three months of commencing commercial operation, easily accessible sampling ports and platforms on all emission exhaust stacks. The location and design of these sampling ports and platforms must be reviewed and approved by the Department.
18. The permittee shall when in commercial operation but no sooner than January 1, 1979 make available for use in Columbia county, at least 2,000 barrels per day of residual fuel oil with a maximum sulfur content of 0.5 percent by weight.
19. The permittee shall install, maintain and operate an air quality monitoring system at least one year prior to expected operation of the refinery, which has been approved by the Department in writing.

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20. The permittee shall install, maintain and operate a meteorological monitoring station within 180 days of issuance of the permit. The meteorological instrumentation, recording equipment and reporting procedures shall be approved by the Department prior to installation and implementation. The meteorological station shall consist of the following:
- 100 foot (30.5 meter) tower which will remain intact for the life of the plant.
 - Wind speed, direction, and temperature sensing at the 100 foot (30.5 meter) level of the tower.
 - Temperature sensing at the 33 foot (10 meter) level of the tower.
 - Continuous recording of all meteorological parameters.

Emission Reduction Plan

21. The permittee shall implement the emission reduction plan stated in Section B of this permit.

Compliance Schedule

22. None required.

Monitoring and Reporting

23. The permittee shall effectively monitor the operation and maintenance of the facility and associated air contaminant control equipment. A record of all such data shall be maintained for a period of one year and be available at the plant site at all times for inspection by the authorized representatives of the Department. At least the following parameters shall be monitored and recorded at the indicated interval unless otherwise approved by the Department in writing:

<u>Parameter</u>	<u>Minimum Monitoring Frequency</u>
a. Amount of sulfur by-product reclaimed and/or sold	Weekly
b. Any observable increase in particulate, sulfur dioxide, or odorous emissions from the facility, suspected reason for such increased emission and projected date of any action to reduce the emission increase	Daily
c. Operating schedule (hours/day) of the sulfur by-product transferring and shipment facility	Monthly
d. Amount of crude oil processed	Daily

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<u>Parameter</u>	<u>Minimum Monitoring Frequency</u>
e. Analysis of residual and distillate fuel oil for sulfur, ash and nitrogen content (percent by weight) Samples shall be taken from each final (prior to shipment) storage tank containing residual and distillate fuel oil	Each time additional product is added to the tank or each time after a quantity of oil equal to the holding capacity of the tank has passed through the tank
f. Purchasers name, date of purchase, type of fuel oil, quantity of the shipment, destination, sulfur, ash and nitrogen content (percent by weight)	Each individual shipment of distillate and residual oil
g. The date of inspection and/or type of maintenance performed on the petroleum and sulfur by-product storage and handling facilities, cooling tower, flaring system vapor recovery system	As performed

24. The permittee shall submit the following recorded information to the Department in writing at the indicated intervals:

<u>Parameter</u>	<u>Interval</u>
a. Tons of sulfur by-product reclaimed	Quarterly
b. Amount of crude oil processed	Monthly
c. Operating hours of the sulfur by-product handling, storage and shipment facility	Quarterly
d. Purchasers name, date of purchase, type of fuel oil, quantity of the shipment, destination, sulfur, ash and nitrogen content (percent by weight)	Monthly

SECTION B - FUEL BURNING EQUIPMENT

Performance Standards and Emission Limits

1. The permittee shall at all times maintain and operate all fuel burning devices and related equipment at full efficiency such that the emissions of air contaminants are kept at the lowest practicable levels.
2. Emissions of air contaminants from fuel burning equipment shall not exceed any of the following:

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- a. Visible emissions shall not equal or exceed 20% opacity for a period or periods aggregating more than three (3) minutes in any one (1) hour.
- b. Particulate emissions shall not exceed smoke spot numbers as measured by ASTM D 2156-65 "Standard Method to test for Smoke Density", as follows:

<u>Types of Fuel</u>	<u>Smoke Spot Number</u>
Residual	4
Distillate	2

- c. Emissions of particulate, sulfur dioxide and nitrogen oxides shall not exceed the following emission rates for the specific fuels listed:

<u>Types of Fuels</u>	<u>Emission Rate Limitation</u>		
	<u>lbs/mm BTU (kg/Kg-cal)</u>		
	<u>Particulate</u>	<u>SO₂</u>	<u>NO_x</u>
Refinery gas	0.02 (0.04)	0.05 (0.09)	0.2 (0.4)
Distillate	0.02 (0.04)	0.31 (0.50)	0.3 (0.5)
Residual	0.08 (0.14)	0.55 (0.99)	0.3 (0.5)

- d. The maximum hourly emissions from all fuel burning equipment shall not exceed:

<u>Pollutant</u>	<u>Emission Rate lbs/hr (kg/hr)</u>	
Particulate	34	(15.4)
Sulfur dioxide	163	(74.0)
Nitrogen oxides	313	(142.0)

- e. The maximum yearly emissions from all fuel burning equipment shall not exceed:

<u>Pollutant</u>	<u>Emissions-tons/year (kg/year)</u>	
Particulate	150	(136,077)
Sulfur dioxide	715	(648,634)
Nitrogen oxides	1370	(1,242,837)

- f. When a combination of fuels are used in any one fuel burning device then the applicable emission limits in 2b, 2d and 2e shall be determined by proration of the specific fuel emission rate limitations in proportion to the actual fuel mix.

3. Sulfur content of fuel oil burned shall be limited as follows:

- a. The permittee shall not use any residual fuel oil containing more than 0.5 percent sulfur by weight.
- b. The permittee shall not use any distillate fuel oil containing more than 0.3 percent sulfur by weight.

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4. The permittee shall not cause or permit the emission of any particulate matter which is larger than 250 microns in size provided such particulate matter does or will deposit upon the real property of another person.

Special Conditions

5. The permittee shall submit detailed plans and specifications for all fuel burning equipment for Department review and approval prior to commencing construction. Said fuel burning equipment shall incorporate highest and best practicable emission control and technology.
6. The permittee shall not operate the fuel burning devices in such a manner as to exceed an average total of 780,000,000 BTU/hour (196,560,000 kg-cal/hour) of heat input.
7. The permittee shall have particulate, oxide of nitrogen and sulfur dioxide emission tests conducted on at least one exhaust stack for each class of similar fuel burning equipment that has similar burner types, fuel types and firebox configurations. Determination of equipment classes shall be approved by the Department. Tests shall be conducted no sooner than three months but not later than six months after commencing commercial operation. In conjunction with the above tests for particulate emissions, smoke spot tests shall be taken for each fuel burning device. The tests must be performed in accordance with methods on file at the Department or in conformance with recognized applicable standard methods approved in writing in advance by the Department. The test results shall be submitted to the Department within sixty (60) days of completion of the tests.
8. The permittee shall provide within three months of commencing commercial operation, easily accessible sampling ports and platforms on all fuel burning exhaust stacks. The location and design of these sampling ports and platforms must be reviewed and approved by the Department.
9. The permittee shall provide fuel sampling facilities on all feedlines to each fuel burning device (valve for taking a sample of fuel).
10. The permittee shall burn only refinery gas, distillate, residual or combination of the three fuels in the fuel burning equipment in a manner such that the emissions do not exceed the limitations set forth in this permit.
11. If the permittee desires to burn other fuels or combinations of fuels not approved within this permit, acceptable source test reports must be submitted to the Department for review and approval and a permit ammendment must be obtained prior to use of such other fuel.
12. The permittee is prohibited from discharging any treated or untreated water to any public waterway unless such discharge is the subject of a valid Waste Discharge Permit issued by the Department of Environmental Quality.
13. The permittee shall comply with all applicable Department noise control regulations and demonstrate compliance no later than 90 days after facility starts up.

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Emission Reduction Plan

14. The permittee shall implement the following emission reduction plan during air pollution episodes when so notified by this Department:

Notice Condition

Action to be Taken by Permittee

- | | |
|--------------|---|
| a. Alert | 1. Boiler and process heater lancing or soot blowing if required shall be performed only between the hours of 12 noon and 4:00 p.m. |
| b. Warning | 1. Continue alert measures
2. Minimize emissions by reducing heat and steam demands to absolute necessities consistent with preventing equipment damage
3. Burn the cleanest available fuels possible
4. Prepare for immediate shutdown of the process heaters |
| c. Emergency | 1. Upon notification from the Department, immediately cease operation of the process heaters until notified by the Department that the condition has passed |

Compliance Schedule

15. None required.

Monitoring and Reporting

16. The permittee shall effectively monitor the operation and maintenance of all fuel burning equipment and associated air contaminant control facilities. A record of all such data shall be maintained for a period of one year and be available at the refinery site at all times for inspection by the authorized representatives of the Department. At least the following parameters shall be monitored and recorded at the indicated interval unless otherwise approved by the Department in writing:

Parameter

Minimum Monitoring Frequency

- | | |
|--|-------|
| a. Operating schedule (hours/day) of the steam boiler | Daily |
| b. Operating schedule (hours/month) of all other fuel burning equipment not previously mentioned in (a) | Daily |
| c. Any observable increase in particulate and/or sulfur dioxide emissions from the fuel burning equipment, suspected reason for such increased emission and projected date of any action to reduce the emission increase | Daily |

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<u>Parameter</u>	<u>Minimum Monitoring Frequency</u>
d. Quantity of distillate and/or residual fuel oil and/or refinery gas burned for each process heater and boiler	Daily
e. The sulfur, ash, nitrogen (percent by weight) and BTU content of every fuel or fuel mix used in each process heater and boiler	After any change in fuel or fuel mix or significant change (as defined by the Department in sulfur, ash, nitrogen or BTU content of each fuel
f. Particulate, sulfur dioxide and nitrogen oxide emission rates for a process heater, boiler and fuel mix chosen by the Department	Semi-annually
g. A description of any maintenance to the fuel burning equipment	As performed
h. Smoke spot for each fuel oil burning device	Monthly or after any change in fuel mix

17. The permittee shall submit the following recorded information to the Department in writing at the indicated intervals:

<u>Parameter</u>	<u>Interval</u>
a. Operating hours of the fuel burning equipment	Quarterly
b. Quantities of distillate and/or residual fuel oil and/or refinery gas burned for each process heater and boiler	Quarterly
c. Average sulfur, ash, nitrogen (percent by weight) and BTU content of every fuel or fuel mix used in each process heater and boiler	Quarterly
d. Results of emission test required in 16f.	Semi-annually

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Department of Environmental Quality for
Cascade Energy Inc.

General Conditions

- G1. A copy of this permit or at least a copy of the title page and an accurate and complete extraction of the operating and monitoring requirements and discharge limitations shall be posted at the facility and the contents thereof made known to operating personnel.
- G2. This issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- G3. The permittee is prohibited from conducting any open burning at the plant site or facility.
- G4. The permittee is prohibited from causing or allowing discharges of air contaminants from source(s) not covered by this permit so as to cause the plant site emissions to exceed the standards fixed by this permit or rules of the Department of Environmental Quality.
- G5. The permittee shall at all times conduct dust suppression measures to meet the requirements set forth in "Fugitive Emissions" and "Nuisance Conditions" in OAR, Chapter 340, Section 21-050.
- G6. (NOTICE CONDITION) The permittee shall dispose of all solid wastes or residues in manners and at locations approved by the Department of Environmental Quality.
- G7. The permittee shall allow Department of Environmental Quality representatives access to the plant site and record storage areas at all reasonable times for the purposes of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant emission discharge records and otherwise conducting all necessary functions related to this permit.
- G8. The permittee, without prior notice to and written approval from the Department of Environmental Quality, is prohibited from altering, modifying or expanding the subject production facilities so as to affect emissions to the atmosphere.
- G9. The permittee shall be required to make application for a new permit if a substantial modification, alteration, addition or enlargement is proposed which would have a significant impact on air contaminant emission increases or reductions at the plant site.

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Issued by the

Department of Environmental Quality for

Cascade Energy Inc.

Expiration Date 12/31/79

Page 12 of 12

Appl. No.: 294

File No.: 05-2561

G10. This permit is subject to revocation for cause, as provided by law, including:

- a. Misrepresentation of any material fact or lack of full disclosure in the application including any exhibits thereto, or in any other additional information requested or supplied in conjunction therewith;
- b. Violation of any of the requirements, limitations or conditions contained herein; or
- c. Any material change in quantity or character of air contaminants emitted to the atmosphere.

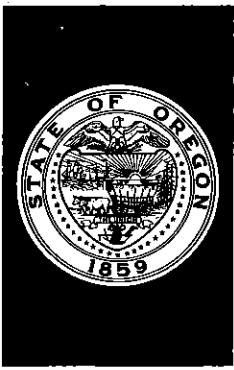
G11. The permittee shall notify the Department by telephone or in person within one (1) hour of any scheduled maintenance, malfunction of pollution control equipment, upset or any other conditions that cause or may tend to cause a significant increase in emissions or violation of any conditions of this permit. Such notice shall include:

- a. The nature and quantity of increased emissions that have occurred or are likely to occur,
- b. The expected length of time that any pollution control equipment will be out of service or reduced in effectiveness,
- c. The corrective action that is proposed to be taken, and
- d. The precautions that are proposed to be taken to prevent a future recurrence of a similar condition.

G12. Application for a modified or renewal of this permit must be submitted not less than 60 days prior to permit expiration date. A filing fee and Application Investigation and Permit Issuing or Denying Fee must be submitted with the application.

G13. The permittee shall submit the Annual Compliance Determination Fee to the Department of Environmental Quality according to the following schedule:

<u>Amount Due</u>	<u>Date Due</u>
\$ 565.00	December 31, 1975
565.00	1976
565.00	1977
565.00	1978
(see G12)	November 1, 1979



ENVIRONMENTAL QUALITY COMMISSION

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

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The Dalles

KESSLER R. CANNON
Director

To: Environmental Quality Commission

From: Director

Subject: Agenda Item E, March 28, 1975, EQC Meeting

Oregon Steel Mills - Proposed Action on Air Contaminant Discharge Permit Application for Process Expansion

Background

Oregon Steel Mills filed an air contaminant discharge permit application with the Department on July 18, 1974 to expand its production of metallized iron pellets at its integrated steel mill facility located in the Rivergate Industrial Park in North Portland. Oregon Steel Mills submitted additional information to the Department on this expansion in late October 1974 and during the ensuing months the Department analyzed performance and tests of the existing Oregon Steel Mills facility and similar facilities in other parts of the world to fully assess expected performance of the proposed expansion.

The proposed expansion is subject to meeting the criteria of the Department's Special Air Quality Maintenance Area Rule. It was determined in January 1975 that the proposed expansion would comply with all applicable Department rules. It was also determined at this time that viability of this project had become questionable primarily due to unavailability of additional natural gas.

Since the proposed expansion would use a significant portion of the particulate emission increase allowed by the Special Air Quality Maintenance Area Rule and since it appeared no immediate commitment or progress would be made on construction of the expansion should the Department issue a permit, the Department requested Oregon Steel Mills to submit a tentative construction schedule which the Department indicated would then be presented to the EQC for consideration in issuing a conditional permit. Oregon Steel Mills responded to the Department's request with a letter dated March 10, 1975 (attached).

Process Description

Oregon Steel Mills (O.S.M.) presently operates an integrated steel mill in North Portland which produces approximately 275,000 tons per year of steel plate for use in manufacturing of such items as ships and rail cars. Individual processes at the plant site include:



Contains
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Materials

- a) Pelletizing Plant which converts iron oxide ore from a slurry form into an iron oxide pellet.
- b) Metalizing Plant which converts the iron oxide pellets to an almost pure iron pellet by use of "cracked" natural gas.
- c) Melting Shop which converts the iron pellets and some scrap steel to large steel billets using two large electric air furnaces.
- d) Rolling Mill which converts the steel billets to various size steel plate.

Present air emissions from the Oregon Steel Mills facility are summarized in Table 1.

Table 1
O.S.M. Present Air Emissions
Tons/Year

	<u>Particulate</u>	<u>SO₂</u>
Pelletizing Plant	180	1206
Metalizing Plant (proposed to be expanded)	70	1
Melt Shop	36	0
Rolling Mill	9	0
Total	<u>295</u>	<u>1207</u>

Expansion Description

Oregon Steel Mills has proposed to nearly triple its production capacity of metalized pellets by addition of a new metalizing plant. Oregon Steel Mills would maintain its present production of iron oxide pellets and the additional iron oxide pellets needed for the metalizing process would be purchased and shipped to Oregon Steel Mills. It should be noted that the pelletizing production process (which will not be expanded) is the largest emitter of air contaminants of any process at Oregon Steel Mills. The increased metalized iron pellet production would presumably be used to some extent to replace scrap steel used in the present melt shop operation so a higher quality steel plate product could be produced.

Air emissions from the proposed expansion would amount to a maximum 103 t/y particulate and 140 t/y SO₂. These air emissions are compared to air emission allowed under air emission criteria of the Department's special Air Quality Maintenance Area Rule in Table 2.

Table 2

Recent Air Emissions Allocations in Portland Metro Area

<u>Source</u>	<u>Allowable Emission Increase</u> (tons/year)	
	<u>Particulate</u>	<u>SO₂</u>
Pacific Carbide - North Portland (Doubling of Carbide Production)	0	0
Cook Industries - North Portland (New grain elevator)	30	0
Portland Steel Mills - North Portland (New scrap steel processing facility)	86	205
Columbia Independent Refinery, Inc.(1) North Portland (New Oil Refinery)	107	1040
Oregon Steel Mills - North Portland (2) (Tripling of metalized iron pellet production)	103	< 140
Pennwalt - Northwest Portland (2)	<u>9</u>	<u>127</u>
Total(excluding CIRI)	228	472

Special Air Quality Maintenance Rule limits:

---any one facility	107	357
---total all facilities	430	1430

-
- (1) Tradeoffs from clean fuel regulation can offset air emission increase.
 (2) Pending action on permit application (no other significant permit applications pending)
-

It is apparent from Table 2 that approval of all pending air permit applications in the Portland Area will use a considerable portion but not all of the remaining emission allocation. Not including air emissions from CIRI, which can be offset by tradeoffs from a clean fuels rule, about 47% of the particulate and 67% of the SO₂ emission allocations will remain.

Recommended Action on Pending O.S.M. Permit Application

In O.S.M.'s March 10, 1975 letter it is indicated the expansion project is temporarily delayed primarily due to unavailability of natural gas as a result of Oregon's P.U.C. moratorium on new industrial gas commitments. O.S.M. expansion would consume a very large quantity of natural gas, about 67,000,000 therms/year which is about equal to the present natural gas used by all private residences in Multnomah County per year.

O.S.M. has asked for a permit lasting two years with requirements for O.S.M. to submit evidence of commencing construction to the Department within 30 days after the present natural gas moratorium is lifted.

The Department is somewhat concerned that the proposed project may increase the solid waste problem of recycling scrap steel but more relevant to the main issue the Department questions whether O.S.M. will ever be able to obtain the large quantity of natural gas needed to make the proposed expansion viable even if a moratorium is lifted.

It is believed the local community would favor allocation of air emissions to expansion of existing industry in lieu of new industry; however, the potential exists with O.S.M. proposed resolution to the problem that future new industry might have to be disapproved while awaiting a lifting of the natural gas moratorium.

The Department believes the most equitable solution to the problem cited above would be to follow the requirements of the proposed Priority Criteria Rule (Agenda Item F, March 28, 1975 EQC Meeting) and require:

1. An air permit be prepared and issued for the proposed O.S.M. expansion with air emission increases limited to a maximum 103 t/y particulate and 140 t/y SO₂.
2. A construction schedule be incorporated in the permit specifying construction to be commenced no later than 18 months after issuance of the permit or within 30 days of the date the Oregon P.U.C. lifts the present moratorium on new industrial gas commitments, whichever time occurs first.
3. The permit be considered for revocation after public hearing at any time prior to commencing construction that it appears an air permit application may have to be denied due to lack of available air emission allocations in the Portland Metro Special Air Quality Maintenance Area.

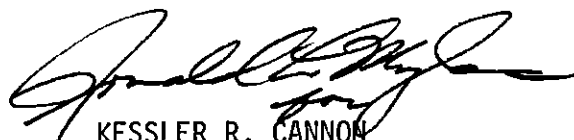
Conclusions

1. It does not appear that construction will be commenced for the Oregon Steel Mills proposed expansion of its metalized pellet production facility in the near future due to lack of natural gas availability.
2. Oregon Steel Mills proposed expansion can meet criteria of the Department's Special Air Quality Maintenance Area Rule.
3. Issuance of an unconditional Air Contaminant Discharge Permit for Oregon Steel Mills expansion could result in the Department being required to disapprove future applications for Air Contaminant Discharge permits for new facilities despite the fact Oregon Steel Mills expansion may not be a viable project.
4. Issuance of an Air Contaminant Discharge Permit for Oregon Steel Mills proposed expansion, subject to adherence to a construction schedule and special conditions, can give Oregon Steel Mills some latitude to retain a portion of allowable emission allocations in the air shed while Oregon Steel Mills continues to seek additional natural gas commitments, but only for so long as such reservation of that portion of the air shed capacity would not prevent consideration of other emission sources.

Director's Recommendation

It is the Director's recommendation that an Air Contaminant Discharge permit be prepared and issued for the proposed Oregon Steel Mills expansion subject to meeting air emission requirements of the Department's Special Air Quality Maintenance Area Rule and the following;

1. An air permit be prepared and issued for the proposed O.S.M. expansion with air emission increases limited to a maximum 103 t/y particulate and 140 t/y SO₂.
2. A construction schedule be incorporated in the permit specifying construction to be commenced no later than 18 months after issuance of the permit or within 30 days of the date the Oregon P.U.C. lifts the present moratorium on new industrial gas commitments, whichever time occurs first.
3. The permit be considered for revocation after public hearing at any time prior to commencing construction that it appears an air permit application may have to be denied due to lack of available air emission allocations in the Portland Metro Special Air Quality Maintenance Area.


KESSLER R. CANNON
Director



OREGON STEEL MILLS

DIVISION OF GILMORE STEEL CORPORATION
P.O. BOX 2760 • PORTLAND, OREGON 97208
TELEPHONE (503) 286-9651
TWX: 910 464 1549

March 10, 1975

Department of Environmental Quality
Northwest Region Office
1010 N. E. Couch Street
Portland, Oregon 97232

Attention: Mr. E. J. Weathersbee, Administrator

Regarding: AQ - Proposed Permit for New Direct Reduction Plant

Gentlemen:

On July 18, 1974 Oregon Steel Mills submitted an application for an air contaminant discharge permit for a new iron oxide metallizing plant to be built at our Rivergate facility. In response to that application, we have now received your letter of February 18, 1975 requesting that we submit additional information.

In our judgment, there is no doubt that this new plant was a "viable" project at the time of the application and subsequently in terms of financing, engineering, and scheduling the necessary construction work. We certainly can, if necessary, document such activities. However, the present uncertainties in the local natural gas availability have caused us to temporarily delay our construction program.

It is our understanding that the issuance of the permit we have requested is possible under the recently adopted Criteria for approval of new or expanded air contaminant emission sources in the Portland Metro Special Air Quality Maintenance Area. Additionally, we concur with your proposal to add conditions which would allow you to revoke the permit at any time if, upon request, Oregon Steel Mills cannot demonstrate that the financing, engineering, and construction of the plant is more than temporarily delayed.

Therefore, we request that a permit be issued for a two year period which contains the following items:

1. Our allocation of emissions under the Criteria.

OREGON STEEL MILLS

Department of Environmental Quality
AQ - Proposed Permit for New Direct Reduction Plant
March 10, 1975

-2-

2. A requirement to give notice when we have resumed our program to finance, engineer and construct the plant.
3. A stipulation that, subsequent to the Oregon P.U.C. lifting the present moratorium on new industrial natural gas commitments, the D.E.Q. may request Oregon Steel Mills to submit evidence within 30 days that financing, engineering, and construction is proceeding.

As you are aware, the Oregon P.U.C. Commissioner has ordered a temporary moratorium on new gas commitments and until this situation changes, the new plant cannot be built. If we obtain a gas supply to operate the plant we plan to proceed with the project.

Our proposal for the issuance of this permit allows us the flexibility to react promptly to changes in the national economy and energy supplies. On the other hand, the D.E.Q. retains the authority to re-allocate these scarce air resources if required for other new industry.

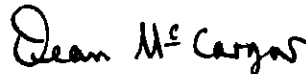
Finally, we believe that it is clearly evident both in our permit application last July and in our supplementary information provided last October that this new plant would be a low-level source of particulate emissions. The Criteria you have set down for new industry in Portland in essence says that only clean industry will be allowed in the future. We believe that our new plant can meet your stringent emission standards.

If you approve this permit, the determination will have been made that the plant is technically sound and can comply with your Criteria and emission standards. It is felt that our proposed permit conditions and stipulations reserve for D.E.Q. the administrative flexibility you view as necessary.

We appreciate the opportunity to provide this additional information to support our permit application.

Sincerely yours,

OREGON STEEL MILLS



Dean McCargar
Environmental Manager



ENVIRONMENTAL QUALITY COMMISSION

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The Dalles

KESSLER R. CANNON
Director

TO: Environmental Quality Commission
FROM: Director
SUBJECT: Agenda Item No. E, March 28, 1975 EQC Meeting

Pennwalt Corporation - Proposed Action on Air Contaminant
Discharge Permit Application for Process Expansion

Background

Pennwalt Corporation filed an Air Contaminant Discharge Permit application with the Department on October 30, 1974 to expand production of chlorine and caustic soda at its existing manufacturing facility located in Northwest Portland. Pennwalt submitted additional information to the Department on this expansion in Mid-November 1974 and during the ensuing months the Department documented expected emission increases and ambient air impact.

The proposed expansion is subject to meeting criteria of the Department's Special Air Quality Maintenance Area Rule. It was determined in January 1975 that the proposed expansion would comply with all applicable Department rules. It was also determined at this time that viability of this project had become questionable primarily due to economic conditions.

Since the proposed expansion would use a portion of the particulate and sulfur dioxide emission increase allowed by the Special Air Quality Maintenance Area Rule, and since it appeared no immediate commitment or progress would be made on constructing of the expansion should the Department issue a permit, the Department requested Pennwalt Corporation to submit a tentative construction schedule which the Department indicated would then be presented to the EQC for consideration in issuing a conditional permit. Pennwalt responded to the Department's request with a letter dated March 4, 1975 (attached).



Contains
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Materials

Process Description

Pennwalt Corporation presently operates a manufacturing facility in Northwest Portland which produces approximately 12.8 tons per day of chlorine and 14.7 tons per day of caustic soda for use in such facilities as pulp and paper mills and sewage treatment plants. Pennwalt Corporation utilizes the electrolysis process of producing its product which consists of passing electric current through an electrolytic cell containing a salt brine solution. Chlorine and hydrogen gas are liberated at the electrodes. The chlorine gas is then cooled, dried, compressed and refrigerated for shipment. Caustic soda is recovered from the cell liquor.

The main source of air contaminant emissions from Pennwalt's manufacturing facility are process steam boilers. The boilers utilize natural gas as a fuel with backup residual fuel oil during periods of interruptible gas curtailment (which may reach 180 days per year). The steam boiler capacity at Pennwalt's Portland facility is quite large, using an equivalent of nearly 300,000 barrels of oil per year. This is nearly equal in size to Pacific Power and Light's Lincoln Station Steam Plant (at the foot of the Marquam Bridge) which supplies steam heat to a considerable portion of the buildings in Downtown Portland.

Present air emissions from the Pennwalt Corporation facility are summarized in Table 1.

Table 1

Pennwalt Corporation Present Air Emissions tons/year

	<u>Particulate</u>	<u>SO₂</u>
Steam Boiler Emissions	51	616

Expansion Description

Pennwalt Corporation has proposed to nearly double its production capacity of chlorine and caustic soda. Increased steam demand and energy to produce this additional steam demand would also nearly double. Pennwalt has proposed an energy conservation system as part of the expansion which would substantially minimize the air quality impact of producing the additional steam demand. Hydrogen gas released from the existing electrolytic cells and from the additional cells installed in the expansion would be collected and used as fuel for producing steam. In fact, nearly 80% of the additional fuel requirements for

the expansion would be supplied by the collected "clean burning" hydrogen gas. Supplying the remaining 20% fuel demand will necessitate burning an additional 22,000 barrels of residual oil per year. Increased air contaminant emissions from combustion of this additional oil would amount to a maximum nine (9) tons per year of particulate and 127 tons per year of SO₂. These air emissions are compared to air emissions allowed by air emission criteria of the Department's Special Air Quality Maintenance Area Rule in Table 2.

It is apparent from Table 2 that approval of all pending air permit applications in the Portland area will use a considerable portion, but not all, of the remaining emission allocation. Not including air emissions from the Columbia Independent Refinery, Inc., which can be offset by tradeoffs from a Clean Fuels Rule, about 47% of the particulate and 67% of the SO₂ emission allocations will remain.

Recommended Action on Pending Pennwalt Permit Application

In Pennwalt's March 4, 1975 letter, it was indicated that the expansion project is now under detailed investigation due to the current economic situation. Pennwalt also indicated it would expect to inform the Department by July 1, 1975 as to whether the expansion will go ahead. In fact, Pennwalt's National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit issued by the Department requires the Department to be notified by July 1, 1975 of the expansion decision, as the final installation date for control facilities for wastewater from Pennwalt's caustic soda evaporator system is dependent on the decision to expand.

The Department believes a three month period is not an unreasonable time to await a decision on the proposed expansion. Allocation of the relatively small air emissions increases associated with the Pennwalt Corporation expansion at this time, even though the expansion may not go forward immediately, would not appear to hinder future industrial growth in the Portland Area.

The Department believes, in the case of the proposed Pennwalt expansion, it would be equitable to follow requirements of the proposed Priority Criteria Rule (Agenda Item No. D, March 28, 1975 EQC meeting) and would recommend:

1. An air permit be prepared and issued for the proposed Pennwalt expansion with air emission increases limited to nine (9) tons per year of particulate and 127 tons per year of SO₂,
2. A construction schedule be incorporated in the permit specifying:

Table 2

Recent Air Emissions Allocations in Portland Metro Area

<u>Source</u>	<u>Allowable Emission Increase</u> (tons/year)	
	<u>Particulate</u>	<u>SO₂</u>
Pacific Carbide - North Portland (Doubling of Carbide Production)	0	0
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Total(excluding CIRI)	228	472
<hr/>		
Special Air Quality Maintenance Rule limits:		
---any one facility	107	357
---total all facilities	430	1430
<hr/>		

- (1) Tradeoffs from clean fuel regulation can offset air emission increase.
- (2) Pending action on permit application (no other significant permit applications pending)

- a. Notification to be given to the Department by July 1, 1975 stating Pennwalt Corporation's decision relative to expanding the Portland plant.
- b. Construction to commence prior to September 1, 1975.

Conclusions


1. It does not appear that construction will be commenced for Pennwalt Corporation's proposed expansion of its chlorine and caustic soda production facility in the near future due to uncertain economic conditions. However, a decision relative to expansion is expected by July 1, 1975.
2. Pennwalt Corporation's proposed expansion can meet criteria of the Department's Special Air Quality Maintenance Area Rule. In fact, the proposed Pennwalt Corporation's expansion would be an exemplary example of energy conservation which, in turn, reduces air quality impact since over 80% of the additional large fuel demands resulting from the expansion would be supplied by presently wasted hydrogen gas.
3. Issuance of an Air Contaminant Discharge Permit for Pennwalt Corporation's proposed expansion, subject to adherence to a construction schedule and special conditions, can give Pennwalt Corporation some latitude to retain a portion of allowable emission allocations in the airshed while economic feasibility of the project is investigated. Issuance of such a permit would not appear to hinder future growth in the Portland Metropolitan Area.

Director's Recommendation

It is the Director's recommendation that an Air Contaminant Discharge Permit be prepared and issued for the proposed Pennwalt Corporation expansion subject to meeting air emission requirements of the Department's Special Air Quality Maintenance Area Rule and the following:

1. An air permit be prepared and issued for the proposed Pennwalt expansion with emission increases limited to nine (9) tons per year of particulate and 127 tons per year of SO₂.

2. A construction schedule be incorporated in the permit specifying:
 - a. Notification to be given to the Department by July 1, 1975 stating Pennwalt Corporation's decision relative to expanding the Portland Plant.
 - b. Construction of the expansion to commence prior to November 1, 1975.



KESSLER R. CANNON
Director

JFK:cs

3/20/75

Attachment: Pennwalt Corporation letter dated March 4, 1975.



P. O. BOX 4102, PORTLAND, OREGON 97208

(503) 228-7655

March 4, 1975

Mr. E.J. Weathersbee, Administrator
Northwest Region
Department of Environmental Quality
1010 N.E. Couch Street
Portland, Oregon 97232

Dear Mr. Weathersbee:

We thank you for your letter of February 18, regarding our application for an air permit for expanded production at our existing site.

Your letter should be answered in the light of Condition 5 in our NPDES permit. This requires that a decision to expand the existing chlorine-caustic soda facilities be made by no later than July 1, 1975.

When application for the air permit was made, we fully expected that by now, design and engineering would be underway. The current economic situation, which has developed rapidly since our application was submitted, has caused Pennwalt's board of directors to investigate the proposed expansion in considerable detail.

We expect to be able to inform you by July 1, 1975 as to whether we will go ahead with this expansion at this time.

If we decide to proceed with the expansion immediately, the financing will be assured, and we will go directly to design and engineering. Condition 5 of the NPDES permit requires that we submit detailed engineering plans by July 1, 1976.

Completion of construction and start-up are scheduled for December 31, 1977.

We will expect to follow, in general, the same schedule as far as the air permit is concerned.

It is hoped that this answers the questions you have raised. We will be happy to discuss it further if you desire.

Yours very truly,
PENNWALT CORPORATION

A handwritten signature in cursive script, appearing to read 'W. Kenneth Earnest', written over a horizontal line.

W. Kenneth Earnest
Plant Manager

WKE/aj



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The Dalles

KESSLER R. CANNON
Director

TO: Environmental Quality Commission
FROM: Director
SUBJECT: Agenda Item No. F, March 28, 1975, EQC Meeting

Proposed Adoption of Temporary Rule - Priority
Criteria for Approval, Denial, Modification or
Revocation of the Air Contaminant Discharge
Permits for Air Contaminant Sources Located in
a Limited Airshed

Background

At the February 28, 1975 meeting the EQC directed the Department to evaluate the need for adoption of a rule containing priority criteria for processing air permits for new or expanded air contamination sources especially in areas where more than one potential source may be competing for the same limited airshed capacity.

The Department and EQC have, in recent times, become more acutely aware of the fact that airsheds in many portions of the State have reached, or are close to reaching their assimilative capacity for certain air contaminant emissions. This renewed sense of awareness has been brought about by:

1. Preliminary analysis of air quality data and projection of future trends in air quality (as first steps in development of ten-year air quality maintenance plans) which indicated potential non-compliance with applicable air quality standards in certain portions of the state.
2. Projected large air emission increases in the Portland Metropolitan Area due to proposed abnormal industrial growth.



Contains
Recycled
Materials

3. Adoption of stringent national and state air quality standards.
4. Adoption of national significant air quality deterioration limits.

Air Shed Management Problems

Air emission ceilings have already been established by the EQC when the Rule Criteria for Approval of New or Expanded Air Emission Sources in the Portland Metropolitan Special Air Quality Maintenance Area was adopted on October 25, 1974. Air Contaminant permits issued in conformance with this Rule have already used a major portion of the allowable emission increases.

The Department has also processed and issued air permits for new air contaminant sources in other parts of the State which allow use of nearly all, or all, of the allowable air quality deterioration limits (i.e., the Charter Energy, Inc. oil refinery near St. Helens).

With airsheds at, or near capacity and control programs to make room for future growth still in development stages, the question has arisen many times of late as to how the Department will equitably allocate remaining airshed capacity to future permit applicants. Even more of a question has been raised as to how allocations will be made in cases where there are applications for more emissions than there is available airshed capacity. Finally, concern has been raised as to how long a permittee may hold rights to an air emission allocation while deciding whether to construct an approved project.

The Department has, to some extent, faced all of these questions and problems in administration of the Special Air Quality Maintenance Area Rule. The Department has attempted to cope with these problems by processing permits in the order they are determined to be complete for processing and by incorporating construction schedules in certain air contaminant discharge permits. Special permit conditions have been written to allow modification or revocation of a permit if the construction schedule is not adhered to (as in the case of permits issued to Columbia Independent Refinery, Inc. and Charter Energy Company). Complete criteria for enforcing these special requirements has not, however, been established by the Department in rule form.

Development of Priority Criteria Rule

It has become increasingly apparent that priority

criteria for processing air permits for sources in a limited airshed is urgently needed in rule form to:

- A. Insure equitable and legal treatment of all air permit applicants and permittees.
- B. Provide definitive guidelines to the Department for allocating remaining airshed capacity.
- C. Specifically identify the Department's regulatory authority in matters of air emission allocations.

The urgent need for a rule specifying priority criteria for processing permits for new or expanded air contaminant sources is further supported in light of:

- A. Rapidly decreasing airshed capacity in many areas of the State.
- B. Several pending permit applications.
- C. Questionable viability of proposed new or expanded air contaminant sources which have been or are about to be issued permits (i.e., Portland Steel Mills [permit issued]. Oregon Steel Mills and Pennwalt expansions [permits pending issuance]).

The Department has drafted a proposed rule specifying priority criteria for approval, denial, modification or revocation of air contaminant discharge permits for air contaminant sources located in a limited airshed (see Attachment A). The thrust of this proposed rule is to identify the priority criteria legally available to the Department in processing permits in cases where limited airshed capacity significantly restricts allowable emission increases (and for all practicable purposes restricts growth).

Discussion

The most significant items in the drafted priority criteria rule include requiring permits to be issued in the order that applicants are considered "complete for processing" (defined in the draft rule). Other socio-economic criteria such as employment and tax benefits to the community attributable to new air emission sources are considered beyond the jurisdictional consideration of the Department. However, since these matters have repeatedly been brought up at hearings for new source

air contaminant discharge permits, it is hoped that local government officials, planning agencies, port commissions and other responsible groups will be more cognizant of limited airshed capacity and prescreen potential new air emission sources before they are brought to the Department for action.

Other significant items in the draft rule include requirements for inclusion of a construction schedule in applicable permits and required adherence to this schedule. A reasonable time period to "commence construction" is required to be part of the construction schedule. A maximum 18 month period from issuance of the permit to commencing construction is proposed. Commencing construction has been defined using identical wording contained in the EPA Prevention of Significant Air Quality Deterioration Rule.

Criteria for Permit Denial, Modification or Revocation have also been included in the draft rule. Criteria and authorization to modify or revoke permits are deemed necessary to allow reallocation of emissions from projects which have been issued permits but have become nonviable at a later date.

Conclusions

1. Many areas of the State have reached, or are close to reaching assimilative capacity for certain air contaminant emissions.
2. Commencing construction of certain new air contaminant sources in the limited Portland Metropolitan airshed is now considered questionable due to economic or other factors despite the fact that air contaminant discharge permits have or are about to be issued to these sources.
3. A rule for specifying priority criteria for processing air contaminant discharge permits for air contaminant sources located in a limited airshed is urgently needed to provide the Department with an equitable and legal basis for approving, denying, modifying, or revoking air contaminant discharge permits.

Director's Recommendation

In light of the urgent need for adoption of a rule containing priority criteria for processing air contam-

inant discharge permits for new or expanded air contaminant sources located in limited airsheds, it is the Director's recommendation that the Commission act as follows:

1. Find that failure to act promptly will result in serious prejudice to the public interest for the specific reason that without such rule equitable, legal allocation of limited airshed capacity will be substantially impaired.
2. Adopt Attachment A as a temporary rule to become effective immediately upon filing with the Secretary of State, and
3. Authorize the Director to conduct necessary hearings within the 120 day time limit of the temporary rule to establish the priority criteria as a permanent rule of the Department.



KESSLER R. CANNON
Director

Attachment A

JFK:cm
3/19/75

(PROPOSED)

DIVISION III

AIR POLLUTION CONTROL STANDARDS
FOR AIR PURITY AND QUALITY

Subdivision 3

PRIORITY CRITERIA FOR APPROVAL, DENIAL, MODIFICATION OR REVOCATION OF
AIR CONTAMINANT DISCHARGE PERMITS FOR AIR CONTAMINANT SOURCES LOCATED
IN A LIMITED AIRSHED

33-005 PURPOSE. The purpose of this subdivision is to provide criteria for the Department to follow in reviewing and acting on air contaminant discharge permit applications and permits for new or expanded air contaminant sources located in a limited airshed to insure that equitable treatment is given to the permittee, or potential permittee.

33-010 DEFINITIONS. As used in this subdivision,

(1) "Airshed" means an area of the State where air emissions from a air contaminant emission source or sources causes or would tend to cause significant air quality impact.

(2) "Construction" means fabrication, erection, or installation of an affected facility.

(3) "Commenced" means that an owner or operator has undertaken a continuous program of construction or modification, or that an owner or operator has entered into a binding agreement or contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

(4) "Complete for Processing" means all information requested of the permit applicant has been received by the Department or necessary fact-finding measures deemed necessary by the Director are complete as defined in Oregon Administrative Rules (OAR) Chapter 340, Division I, Subdivision 4, Section 14-020.

(5) "Deterioration Limits" means allowable increase in air pollutant concentrations over baseline air quality as defined in the Federal Register, Volume 39, No. 235, dated December 5, 1974.

(6) "New or Expanded Air Contaminant Source" means an air contamination source, as defined in ORS 468.275, whose construction, installation, establishment, development, modification, or enlargement is authorized by the Department after March 28, 1975.

33-015 APPLICABILITY. Provisions of this subdivision shall apply to air contaminant sources for which permits to construct and operate new or expanded facilities have not been issued as of the effective date of this regulation, and in

(1) Any area of the State where specific allowable air emission increases or air emission ceilings have been identified.

(2) Any area of the State where applicable air quality standards or deterioration limits restrict air emission increases.

(3) Any area of the State where air emissions may threaten public health or welfare.

33-020 CRITERIA. In reviewing applications for air contaminant discharge permits for new or expanded air contaminant sources located in areas in which this regulation is applicable, the Department shall determine whether the air contaminant emissions from the source can be accommodated in the airshed and shall, when it is determined that issuance of a permit for a proposed facility may preclude issuance of a permit for other facilities in the foreseeable future, issue such permits to permit applicants in the order that applications are considered complete for processing and only to the extent that air emissions would not constitute cause for Permit Denial in accordance with Section 33-030.

33-025 CONSTRUCTION SCHEDULE REQUIREMENT. In the case where the Department determines that a new or expanded source may use a significant portion of the airshed and that issuance of a permit for the proposed facility may preclude issuance of a permit for other facilities in the future, the Department may:

- (1) Require a construction schedule from the permit applicant.
- (2) Incorporate this schedule in the applicant's air contaminant discharge permit.
- (3) Require adherence to this construction schedule.

The construction schedule shall include a date when construction will be commenced. This date shall be based on a reasonable time for commencing construction of the project considering the magnitude of the project and other relevant facts; but in no case, shall the date for commencing construction exceed eighteen (18) months from the date of issuance of the permit.

33-030 PERMIT DENIAL. The Department may deny issuance of an air contaminant discharge permit for a new or expanded source if air emissions will:

- (1) Cause applicable air quality standards to be exceeded.
- (2) Cause applicable deterioration limits to be exceeded.
- (3) Cause any area emission rule to be exceeded.
- (4) Cause air quality impact which may threaten public health or welfare.

33-035 PERMIT MODIFICATION. The Department may modify the construction schedule required in Section 33-025 only after Public Hearing and upon presentation of facts that the project is still viable. Such modifications shall not exceed a twelve (12) month period.

33-040 PERMIT REVOCATION. The Department may revoke an air contaminant discharge permit after Public Hearing if the construction schedule required in Section 33-025 is not adhered to or it is determined at any time that the project is no longer viable.

March 18, 1975



ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB
GOVERNOR

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. G, March 28, 1975, EQC Meeting

Variance Request - Beaver Lumber Company,
Clatskanie, Oregon

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY
Corvallis

JACKLYN L. HALLOCK
Portland

MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

KESSLER R. CANNON
Director

Background

Beaver Lumber Company operates two sawmills near Clatskanie, Oregon in Columbia County. One mill processes alder, while the mill which is the subject of this report cuts salvage cedar logs.

The mills are located two miles northeast of Clatskanie and employ 41 people with an annual payroll of approximately \$300,000.

The cedar mill, which is quite antiquated and severely limited in space, manufactures lumber from low grade cedar salvage logs. The logs are rafted to the mill via Beaver Slough. Wastes from the sawmill consist of unmarketable sawdust, barky slabs, edgings and some planer shavings. Traditionally, these wastes have been belt conveyed to a wigwam waste burner located on an island in Beaver Slough.

In 1968, the Columbia Willamette Air Pollution Authority (CWAPA) initiated a region-wide program to bring the local wigwam waste burners into compliance with applicable grain loading and visible emission standards. The Beaver Lumber Company wigwam waste burner was one such device which was found to be in violation.

The Company attempted to comply by upgrading the burner, however, the nature of the wood waste residue being burned, primarily large wet slabs, prevented compliance from being attained. Other alternatives to comply, such as landfilling and utilization were investigated, but were found not feasible due to the physical size of the plant and adverse economics. The Company, therefore, requested and received a variance to continue operation of the burner. The variance was granted until June 30, 1971, under the condition that alternative means of disposal would continue to be investigated. By letter of June 24, 1971, Beaver Lumber Company petitioned CWAPA for a one year extension of its variance, in order to seek means of cedar residue disposal other than through the use of its wigwam waste burner. A variance extension through December 31, 1971, was granted by CWAPA on August 20, 1971. No conditions were specified.



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By letters of January 15, and March 29, 1972, Beaver Lumber Company petitioned for another variance from CWAPA's grain loading requirements with the understanding that such variance would be renewable at one year intervals, as long as the wigwam burner complied with present CWAPA visible emission standards. The letter also stated that the Company was proceeding with burner modification work.

On April 21, 1972, CWAPA granted Beaver Lumber Company a variance from emission standards contained in CWAPA rules, Rule 7, through December 31, 1973, with the following conditions:

1. On or before August 1, 1972, submit for staff review plans and specifications for burner modification, including under and overfire air systems, auxiliary burners and an exit gas temperature recording system.
2. The modifications to be completed by December 31, 1972.
3. By December 31, 1972, submit a report to CWAPA for consideration of continuance of the variance, including discussion of burner operations, progress toward development of alternative methods of disposal, and expected life of the mill.
4. Temperature and operation records of the burner to be submitted to CWAPA on request.
5. Burner shutdown at CWAPA request, per air pollution emergency rule.

On June 8, 1972, the Environmental Quality Commission approved the variance granted by CWAPA.

In accordance with Condition No. 3 of the latter variance, the Company informed CWAPA by a letter dated December 6, 1972, that alternate means of disposal had not been developed. Therefore, since use of the wigwam waste burner would be necessary and compliance with the particulate weight standards could not be met, the Company requested a variance extension until January 1, 1974. Since CWAPA's grain loading standard for wigwam waste burners was to be eliminated in early 1973, the Company was advised that a variance was not necessary and, therefore, to proceed to complete the burner modifications to meet compliance with visual standards.

The burner modifications were completed in July of 1973. The delay in the completion was caused by a series of factors including:

1. Beaver Lumber Company could not get a firm fuel contract to operate the auxiliary fuel-fired burner as initially designed. Thus, the modifications had to be redesigned.
2. Winter flooding delayed work.
3. Equipment delivery was delayed in several instances.

On July 26, 1973, representatives of the Department observed the operation of the modified burner. Although the emissions were greatly reduced in comparison to premodification observations, the burner was not operating in compliance with visible emission standards.

During the following months, Beaver Lumber Company and its consultants conducted further work on the burner in an attempt to bring the unit into compliance with visible standards. During the winter of 1973 and through February 1974, heavy flooding forced closure of the entire plant and caused significant damage to the burner. At or near start up, further modification of the wigwam was initiated. On March 29, 1974, representatives of the Department again observed the operation of the burner and evaluated the progress of the modifications. Although there were a series of minor adjustments to be completed on the air blowers, observations indicated that the unit was incapable of operating within the Department of Environmental Quality's opacity regulations. Again on April 10, 1974, opacity readings conducted by representatives of the Department determined the burner to be in violation of Department standards.

On June 28, 1974, the Department met with representatives of Beaver Lumber Company to discuss a compliance schedule for the wigwam burner. The results of this meeting were as follows:

Beaver Lumber Company's representatives stated:

1. There are currently no reasonable alternatives for wood waste disposal other than burning, due to the plant's physical location and the lack of a market for the wet bulky cedar waste material.
2. The minimum cost to attain compliance by alternative means is \$114,000, and the physical property is not available on which to install fuel processing equipment even if there was a market.

3. The plant is physically obsolete and is projected not to operate for more than two or three more years.
4. The above capital expenditure is beyond the financial means of the Company and no solution appears available.

On August 2, 1974, the Department submitted a proposed Air Contaminant Discharge permit to Beaver Lumber which included a schedule requiring submission of an emission compliance plan by January 1, 1975, with final compliance to be attained by September 1, 1975.

By letter of September 27, 1974, (copy attached) Beaver Lumber Company replied to the proposed permit by requesting an indefinite delay in the emission compliance program.

In subsequent telephone conversations and by letter of December 10, 1974, the Department informed Beaver Lumber Company that the request for an indefinite extension in attaining compliance could not be granted by staff action. Further, it advised that if Beaver Lumber Company believes that strict compliance would result in substantial curtailment or closing down of the mill and that no other alternative method of attaining compliance is available, Beaver Lumber Company had the right and responsibility to apply to the Environmental Quality Commission for a variance from applicable standards. They were further requested to submit the information necessary to process a variance by December 31, 1974.

By letters dated December 23, 1974, and February 7, 1975, (copies attached) Beaver Lumber Company stated that strict compliance with existing wigwam regulations would make it impossible to operate and requested a variance from the compliance schedule.

Analysis

Beaver Lumber Company is located approximately two miles northeast of Clatskanie in Columbia County. The nearest residence is located within 1/8 mile and there are approximately 12 residences within 3/4 of a mile of the mill. Due to the location of the mill and the one shift operation, this burner is not considered a significant air quality problem. The only complaint of record was submitted in 1972 by a non-resident.

The mill operates one shift per day and the wigwam burner operates throughout that shift. Since 1968, the Company has attempted to attain compliance through modification of the wigwam burner and development of alternative disposal methods. Burner modification has proven unsuccessful due to the size and moisture content of the waste being burned and the lack of a firm commitment for a steady fuel source for burner ignition. Alternative methods such as utilization of wood waste as hog fuel are not feasible due to space limitation at the plant and the fact that the necessary equipment would cost approximately \$114,000 and general unsuitability of this material as a fuel. The Company states that they cannot absorb such an expenditure for such an outdated plant which is projected to shutdown in two to three years. Landfilling of wastes on nearby property had been disapproved due to the fact that it is located in the flood plain.

In view of the above, the Company has requested a one year variance to continue operation of the burner.

Oregon Revised Statutes (ORS) Chapter 468.345, 1974 Replacement Part, Variances from Air Contaminant Rules and Regulations, paragraph (1) states that:

"The Commission may grant specific variances which may be limited in time from the particular requirement of any rule or standard. . . if it finds that strict compliance with the rule or standard is inappropriate because:

- a. Conditions exist that are beyond the control of the persons granted such variance; or
- b. Special circumstances render strict compliance unreasonable, burdensome or impractical due to special physical conditions or cause; or
- c. Strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or
- d. No other alternative facility or method of handling is yet available."

Conclusions

1. Beaver Lumber Company operates an antiquated cedar sawmill two miles northeast of Clatskanie in Columbia County.
2. The Company employs approximately 41 people and has an annual payroll of about \$300,000. Annual operating expenses amount to approximately 1.3 million dollars which has a significant impact on local economics.

3. The mill employs a wigwam burner to dispose of wood waste. Due to the nature of the wastes, the burner consistently operates in violation of the Department's opacity standards. Expensive modifications to the burner have proven unsuccessful.
4. Alternative means of disposal have not proven feasible due to the limited life of the mill, available space, high costs of equipment and lack of a ready market.
5. From an overall environmental standpoint, the granting of the subject variance will have little impact due to the location of the mill and emission reductions accomplished by prior burner modifications.
6. The granting of this variance by the Environmental Quality Commission would be allowable in accordance with ORS 468.345.

Recommendations

It is the Director's recommendation that a one year variance be granted to the Beaver Lumber Company from March 28, 1975, to March 28, 1976, under the following conditions:

1. The Company shall continue to operate the wigwam burner in the highest and best manner in order to keep emissions to lowest practicable levels.
2. Sixty days prior to the expiration of the variance, the Company shall submit a written report to the Department outlining efforts made to reduce emissions, alternate means of disposal investigated and/or employed and the status of the mill as related to future operation.



KESSLER R. CANNON
Director

PJZ/jms
3/13/75

Attachments: Beaver Lumber Company letter dated September 27, 1974
Beaver Lumber Company letter dated February 7, 1975
Beaver Lumber Company letter dated December 23, 1974

BEAVER *Lumber Company*

CLATSKANIE, OREGON
BOX 547 TELEPHONE ~~435~~ 728-3222

September 27, 1974

State of Oregon
Department of Environmental Quality
Northwest Region
1010 N. E. Couch Street
Portland, Oregon 97232

Attention: E. J. Weathersbee, Administrator

Dear Sir:

In regard to the report to be submitted to you by October 1, 1974, about our burner compliance program for our cedar mill at Clatskanie.

For the majority of the time while in operation, this McKenzie-modified type wigwam burner is very effective and efficient, and any occasional malfunction is normally of short duration.

Compared to three or four aluminum, paper and pulp plants located within 15 miles of us, which operate continuously 24 hours a day and every day, our burner pollution is minimal, especially considering the fact we run but one shift and only five days a week.

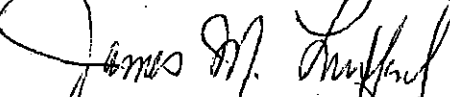
In fact, because of a declining lumber market, mainly due to high interest rates and lack of capital for loans, which have together reduced the national home building market significantly, we have been running at less than a five day week recently, and contemplate further drastic reduction in our operating time.

Due to these unusual market conditions for lumber and our desire to keep the mill crew working as much as is economically feasible, we respectfully request an indefinite delay in the emission compliance program.

In the meantime, we assure you that everything will be done to secure as efficient burning of our waste material as is possible under existing conditions.

Yours very truly,

BEAVER LUMBER CO. OF CLATSKANIE, INC.



James M. Luxford, Secretary-Treasurer

JML:jll

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BEAVER *Lumber Company*

CLATSKANIE, OREGON A/C 503
BOX 547 TELEPHONE ~~XXX~~ 728-3222

February 7, 1975

REC
FEB
LOP
PJE
PJE

State of Oregon
Department of Environmental Quality
Northwest Region
1010 N. E. Couch Street
Portland, Oregon 97232

Dear Sirs:

In response to your letter of January 4, 1975, regarding our request for a variance from your department emission standards, applicable to the operation of the Beaver Lumber wigwam waste burner located at our cedar mill in the area of Clatskanie, Oregon.

Several years ago we modified the burner with the aid of Harold W. McKenzie, Consulting Engineer. At considerable expense, we were able to achieve satisfactory combustion, except for a brief period at starting time. This was impossible to correct because of the fuel and natural gas crisis at that time, and still at the present time, we could get no permanent commitments for a steady natural gas or fuel supply from any of the suppliers in this area.

At the same time, the physical site of the mill, with the burner on an island separated from the mill, makes this work uneconomic. Installing a hogger for waste refuse, with the site necessary to place such a hogger in operation, would be a financial disaster. A tentative suggestion of using hogged waste as landfill was turned down by the State Board of Health, for the only site available is tide land we own, and they stated such waste would leach into the river. Also, the proposed disposal of hogged waste for fuel was turned down because of the lack of continuing market. This is still true today.

Because of the peculiar nature of salvage cedar logs, it is virtually impossible to debark them satisfactorily for chipping and hogging. The disposal of this bark and excess salvage wood presents the same problem as with our present setup.

Strict compliance with the general emission standards would make us curtail the cedar mill operation altogether, and we would be forced to close down, laying off the entire crew. This amounts to between 25 and 30 men and women.

February 7, 1975
State of Oregon
Department of Environmental Quality
Page 2

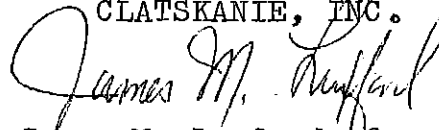
We have studied this problem for the past few years with much diligence, enlisting the advice of many men who have had experience with similar problems. In view of the age of the mill, the peculiarity of the plant's physical location, (surrounded by highway, railroad, swamp and water) the obsolescence of the machinery and plant design, and the apparent economic viability of the cedar mill having only a few years maximum, we can find no other alternative to our present burner for handling this cedar waste material.

We therefore request a one year extension of variance, as provided under Section 9.1, "due to special circumstances which would render compliance unreasonable, burdensome or impractical, due to special conditions or cause, or because the effect of air pollution is minimal in comparison with effect of abatement, or because no other alternative facility or method of handling is yet available."

Thank you for your consideration.

Very truly yours,

BEAVER LUMBER COMPANY OF
CLATSKANIE, INC.



James M. Luxford, Owner-Manager

JML:jl

BEAVER Lumber Company

CLATSKANIE, OREGON

BOX 547

TELEPHONE *195

503-728-3222

To ~~REG~~ ^{FAD}
succession action
EJW

December 23, 1974

Mr. E. J. Weathersbee
Dep't of Environmental Quality
State of Oregon - Northwest Region

Dear Mr. Weathersbee:

In response to your letter of December 10, 1974 concerning future operation of our wigwam waste burner at our cedar mill.

Our company knows that strict compliance with the existing wigwam burner regulations would make it impossible to operate. We can find no practical alternative for this except to shut the cedar mill down and put approximately 30 men out of work. Rather than make this harsh decision, we respectfully request a variance from this strict compliance schedule.

Very truly yours,

James M. Luxford
Beaver Lumber Co. of Clatskanie Inc.

James M. Luxford



ENVIRONMENTAL QUALITY COMMISSION

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

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RONALD M. SOMERS
The Dalles

KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. H, March 28, 1975 EQC Meeting

Proposed Motor Vehicle Emission Control Inspection Test
Criteria, Methods and Standards

Background

At its meeting of December 20, 1974, the Environmental Quality Commission reviewed a Department report on the status of the voluntary vehicle emission control inspection program. The Commission also authorized the holding of public hearings to consider proposed motor vehicle emission control inspection test criteria, methods, and standards.

Four public hearings were scheduled for the evenings of February 20th in Gresham, February 21st in Oregon City, February 24th in Hillsboro, and February 25th in Portland. These hearings were for the purpose of obtaining additional technical and operational information prior to submitting the finally proposed rules to the Commission. A copy of the Hearings Officer report is attached.

Over 1,300 notices of these public hearings were mailed on January 20 and 21, 1975. Notice of the hearings was published in the Administrative Rules Bulletin on February 1, 1975. Additionally, notice of the hearings was published by Automotive News of the Pacific Northwest in their January issue, received by the Department on February 20, 1975. Various news media also carried the fact that these hearings were being held.

A copy of the Department report that was available at these informational hearings, along with proposed rules, has been included in the Commission's workbooks and is also available at this hearing.



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Proposal Overview

Basically, the proposals under consideration call for the emission control inspection of light duty motor vehicles, including 3/4 ton pickups and vans, at state operated facilities. The one major exception to this is that fleet operations having 100 or more vehicles may be authorized to inspect their own fleet vehicles. It should be noted that these proposals do not apply to new vehicles upon their initial registration.

These proposals are not intended to require the addition of any pollution control equipment not originally installed on the vehicle model. The proposed requirements are intended to detect those vehicles which have not been properly maintained to minimize pollution. Specific conditions are set for diesel powered and for two-stroke cycle engine vehicles. Neither standards for motorcycles nor for heavy duty vehicles are included in these initial proposals.

Proposal Changes Following the Public Hearings of February 20, 21, 24, and 25, 1975

Section 24-305, Definitions: The only change of substance made here was in the definition of "Light duty motor vehicle fleet operation" (17). The change is the addition of the phrase "excluding those vehicles held primarily for the purposes of resale." This change would generally preclude used car dealers from being licensed as fleet operations.

Section 24-310, Test method: The only change made to the test method was in subsection (7), where the maximum preconditioning time at high idle is now also specified.

Section 24-320, Test criteria: Changes were made to subsections (1) and (2) so that an enforcement tolerance was provided for the first year of regulatory operations. Testimony was received during the earlier public hearings that subsections (3) and (4) should be deleted and thus no inspection of the pollution control equipment be made. The Department rejects his viewpoint. In subsection (6) the phrase, "except that any requirement for evaporative control systems shall be based upon the model year of the chassis" was added. Thus, in those cases when a late engine is to be put into an early chassis, it would not be necessary to also change the fuel tank system.

Section 24-330, Idle standards: Various detail changes have been made to subsection (1), the proposed idle carbon monoxide limits. An additional change recommended to the listed standards you have is the addition of an enforcement tolerance through June, 1976, of 0.5%

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March 28, 1975
Page 3

for 1975 and subsequent model vehicles. Also, a correction should be made on page 9 for the pre-1968 MG and Triumph. The dash is to be changed to a zero for the enforcement tolerance.

Subsection (2), hydrocarbon standards have likewise been changed in detail. The base standard for pre-1968 model year and 1975 model year vehicles has been increased. The enforcement tolerance for pre-1975 models has also been increased. It is recommended that an enforcement tolerance of 100 ppm be incorporated to standards for the 1975 and subsequent model year vehicles.


Subsection (4) has been added in an attempt to provide an administrative procedure for handling oversight situations until the Commission is able to act on the matter.

Section 24-340, Qualification criteria: Subsection (11) was added to this section.

Section 24-350, Gas analytical system: No changes have been made to this section.

Recommendation

It is the Director's recommendation that following the public hearing and upon consideration of the testimony presented, the proposed criteria, methods and standards be adopted.


KESSLER R. CANNON
Director

RCH:mg
3/19/75

Motor Vehicle Emission Control Inspection Test Criteria, Methods and Standards.

24-300 Pursuant to ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825, the following rules establish the criteria, methods, and standards for inspecting light-duty motor vehicles to determine eligibility for obtaining a certificate of compliance or inspection.

24-305 Definitions. As used in these rules unless otherwise required by context:

(1) "Carbon dioxide" means a gaseous compound consisting of the chemical formula (CO₂).

(2) "Carbon monoxide" means a gaseous compound consisting of the chemical formula (CO).

(3) "Certificate of compliance" means a certification issued by a vehicle emission inspector that the vehicle identified on the certificate is equipped with the required functioning motor vehicle pollution control systems and otherwise complies with the emission control criteria, standards and rules of the commission.

(4) "Certificate of inspection" means a certification issued by a vehicle emission inspector and affixed to a vehicle by the inspector to identify the vehicle as being equipped with the required functioning motor vehicle pollution control systems and as otherwise complying with the emission control criteria, standards and rules of the commission.

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

(6) "Crankcase emissions" means substances emitted directly to the atmosphere from any opening leading to the crankcase of a motor vehicle engine.

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

(8) "Director" means the director of the department.

(9) "Electric vehicle" means a motor vehicle which uses a propulsive unit powered exclusively by electricity.

(10) "Exhaust emissions" means substances emitted into the atmosphere from any opening downstream from the exhaust parts of a motor vehicle engine.

(11) "Factory-installed motor vehicle pollution control system" means a motor vehicle pollution control system installed by the vehicle or engine manufacturer to comply with federal motor vehicle emission control laws and regulations.

(12) "Gas analytical system" means a device which senses the amount of air contaminants in the exhaust emissions of a motor vehicle, and which has been issued a license by the Department pursuant to section 24-350 of these regulations and ORS 468.390.

(13) "Gaseous fuel" means, but is not limited to, liquified petroleum gases and natural gases in liquefied or gaseous forms.

(14) "Hydrocarbon gases" means a class of chemical compounds consisting of hydrogen and carbon.

(15) "Idle speed" means the unloaded engine speed when accelerator pedal is fully released.

(16) "In-use motor vehicle" means any motor vehicle which is not a new motor vehicle.

(17) "Light duty motor vehicle fleet operation" means ownership, control, or management, or any combination thereof, by any person of 100 or more Oregon registered, in-use, light duty motor vehicles, excluding those vehicles held primarily for the purposes of resale.

(18) "Light duty motor vehicle" means a motor vehicle having a combined manufacturer weight of vehicle and maximum load to be carried thereon of not more than 8,400 pounds (3820 kilograms).

(19) "Model year" means the annual production period of new motor vehicles or new motor vehicle engines designated by the calendar year in which such period ends. If the manufacturer does not designate a production period, the model year with respect to such vehicles or engines shall mean the 12 month period beginning January of the year in which production thereof begins.

(20) "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground and weighing less than 1,500 pounds (682 kilograms).

(21) "Motor vehicle" means any self-propelled vehicle used for transporting persons or commodities on public roads.

(22) "Motor vehicle pollution control system" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or engine adjustment or modification which causes a reduction of pollutants emitted from the vehicle.

(23) "New motor vehicle" means a motor vehicle whose equitable or legal title has never been transferred to a person who in good faith purchases the motor vehicle for purposes other than resale.

(24) "Non-complying imported vehicle" means a motor vehicle of model years 1968 through 1971 which was originally sold new outside of the United States and was imported into the United States as an in-use vehicle prior to February 1, 1972.

(25) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the Federal Government and any agencies thereof.

(26) "PPM" means parts per million by volume.

(27) "Public Roads" means any street, alley, road highway, freeway, thoroughfare or section thereof in this state used by the public or dedicated or appropriated to public use.

(28) "RPM" means engine crankshaft revolutions per minute.

(29) "Two-stroke cycle engine" means an engine in which combustion occurs, within any given cylinder, once each crankshaft revolution.

(30) "Vehicle emission inspector" means any person possessing a current and valid license issued by the Department pursuant to section 24-340 of these regulations and ORS 468.390.

24-310 Vehicle Emission Control Test Method

- (1) The vehicle emission inspector is to insure that the gas analytical system is properly calibrated prior to initiating a vehicle test.
- (2) The department approved vehicle information data form is to be completed prior to the motor vehicle being inspected.
- (3) The vehicle is to be in neutral gear if equipped with a manual transmission, or in "park" position if equipped with an automatic transmission.
- (4) All vehicle accessories are to be turned off.
- (5) An inspection is to be made to insure that the motor vehicle is equipped with the required functioning motor vehicle pollution control system in accordance with the criteria of section 24-320.
- (6) With the engine operating at idle speed, the sampling probe of the gas analytical system is to be inserted into the engine exhaust outlet.
- (7) Except for diesel vehicles, the engine is to be accelerated, with no external loading applied, to a speed of between 2,200 RPM and 2,700 RPM. The engine speed is to be maintained at a steady speed within this speed range for a 4 to 8 second period and then returned to an idle speed condition. In the case of a diesel vehicle, the engine is to be accelerated to an above idle speed. The engine speed is to be maintained at a steady above idle speed for a 4 to 8 second period and then returned to an idle speed condition.
- (8) The steady state levels of the gases measured at idle speed by the gas analytical system shall be recorded. Except for diesel vehicles, the idle speed at which the gas measurements were made shall also be recorded.
- (9) If the vehicle is equipped with a dual exhaust system, then steps (6) through (8) are to be repeated on the other exhaust outlet(s). The readings from the exhaust outlets are to be averaged into one reading for each gas measured for comparison to the standards of section 24-330.
- (10) If the vehicle is capable of being operated with both gasoline and gaseous fuels, then steps (6) through (8) are to be repeated so that emission test results are obtained for both fuels.
- (11) If it is ascertained that the vehicles may be emitting noise in excess of the noise standards adopted pursuant to ORS 467.030, then a noise measurement is to be conducted in accordance with the test procedures adopted by the commission or to standard methods approved in writing by the department.
- (12) If it is determined that the vehicle complies with the criteria of section 24-320 and the standards of section 24-330, then, following receipt of the required fees, the vehicle emission inspector shall issue the required certificates of compliance and inspection.
- (13) The inspector shall affix any certificate of inspection he issues to the lower left-hand side (normally the driver side) of the front windshield,

being careful not to obscure the vehicle identification number nor to obstruct driver vision.

(14) No certificate of compliance or inspection shall be issued unless the vehicle complies with all requirements of these rules and those applicable provisions of ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825.

24-320

Motor Vehicle Emission Control Test Criteria

(1) No vehicle emission control test shall be considered valid if the vehicle exhaust system leaks in such a manner as to dilute the exhaust gas being sampled by the gas analytical system. For the purpose of emission control tests conducted at state facilities, except for diesel vehicles, tests will not be considered valid if the exhaust gas is diluted to such an extent that the sum of the carbon monoxide and carbon dioxide concentrations recorded for the idle speed reading from an exhaust outlet is 9% or less. For purposes of enforcement through June, 1976, a 1% carbon dioxide tolerance shall be added to the values recorded.

(2) No vehicle emission control test shall be considered valid if the engine idle speed either exceeds the manufacturer's idle speed specifications by over 200 RPM on 1968 and newer model vehicles, or exceeds 1,250 RPM for any age model vehicle. For purposes of enforcement through June, 1976, a 100 RPM tolerance shall be added to the idle speed limits.

(3) No vehicle emission control test for a 1968 or newer model vehicle shall be considered valid if any element of the following factory-installed motor vehicle pollution control systems have been disconnected, plugged, or otherwise made inoperative in violation of ORS 483.825 (1), except as noted in subsection (5).

- (a) Positive crankcase ventilation (PCV) system
- (b) Exhaust modifier system
 - (1) Air injection reactor system
 - (2) Thermal reactor system
 - (3) Catalytic convertor system - (1975 and newer model vehicles only)
- (c) Exhaust gas recirculation (EGR) systems - (1973 and newer model vehicles only)
- (d) Evaporative control system - (1971 and newer model vehicles only)
- (e) Spark timing system
 - (1) Vacuum advance system
 - (2) Vacuum retard system
- (f) Special emission control devices
 - Examples:
 - (1) Orifice spark advance control (OSAC)
 - (2) Speed control switch (SCS)
 - (3) Thermostatic air cleaner (TAC)
 - (4) Transmission controlled spark (TCS)
 - (5) Throttle solenoid positioner (TSC)

(4) No vehicle emission control test for a 1968 or newer model vehicle shall be considered valid if any element of the factory-installed motor vehicle pollution control system has been modified or altered in such a manner so as to decrease its efficiency or effectiveness in the control of air pollution in violation of ORS 483.825 (2), except as noted in subsection (5). For the purposes of this subsection, the following apply:

(a) The use of a non-original equipment aftermarket part (including a rebuilt part) as a replacement part solely for purposes of maintenance according to the vehicle or engine manufacturer's instructions, or for repair or replacement of a defective or worn out part, is not considered to be a violation of ORS 483.825 (2), if a reasonable basis exists for knowing that such use will not adversely effect emission control efficiency. The Department will maintain a listing of those parts which have been determined to adversely effect emission control efficiency.

(b) The use of a non-original equipment aftermarket part or system as an add-on, auxiliary, augmenting, or secondary part or system, is not considered to be a violation of ORS 483.825 (2), if such part or system is listed on the exemption list maintained by the Department.

(c) Adjustments or alterations of a particular part or system parameter, if done for purposes of maintenance or repair according to the vehicle or engine manufacturer's instructions, are not considered violations of ORS 483.825 (2).

(5) A 1968 or newer model motor vehicle which has been converted to operate on gaseous fuels shall not be considered in violation of ORS 483.825 (1) or (2) when elements of the factory-installed motor vehicle air pollution control system are disconnected for the purpose of conversion to gaseous fuel as authorized by ORS 483.825 (3).

(6) For the purposes of these rules a motor vehicle with an exchange engine shall be classified by the model year and manufacturer make of the exchange engine, except that any requirement for evaporative control systems shall be based upon the model year of the vehicle chassis.

(7) Electric vehicles are presumed to comply with all requirements of these rules and those applicable provisions of ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825, and may be issued the required certificates of compliance and inspection upon request to the Department and payment of the required fee.

24-330 Motor Vehicle Emission Control Idle Emission Standards.

(1) Carbon monoxide idle emission values not to be exceeded:

	<u>%</u>	<u>Enforcement Tolerance Through June 1976</u>
<u>ALPHA ROMEO</u>		
1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	4.0	1.0
pre-1968	6.0	0
<u>AMERICAN MOTORS CORPORATION</u>		
1975 Non-Catalyst	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974	2.0	0.5
1970 through 1971	3.5	0.5
1968 through 1969	5.0	0
pre-1968	6.0	0
<u>AUDI</u>		
1975	1.0	0
1971 through 1974	2.5	0.5
1968 through 1970	4.0	0.5
pre-1968	6.0	0
<u>AUSTIN</u> - See BRITISH LEYLAND		
<u>BMW</u>		
1975	-	-
1974, 6 cyl.	2.5	0.5
1974, 4 cyl.	2.0	0.5
1971 through 1973	3.0	0.5
1968 through 1970	4.0	0.5
pre-1968	6.0	0
<u>BRITISH LEYLAND</u>		
Austin, Austin Healey, Morris, America and Marina		
1975	-	-
1973 through 1974	2.5	0.5
1971 through 1972	4.0	0.5
1968 through 1970	5.0	0.5
pre-1968	6.5	0

Jaguar		
1975	-	-
1972 through 1974	3.0	0.5
1968 through 1971	4.0	0.5
pre-1968	6.0	0
MG		
1975	-	-
1973 through 1974 MGB, MGBGT, MGC	3.0	0.5
1971 through 1974 Midget	3.0	0.5
1972 MGB, MGC	4.0	0.5
1968 through 1971, except 1971 Midget	5.0	0.5
pre-1968	6.5	-
Rover		
1975	-	-
1971 through 1974	4.0	0.5
1968 through 1970	5.0	0
pre-1968	6.0	0
Triumph		
1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	4.0	0.5
pre-1968	6.5	-

BUICK - See GENERAL MOTORS

CADILLAC - See GENERAL MOTORS

CAPRI - See FORD MOTOR COMPANY, 4 cyl.

CHECKER

1975 Non-Catalyst	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974	1.0	0.5
1970 through 1972	2.5	0.5
1968 through 1969	3.5	0.5
pre-1968	6.0	0

CHEVROLET - See GENERAL MOTORS

CHEVROLET L.U.V. - See L.U.V., Chevrolet

CHRYSLER - See CHRYSLER CORPORATION

CHRYSLER CORPORATION (Plymouth, Dodge, Chrysler)

1975 Non-Catalyst	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974	1.0	0.5
1969 through 1971	1.5	0.5
1968	2.0	1.0
pre-1968	6.0	0

CITROEN

1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	4.0	0.5
pre-1968	6.0	0

COLT, Dodge

1975	-	-
1971 through 1974	5.0	0.5
pre-1971	6.0	0

COURIER, Ford

1975	-	-
1973 through 1974	2.0	0.5
pre-1973	4.0	0.5

CRICKET, Plymouth

1975	-	-
1973 through 1974 (twin carb. only)	3.0	0.5
1972 (twin carb. only)	4.5	0.5
pre-1972 (and 1972 through 1973 single carb. only)	7.5	0

DODGE COLT - See COLT, Dodge

DODGE - See CHRYSLER CORPORATION

DATSUN

1975	-	-
1968 through 1974	2.5	0.5
pre-1968	6.0	0

DE TOMOSO - See FORD MOTOR COMPANY

FERRARI

1975	-	-
1971 through 1974	2.5	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0

FIAT

1975	-	-
1974	2.5	0.5
1972 through 1973 124 spec. sedan and wgn.	4.0	0.5
1972 through 1973 124 sport coupe and spider	3.0	0.5
1972 through 1973 850	3.0	0.5
1971 850 sport coupe and spider	3.0	0.5
1971 850 sedan	6.0	0
1968 through 1970, except 850	5.0	0
1968 through 1970 850	6.0	0
pre-1968	6.0	0

FORD - See FORD MOTOR COMPANY

FORD MOTOR COMPANY (Ford, Lincoln, Mercury, except Courier)

1975 Non-Catalyst	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974, except 4 cyl.	1.0	0.5
1972 through 1974, 4 cyl., except Capri	2.0	0.5
1971 through 1973 Capri only	2.5	0.5
1970 through 1971	2.0	0.5
1968 through 1969	3.5	0.5
pre-1968	6.0	0

GENERAL MOTORS (Buick, Cadillac, Chevrolet, GMC, Oldsmobile, Pontiac)

1975 Non-Catalyst	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974	1.0	0.5
1970 through 1971, except 4 cyl.	1.5	0.5
1970 through 1971, 4 cyl.	2.5	0.5
1968 through 1969	3.5	0.5
pre-1968	6.0	0

GMC - See GENERAL MOTORS

HONDA AUTOMOBILE

1975	-	-
1973 through 1974	3.0	0.5
pre-1972	5.0	0.5

INTERNATIONAL-HARVESTER

1975	-	-
1972 through 1974	3.0	0.5
1970 through 1971	4.0	0.5
1968 through 1969	5.0	0.5
pre-1968	6.0	0

JAGUAR - See BRITISH LEYLAND

JEEP - See AMERICAN MOTORS

JENSEN-HEALEY

1973 and 1974	4.5	0.5
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JENSEN INTERCEPTOR & CONVERTIBLE - See CHRYSLER CORPORATION

LAND ROVER - See BRITISH LEYLAND, Rover

LINCOLN - See FORD MOTOR COMPANY

L.U.V., Chevrolet

1975	-	-
1974	1.5	0.5
pre-1974	3.0	0.5

MAZDA

1975	-	-
1968 through 1974, Piston Engines	4.0	0.5
1974, Rotary Engines	2.0	0
1971 through 1973, Rotary Engines	3.0	0

MERCURY - See FORD MOTOR COMPANY

MERCEDES-BENZ

1975	-	-
1973 through 1974	2.0	0.5
1972	4.0	0.5
1968 through 1971	5.0	0.5
pre-1968	6.0	0
Diesel Engines (all years)	1.0	0

MG - See BRITISH LEYLAND

OLDSMOBILE - See GENERAL MOTORS

OPEL

1975	-	-
1973 through 1974	2.5	0.5
1970 through 1972	3.0	0.5
1968 through 1969	3.0	0.5
pre-1968	6.0	0

PANTERA - See FORD MOTOR COMPANY

PEUGEOT

1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	4.0	0.5
pre-1968	6.0	0
Diesel Engines (all years)	1.0	0

PLYMOUTH - See CHRYSLER CORPORATION

PLYMOUTH CRICKET - See CRICKET, Plymouth

PONTIAC - See GENERAL MOTORS

PORSCHE

1975	-	-
1972 through 1974	3.0	0.5
1968 through 1971	5.0	0.5
pre-1968	6.5	0

RENAULT

1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	5.0	0.5
pre-1968	6.0	0

ROLLS-ROYCE and BENTLEY

1975	-	-
1971 through 1974	3.0	0.5
1968 through 1970	4.0	0.5
pre-1968	6.0	0

ROVER - See BRITISH LEYLAND

SAAB

1975	2.5	0
1968 through 1974, except 1972 99 1.85L	3.0	0.5
1972 99 1.85L	4.0	0.5
pre-1968 (two-stroke cycle)	3.0	3.0

SUBARU

1975	-	-
1972 through 1974	3.0	0.5
1968 through 1971, except 360's	4.0	0.5
pre-1968 and all 360's	6.0	0

TOYOTA

1975	-	-
1968 through 1974, 6 cyl.	3.0	0.5
1968 through 1974, 4 cyl.	4.0	0.5
pre-1968	6.0	0

TRIUMPH - See BRITISH LEYLAND

VOLKSWAGEN

1975 Rabbit, Scirocco, and Dasher	0.5	0
1975 All Others	2.5	0
1974 Dasher	2.5	0.5
1972 through 1974, except Dasher	3.0	0.5
1968 through 1971	3.5	0.5
pre-1968	6.0	0

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VOLVO

1975	-	-
1972 through 1974	3.0	0.5
1968 through 1971	4.0	0.5
pre-1968	6.5	0

NON-COMPLYING IMPORTED VEHICLES

All	6.5	0
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DIESEL POWERED VEHICLES

All	1.0	0
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ALL VEHICLES NOT LISTED and VEHICLES FOR WHICH NO VALUES ENTERED

1975 Non-Catalyst, 4 cyl.	2.0	0
1975 Non-Catalyst, all except 4 cyl.	1.0	0
1975 Catalyst Equipped	0.5	0
1972 through 1974	3.0	0.5
1970 through 1971	4.0	0.5
1968 through 1969	5.0	0.5
pre-1968	6.5	0

(2) Hydrocarbon idle emission values not to be exceeded:

<u>Enforcement Tolerance Through June 1976</u>		
No HC Check	-	All two-stroke cycle engines & diesel ignition
1600 ppm	200	Pre-1968, 4 cylinder & non-complying imports, 4 cylinder only
1300 ppm	200	Pre-1968, all non-complying imports (except 4 cylinder)
800 ppm	150	1968 through 1969, 4 cylinder
600 ppm	150	All other 1968 through 1969
500 ppm	150	All 1970 through 1971
400 ppm	150	All 1972 through 1974, 4 cylinder
300 ppm	150	All other 1972 through 1974
175 ppm	0	1975 without catalyst
100 ppm	0	1975 with catalyst

(3) There shall be no visible emission during the steady-state unloaded engine idle portion of the emission test from either the vehicle's exhaust system or the engine crankcase. In the case of diesel engines and two-stroke cycle engines, the allowable visible emission shall be no greater than 20% opacity.

(4) The Director may establish specific separate standards, differing from those listed in subsection (1), (2), and (3), for vehicle classes which are determined to present prohibitive inspection problems using the listed standards.

24-340. Criteria for qualifications of persons eligible to inspect motor vehicles and motor vehicle pollution control systems and execute certificates.

- (1) Three separate classes of licenses are established by these rules.
 - (a) Light duty motor vehicle fleet operations.
 - (b) Fleet operation vehicle emission inspector.
 - (c) State employed vehicle emission inspector.
- (2) Application for a license must be completed on a form provided by the Department.
- (3) Each license shall be valid for 12 months following the end of the month of issuance.
- (4) No license shall be issued until the applicant has fulfilled all requirements and paid the required fee.
- (5) No license shall be transferable.
- (6) Each license may be renewed upon application and receipt of renewal fee if the application for renewal is made within the 30 day period prior to the expiration date and the applicant complies with all other licensing requirements.
- (7) A license may be suspended, revoked or not renewed if the licensee has violated these rules or ORS 468.360 to 468.405, 481.190 or 483.800 to 483.820.
- (8) A fleet operation vehicle emission inspector license shall be valid only for inspection of, and execution of certificates for, motor vehicle pollution control systems and motor vehicles of the light duty motor vehicle fleet operation by which the inspector is employed on a full time basis.
- (9) To be licensed as a vehicle emission inspector, the applicant must:
 - (a) Be an employee of the Vehicle Inspection Division of the Department, or
 - (b) Be an employee of a licensed light duty motor vehicle fleet operation.
 - (c) Complete application.
 - (d) Satisfactorily complete a training program conducted by the Department. Only persons employed by the Department or by a light duty motor vehicle fleet operation shall be eligible to participate in the training program unless otherwise approved by the Director. The duration of the training program for persons employed by a light duty motor vehicle fleet operation shall not exceed 24 hours.

(e) Satisfactorily complete an examination pertaining to the inspection program requirements. This examination shall be prepared, conducted and graded by the Department.

(10) To be licensed as a light duty motor vehicle fleet operation, the applicant must:

(a) Be in ownership, control or management, or any combination thereof of 100 or more Oregon registered in-use light duty motor vehicles.

(b) Be equipped with an exhaust gas analyzer complying with criteria established in Section 24-350 of these rules.

(c) Be equipped with a sound level meter conforming to Requirements for Sound Measuring Instruments and Personnel (NPCS-2) manual, revised September 15, 1974, of the Department.

(11) No person licensed as a light duty motor vehicle fleet operation shall advertise or represent himself as being licensed to inspect motor vehicles to determine compliance with the criteria and standards of Sections 24-320 and 24-330.

24-350 Gas Analytical System Licensing Criteria

(1) To be licensed, an exhaust gas analyzer must:

(a) Conform substantially with either:

1. All specifications contained in the document "Specifications For Exhaust Gas Analyzer System Including Engine Tachometers" dated July 9, 1974, prepared by the Department and on file in the office of the Vehicle Inspection Division of the Department, or

2. The technical specifications contained in the document "Performance Criteria, Design Guidelines, and Accreditation Procedures For Hydrocarbon (HC) and Carbon Monoxide (CO) Analyzers Required in California Official Motor Vehicle Pollution Control Stations", issued by the Bureau of Automotive Repair, Department of Consumer Affairs, State of California, and on file in the office of the Vehicle Inspection Division of the Department. Evidence that an instrument model is approved by the California Bureau of Automotive Repair will suffice to show conformance with this technical specification.

(b) Be under the ownership, control or management, or any combination thereof, of a licensed light-duty motor vehicle fleet operation or the Department.

(c) Be span gas calibrated and have proper operational characteristics verified by the Department.

(2) Application for a license must be completed on a form provided by the Department.

(3) Each license issued for an exhaust gas analyzer system shall be valid for 12 months following the end of the month of issuance, unless returned to the Department or revoked.

(4) A license for an exhaust gas analyzer system shall be renewed upon submission of a statement by the light-duty motor vehicle fleet operation that all conditions pertaining to the original license issuance are still valid and that the unit has been gas calibrated and its proper operation verified within the last 30 days by a vehicle emission inspector in their employment.

(5) Grounds for revocation of a license issued for an exhaust gas analyzer system include the following:

(a) The unit has been altered, damaged or modified so as to no longer conform with the specifications of subsection (1)(a) of this section.

(b) The unit is no longer owned, controlled or managed by the light-duty motor vehicle fleet operation to which the license was issued.

(6) No license shall be transferable.

(7) No license shall be issued until all requirements of subsection (1) of this section are fulfilled and required fees are paid.



DEPARTMENT OF ENVIRONMENTAL QUALITY

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ROBERT W. STRAUB

GOVERNOR

KESSLER R. CANNON
Director

MEMORANDUM

TO : General Distribution

FROM : Vehicle Inspection Division

SUBJECT: Proposal for Motor Vehicle Emission Control Inspection Test Criteria, Methods and Standards to be discussed at Public Hearings on February 20, 21, 24, and 25, 1975

Vehicle Inspection Program Background

The Federal Clean Air Act of 1970 directed the Environmental Protection Agency to establish air pollution standards, and required state governments to develop implementation plans for achieving and maintaining compliance with the national standards.

During 1971, the EPA established national ambient air standards for various pollutants, including carbon monoxide, and set the criteria for development of state implementation plans to meet those standards. Also in 1971, Oregon legislation was adopted which directed the Department of Environmental Quality to develop a periodic motor vehicle emission inspection program.

In January, 1972, Governor McCall submitted Oregon's implementation plan to the EPA. This plan included provisions for both transportation control measures and a periodic motor vehicle inspection program to help bring automotive produced pollutants into compliance with national standards. This plan was submitted to the Governor by the Environmental Quality Commission (EQC) following their consideration of the plan and the testimony received at public hearings held in Eugene, Medford, and Portland.

The EQC reviewed a comprehensive staff report regarding motor vehicle emission control activity at its October 25, 1972 meeting. This report contained several recommendations from the Director for Commission approval.

These recommendations, which the commission did approve, were:

1. Approval of the basic concept of a vehicle inspection program as outlined in the report.



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2. Authorization for the Director to:

- a. Proceed with arrangements to hold a public hearing to designate those counties in which the program would be enacted.
- b. Prepare necessary legislative proposals to provide specific authorization and funding for state operated inspection facilities.
- c. Request funds from the Emergency Board to initiate a pilot vehicle inspection program.

The basic concept of the inspection program outlined in the staff report was that of state operated facilities conducting annual emission control tests in the four county Portland Metropolitan area. Meeting the standards of the testing program was a requirement for vehicle license renewal as specified in the Oregon laws, passed by the 1971 Legislative Session.

The Commission, at its meeting of March 2, 1973, adopted a rule to initiate the inspection program in Clackamas, Columbia, Multnomah, and Washington Counties beginning January 1, 1974. This rule was later amended to delete Columbia County and to delay initiation of the program until March 31, 1974.

The Oregon State Emergency Board, during their meeting of August 15, 1973, authorized the Department to use the appropriation provided by the 1973 Legislative Assembly for the initiation of a voluntary inspection program. In October, 1973, EPA Administrator Russell Train approved the Transportation Control Strategy for Portland as submitted in final form by Governor McCall. This strategy is actually a part of the implementation plan, but deals specifically with motor vehicle pollutants and their control. The strategy provided in greater detail the specifics for control of motor vehicle pollutants which basically consist of public transportation improvements, a reorganization and management of parking, traffic flow improvements, and a vehicle inspection and maintenance system.

In February, 1974, the Special Legislative Session considered and favorably acted upon a bill which increased the allowable inspection fee to a \$5 maximum so as to make the program self supporting from receipt of inspection fees. This legislative action further set the boundaries of the inspection program as the Metropolitan Service District boundaries surrounding Portland, required an annual inspection rather than just at time of license renewal, and set the start-up date for regulatory operations as July, 1975.

Additional information on the status of the voluntary program and inspection/maintenance programs in some other state is included in Appendix A.

Proposals: Motor Vehicle Emission Control Inspection Test Criteria, Methods, and Standards

The Department began operation of the voluntary inspection program in earnest during 1974. To date, over 35,000 emission tests have been conducted.

The department has used the data and experiences gained from operation of this voluntary program -- as well as studies and experiences from other areas around the country -- in developing these proposals for rules.

Basically, the proposals under consideration call for the emission control inspection of light duty motor vehicles, including 3/4 ton pickups and vans, at state operated facilities. The one major exception to this is that fleet operations having 100 or more vehicles may be authorized to inspect their own fleet vehicles. It should be noted that these proposals do not apply to new vehicles upon their initial registration.

These proposals are not intended to require the addition of any pollution control equipment not originally installed on the vehicle model. The proposed requirements are intended to detect those vehicles which have not been properly maintained to minimize pollution. Specific conditions are set for diesel powered and for two-stroke cycle engine vehicles. Neither standards for motorcycles nor for heavy duty vehicles are included in these initial proposals.

Section 24-305, Definitions: Probably one of the most significant definitions in this section is that of light duty motor vehicles. These vehicles are defined as being self-propelled, used on public roads for transporting persons or commodities, and having a gross vehicle weight of 8,400 pounds or less.

The definition of fleet operation restricts self-inspection to those operations which own, control, or manage, or a combination thereof, not less than 100 Oregon registered in-use, light duty motor vehicles.

Section 24-310, Test Method: The test method described is an idle test with a preconditioning procedure. Vehicles with dual exhausts are to be compared to the standards using the average of the exhaust gas readings.

Section 24-320, Test Criteria: Test criteria are actually very similar to test standards, except that the criteria are not involved with direct measurement of exhaust pollutants. A vehicle will not meet the proposed criteria if the exhaust system leaks excessively, nor if the engine idle speed is set excessively high so that it is operating into the main circuitry of the carburetion system.

All 1968 or newer model vehicles -- it is to be noted that the vehicle model is defined by the engine and not the chassis -- will be inspected to insure that factory installed pollution control systems are properly operational and functional. Specific control systems which must not be disconnected, plugged, or otherwise made inoperative are listed in subsection (3). Subsection (4) specifies that the use of non-original equipment replacement parts solely for the purposes of maintenance according to the manufacturers' instructions or for the repair or replacement of defective or worn out parts, is authorized unless a reasonable basis exists for knowing that such parts will adversely effect emission control efficiency. It is proposed that the Department maintain a

listing of those parts which have been determined to adversely effect emission control efficiency. Subsection (4) further specifies that add-on parts affecting the vehicles' emission control system will be authorized so long as the add-on parts are on the exemption list maintained by the Department.

Appendix B for this report contains a copy of the EPA Mobile Source Enforcement Memorandum No. 1A (Interim Tampering Enforcement Policy), the State of California Air Resources Board Criteria for Determining Compliance with Section 27156 of the Vehicle Code, and a copy of the State of California Air Resources Board Policy on Replacement Parts. Subsections (3) and (4) of the Department's proposals are considered to be consistent with and complementary to these EPA and California policies. While there is little agreement as to what totally constitutes the emission control systems on newer vehicles, it is evident and generally agreed that certain components or systems are part of the overall emission control system. In a paper presented to the Third Annual North American Motor Vehicle Emission Control Conference, Mr. Hannum, Chief Engineer, TRW Replacement Division, itemized components of emission control systems. In reviewing the literature, it appears that the components listed by Mr. Hannum are generally agreed to be part of motor vehicle emission control systems. The listing in subsection (3) contains only those components generally agreed to be part of current emission control systems.

An important factor to consider regarding the anti-tampering criteria is that vehicle manufacturers design and build vehicles to comply with federal emission control requirements. Those requirements currently specify the maximum weight of pollutants permitted to be emitted during a test procedure involving a 25 minute driving cycle. This driving cycle includes an engine start-up, operation at idle, accelerations, cruising at several different speeds, and deceleration. Operation at idle constitutes less than 20% of the driving cycle time. In addition, a 50,000 mile durability test is conducted to insure that the emission control design will maintain emissions within allowable limits if the vehicle is properly maintained.

The conclusion is that emission results using the federal emission test procedures, and not the simpler inspection/maintenance program test procedures, are to be the base in determining whether or not a modification or alteration decreases the efficiency or effectiveness of a pollution control system. This must be viewed as a significant decision since it is possible for a vehicle to meet the simpler emission pass/fail criteria of an inspection/maintenance program and yet have been altered or modified in such a manner so as to not comply with the federal emission standards, and thus be considered in violation of ORS 483.825(2). Likewise, an after-market product or invention may show merit when tested by the inspection/maintenance program procedures and yet would still be considered in violation of ORS 483.825(2) if emissions were increased over baseline values when tested by federal procedures

Section 24-330, Motor Vehicle Emission Control Idle Emission Standards: This section is in three parts. The first subsection specifies idle carbon monoxide limits, the second specifies idle hydrocarbon limits, and the third specifies maximum smoke levels.

The proposed carbon monoxide idle limits are heavily based upon manufacturers' recommended settings. For pre-emission controlled vehicles, those manufactured before 1968 model year, the idle carbon monoxide values are basically set at 6%. Experience gained during the voluntary test program indicates that most of the affected vehicles can easily operate within this limit. It should be noted that maximum power tuning normally gives an air/fuel (A/F) ratio of approximately 12.5:1, which corresponds to about 5.5% CO. Maximum economy tuning A/F ratio is about 13.5:1 or 3% CO.

To determine the recommended settings for vehicles with emission control systems, a review of the service industry literature was made, many manufacturers were contacted, and underhood decal values were noted during the voluntary program operation. From this information, a listing was drawn up for vehicles such that the recommended standard level was either equal to or greater than the manufacturer's recommendation. If the manufacturer specified an acceptable range for idle CO settings, then the upper limit was selected for a standard. If the manufacturer specified a single setting value only, then the proposed standard was set either 0.5% or 1.0% greater based upon a value judgment as to the ability of the specific vehicle classes' ability to meet those standards in actual use.

In addition to the tolerance built into the base standard, it is recommended that an additional tolerance be added to the base standard for the first year of regulatory program operation.

The second subsection lists the proposed hydrocarbon idle limits. The listing is quite similar to that being used in the voluntary program. Among the reasons for this approach are that hydrocarbon excesses are usually associated with mechanical malfunctions or misadjusted ignition settings and components. Hydrocarbon values are not a major effect of carburetor adjustments, except in the case where the carburetor has been set so lean as to cause a lean mis-fire. Hydrocarbon values more nearly coincide with age and engine cylinder groups. This has been documented in a TRW report for the State of California along with other studies, and observed in the results of the voluntary program. The values chosen are intended to detect gross emitters.

Additional information regarding these proposed standards is contained in Appendix C to this report.

Section 24-340, Criteria for qualifications of persons eligible to inspect motor vehicles and motor vehicle pollution control systems and execute certificates: The basic purpose of this section is to specify the licensing requirements for self-inspection by fleet operations. The licenses to be issued would be valid for one year and would be renewable. To be licensed, a fleet operation must own an exhaust gas analyzer as specified in section 24-350, be equipped with a sound meter, and employ a licensed fleet operation vehicle emission inspector. To become licensed as an inspector, a person must satisfactorily complete a Department training program.

Section 24-350, Gas Analytical System Licensing Criteria: This section specifies the requirements for exhaust gas analyzers to be used in the inspection program. The criteria essentially requires either the California approved analyzers for vehicle pollution control stations or the Department specified units as to be used in the state inspection facilities.



DEPARTMENT OF ENVIRONMENTAL QUALITY

1234 S.W. MORRISON STREET • PORTLAND, OREGON • 97205 • (503) 229- 6210

ROBERT W. STRAUB



GOVERNOR

KESSLER R. CANNON
Director

MEMORANDUM

To: Director

From: Peter McSwain

Subject: Vehicle Emission Control Inspection Program Public Hearings Report

MINUTES

After the required publication and notice to required parties, including the most widespread publication feasible to the Department, Public Hearings were conducted as follows:

On the 20th of February in the Council Chambers for the City of Gresham, 150 West Powell Street, Gresham, Oregon.

On the 21st of February in the Clackamas County Health Department Auditorium, 1425 Kaen Road, Oregon City, Oregon.

On the 24th of February in the Washington County Administration Building, 150 North First Avenue, Hillsboro, Oregon.

On the 25th of February in the Council Chambers of the City of Portland, 1220 S.W. 5th Avenue, Portland, Oregon.

All hearings commenced at 7:30 p.m. Attendance was relatively light in view of the issue's potential effect on all registered vehicle owners in the Portland Metropolitan Service District. The most heavily attended meeting was on the evening of February 20, when about forty-five persons were in attendance.

These hearings, though prefaced by the usual rule making hearing requirement of notice, did not, in effect, constitute such. Rather, they were informal, designed for purposes of public information and the gathering of comment to be placed before the Commission in its rule making action.



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In large measure, the hearings took the form of public questions about the proposed rules and the program in general. Mr. Householder answered these to everyone's satisfaction and the hearings proved very educational to those who attended.

Comment from two or three public participants was in criticism of the concept of periodic motor vehicle emission control inspection, and/or the wisdom of invoking a program by July 1, 1975. It would seem that ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825 render such criticism beyond the Commission's jurisdiction to resolve. Department personnel explained this to those offering such criticisms.

ISSUES

Taken together, the four hearings resulted in approximately twelve statements offered orally to the record. Those pertinent to the rule making process are set forth in substance below for the attention of interested parties and have been ordered in terms of those portions of the proposed rule in issue.

1) It was questioned whether there ought to be the requirement that a Certificate of Inspection (Section 24-305(4)) be affixed to the windshield (Section 24-310(13)) since it might result in an untidy appearance and impaired vision.

2) It was vehemently objected by Mr. Craig Adelhaat, an auto mechanic, that factory installed motor vehicle pollution control systems (Section 24-305(11)) should not be required to be maintained on the vehicle (Section 24-320(3)) if the owner or his mechanic are able to bypass or remove such systems and still pass the test as set forth in Section 24-310.

3) It was the opinion of Mr. C.A. McRobert, a Gresham area automobile dealer that, under the present rule, used car lots with 100 or more "in use vehicles" (Section 24-305(16)) would qualify as a light duty motor vehicle fleet operation (Section 24-305(17)) for purpose of self inspection (Section 24-340). Mr. McRobert expressed satisfaction with such a result.

4) It was questioned whether the definition of "Motor Vehicle" ought to be altered so as to be in alignment with the definition used by the Department of Motor Vehicles (whose enforcement procedures are incorporated into the rule (ORS 481.190(2))), and whether the definition of "Motor Vehicle" ought to be worded so as to specifically exclude sports vehicles whose use is solely for racing or other off-road activity but whose registration is required by the Department of Motor Vehicles prior to towing on the highway.

5) Mr. McRobert and several others foresaw problems in the application of Section 24-320(6) because some engines bear no identification mark as to model year, the same having been obliterated. Further, there was question as to whether the rule would require addition of pollution devices carried by the manufacturer for a given engine year but not attached to the engine or replaced normally when one replaces an engine with a later model engine.

Mr. Adelhaat and others questioned whether certain categories of automobiles (such as late 50's and early 60's GM products with full vacuum advance) could pass the criteria set forth in Section 24-330. Porche vehicles were said to be unable to meet any emission requirements that might be formulated by the Department.

It was questioned whether the rule ought to contain an exemption for older owners or others whose funds were insufficient to provide the periodic tuneups which would result if the rule were invoked in present form.

Other issues raised during the hearing proved to flow from a misunderstanding of the proposed rule which could be clarified for the party making inquiry.

Mr. Maurice Baker questioned the Department's efforts in getting the public informed as to the nature of the program and the opportunity to be heard. He was informed that extensive mailing and press release activity within the limitations feasible, given the Department's budget were undertaken but had resulted in less response than was hoped.

CONCLUSION

The Department's Vehicle Inspection Division was represented at all four hearings and will grant due consideration to all relevant testimony for purposes of further evaluation and recommendation to the Commission.

Respectfully submitted,



Peter McSwain
Hearings Officer

PWM:vt



ENVIRONMENTAL QUALITY COMMISSION

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

Robert W. Straub
GOVERNOR

MEMORANDUM:

B. A. McPHILLIPS
Chairman, McMinnville

GRACE S. PHINNEY
Corvallis

JACKLYN L. HALLOCK
Portland

MORRIS K. CROTHERS
Salem

RONALD M. SOMERS
The Dalles

—
KESSLER R. CANNON
Director

To: Environmental Quality Commission
From: Director
Subject: Agenda Item I, March 28, 1975, EQC Meeting
Department of Environmental Quality v. Zidell
Explorations, Inc. Administrative Review

Discussion

Accompanying is a copy of materials excerpted from the record and cited by the parties in their argument filed pursuant to ORS 183.460. Counsel have been notified of the Commission's intended review during its March 28, 1975 meeting. Should either party wish to except or require addition to the materials, he may wish to do so in the meeting. The entire record will be present to serve such purpose.

ORS 183.460 requires that the Commissioners personally consider "... such portions ... (of the record) as may be cited by the parties." It is planned to have the entire record present when the Commission meets. In the interim, the excerpt copied herein will provide opportunity for each Commissioner to preliminarily evaluate the record as cited by the parties.

ORS 183.470 provides that orders in contested cases, if adversely affecting a party, must be in writing or stated in the record and, in the matter of a final order, accompanied by findings of fact and conclusions of law.

Conclusion

As set forth in the Commission meeting of February 28, 1975, the facts indicate Commission jurisdiction in this matter.

The Commission should proceed to review this matter pursuant to ORS 183.460, and act consistently with the provisions of OAR Chapter 340, Section 11-132.

Whatever disposition the Commission may make in this matter should be reduced to written findings, conclusions, and order by staff for service upon any adversely affected party.




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Recommendation

It is the Director's recommendation that the Commission proceed to review this matter toward the purpose of reaching a decision in this or the next Commission meeting and, upon reaching a decision:

- 1) indicate said decision through formal motion and
- 2) instruct staff to draft findings, conclusions, and a final order consistent with the Commission's Decision for the Chairman's signature and subsequent service upon any adversely affected party.



KESSLER R. CANNON
Director

PMc:jm

3/19/75

Attached

cc: Mr. Kenneth Roberts
(Respondent's Counsel)



ENVIRONMENTAL QUALITY COMMISSION

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The Dalles

KESSLER R. CANNON
Director

MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item J. March 28, 1975

Resolution to Acquire Alkali Lake Site, Lake County

BACKGROUND

As the Commission is aware, the Department has been attempting to resolve the Alkali Lake situation for several years. The last time this issue was formally considered by the Commission, during the January 25, 1974 EQC meeting, the Commission declared the conditions at the Alkali Lake site an emergency and authorized and directed the Department to take the following action:

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.
6. Pursue every other possible avenue of recovery of disposal costs from Chem-Waste.



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Pursuant to these directives, the Department appealed the Circuit Court decision to the State Court of Appeals. Emergency Board approval was requested for \$385,000 in pollution control bond funds to acquire the Alkali Lake site and dispose of the pesticide residues stored there. In addition, Rhodia, Inc., Chipman Division was requested to commit funds to the ultimate disposal operations.

Unfortunately, none of these actions has been successful in resolving this situation. On March 28, 1974, Rhodia advised the Department in writing that: "Basically we feel that morally and legally we have carried out our obligation financially and at this time cannot commit ourselves to additional funds for final disposal of this material." On April 5, 1974, the E-Board denied the Department's funding request due to the pending appeal of the Department's suit against Chem-Waste. The Court of Appeals heard oral arguments on the Department's suit on October 21, 1974 and issued its opinion December 9, 1974. In that opinion, the Court of Appeals affirmed the lower court decision and further ruled that the conditions at Alkali Lake do not constitute a nuisance. The Department requested the Department of Justice to appeal the decision to the State Supreme Court but was advised against an appeal because of the remote possibility of satisfactory results. Consequently, the Appeals Court decision was not appealed.

FACTUAL ANALYSIS

In view of these developments, the Department submitted a supplemental budget request to the Executive Department for funds to acquire the Alkali Lake site and dispose of the wastes. This project was the same as proposed earlier to the Emergency Board but the cost was estimated to be \$434,700, rather than the previous \$385,000 estimate, due to inflation and higher site valuation. The project was approved for inclusion in the Department's 1975-77 budget, but must still be acted upon by the Legislature.

To acquire the site pursuant to ORS 459.595, it is necessary to follow the condemnation procedures outlined in ORS Chapter 35. ORS 35.235 requires that the condemning agency must first declare by resolution or ordinance the necessity and purpose for which the property is to be acquired. ORS 35.235 also requires that the condemning agency attempt to agree with the owner with respect to compensation to be paid for the property and any damages before legal action to condemn can be initiated.

It should also be noted that after disposal of the wastes has been completed, a suit could be brought against the principals of Chem-Waste to recover part or all of the disposal costs, under authority of ORS 459.685. This type of legal action has been suggested by our counsel as the most feasible means of recovering disposal costs.

CONCLUSIONS

Based on the foregoing, the following conclusions have been reached:

1. A resolution should be adopted declaring the Commission's intent to acquire the Alkali Lake site.
2. The site should then be acquired through negotiation and, if necessary, condemnation proceedings. Any offer to purchase the property should be contingent upon funding from the Oregon Legislature.
3. The Department should undertake disposal of the wastes stored at Alkali Lake, contingent upon funding from the Oregon Legislature.
4. After completion of disposal, legal action should be brought against the principals of Chem-Waste to recover disposal costs.

DIRECTOR'S RECOMMENDATION

The Director recommends that the Commission adopt the attached resolution for acquisition of the Alkali Lake site. The Director further recommends that the Department be authorized and directed to:

1. Dispose of the wastes stored at the Alkali Lake site, contingent upon funding from the Oregon Legislature.
2. Recover disposal costs through legal action against the principals of Chem-Waste.



KESSLER R. CANNON
Director

PHW:mm
3/17/75

Attachments: Resolution
Exhibit A

RESOLUTION

WHEREAS, by virtue of the laws of the State of Oregon, as set forth and defined in Oregon Revised Statutes, the Environmental Quality Commission is authorized and empowered to acquire, by instituting condemnation proceedings in accordance with ORS Chapter 35, real property, or any right or interest therein, deemed by the Commission necessary for disposal of environmentally hazardous wastes as prescribed and set forth in ORS 459.595 and 459.685;

WHEREAS, by virtue of the laws of the State of Oregon charging the Environmental Quality Commission with the responsibility for regulating the disposal of environmentally hazardous wastes, the Commission has planned the project as specifically set forth and named in the attached "Exhibit A"; and

WHEREAS, for the accomplishment of the planned project, to the end that the environment and the public health and safety may be protected, it is the judgment of the Commission that the parcel of real property hereinafter described is necessary for a public use and the planned project.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission and the Commission does hereby find and declare as follows:

1. That for the accomplishment of the planned project there is needed and required fee simple title to certain parcels of real property. Said parcels of real property needed and required for the planned project are more particularly described in the attached list, marked "Exhibit A", and said "Exhibit A" is by this reference hereby adopted and made a part hereof as completely and fully as though set forth in full herein. The respective project is also designated thereon.
2. That the designated project for which the acquisition is required and is being taken is necessary in the public interest, and for a public use and the same has been planned and will be undertaken in a manner which will be most compatible with the greatest public good and the least private injury or damage.
3. That the Department of Environmental Quality is directed to attempt to agree with the respective owners and other persons in interest as to the compensation to be paid for each acquisition, and in the event that no satisfactory agreement can be reached, then the Department of Environmental Quality is directed and authorized to request the Department of Justice to commence and prosecute to final determination such proceedings as may be necessary to acquire title to the acquisitions declared herein to be needed and required.
4. That upon the trial of any suit or action instituted under the provisions of paragraph 3 above, any Assistant Attorney General assigned to the Department of Environmental Quality is authorized to make such stipulation, agreement or admission as in his judgment may be for the best interests of the State of Oregon.
5. That this resolution be entered in full in the minutes and records of the Commission this 28th day of March 1975.

Exhibit A

Description of Property

<u>Howard J. Hunt and Leo R. LaBelle, Owners</u>	<u>Acres</u>
Twp. 30 S, R 22 E. W.M. (Lake County)	
Section 12: Lots 1, 2, N1/2SE1/4, SW1/4SE1/4	160
Section 13: Lots 1, 2, NW1/4NE1/4, S1/2NE1/4	160
Twp. 30 S, R 23 E. W.M. (Lake County)	
Section 4: SW1/4	160
Section 5: S1/2	320
Section 6: Lots 16, 17, 18, NE1/4SW1/4, SE1/4	290.88
Section 7: Lots 4, 5, 6, 7, 8, 9, 10, S1/2NE1/4, E1/2SW1/4, SE1/4	575.02
Section 8: All	640
Section 9: W1/2E1/2, W1/2	480
Section 16: Lots 10, 11, 12, 13, W1/2	401.04
Section 17: All	640
Section 18: Lots 7, 8, 9, 10, E1/2W1/2, E1/2, except the following described property: beginning at the West 1/4 corner of Section 18, Twp. 30 S, R 23 E. W.M.; thence south along said sections line 256 feet to a point; thence easterly 1015 feet to a point; thence northerly parallel with the West line of said section 441.5 feet to a point; thence westerly to the West section line of Section 18, Twp. 30 S, R 23 E; thence southerly along said section line to the place of beginning.	629.47
Section 19: Lots 6, 7 E1/2NW1/4, NE1/4	319.65
Section 20: N1/2, N1/2S1/2	480
Section 21: Lots 11, 12, NW1/4, N1/2SW1/4, Less HWY R/W (3.49 acres)	324.99
Total	5,581.05 acres

Chemical Waste Storage Disposition, Inc., Owner

<u>Twp. 30 S, R 23 E. W.M. (Lake County)</u>	<u>Acres</u>
Section 18: the following described property: beginning at the West 1/4 corner of Section 18, Twp. 30 S, R 23 E. W.M.; thence south along said section line 256 feet to a point; thence easterly 1015 feet to a point; thence northerly parallel with the West line of said section 441.5 feet to a point; thence westerly to the West section line of Section 18, Twp. 30 S, R 23 E; thence southerly along said section line to the place of beginning.	10.29

Description of Project

This project is to provide for proper disposal of environmentally hazardous wastes.



ENVIRONMENTAL QUALITY COMMISSION

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The Dalles

KESSLER R. CANNON
Director

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item K, March 28, 1975, EQC Meeting

Consideration for Adoption of New Rules for Open Burning
(OAR, Chapter 340, Sections 23-025 through 25-050 and 26-006)

Background

A public hearing was held before the Environmental Quality Commission (EQC) at its regularly scheduled meeting on February 28, 1975, to receive testimony prior to the adoption of proposed new rules for Open Burning (OAR, Chapter 340, Sections 23-025 through 25-050 and 26-006).

Testimony received in response to the proposed new rules for open burning has been reviewed and summarized by the staff.

Discussion

1. Columbia County

The largest volume of testimony was received from the Clatskanie area of Columbia County. In all, 426 responses were received from Columbia County, including a letter from each of the following: County Commissioners, State Representative Dick Magruder, Mayor George E. Long of Clatskanie, Chief Stanley Lund of Clatskanie RFPD, and the Clatskanie Kiwanis Club. In addition, several letters were received from individuals representing themselves. A coupon-type petition printed in the Clatskanie Chief produced 104 respondents. Petitions circulated by the Fire District bear 319 signatures.

From the comments received from Columbia County there appears to be some misunderstanding of what the regulations as proposed would do. For example the Columbia County Commission requested that agricultural and field burning in Columbia County not be limited. The regulations as proposed would not restrict agricultural or field burning in Columbia County other than to restrict such burning to non-prohibited days, as determined by the DEQ and State Fire Marshall. This is no change from the previous situation.



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The numerous responses from the Clatskanie area requested that Columbia County be excluded from the definition of the Willamette Valley and sought unlimited burning of domestic refuse and land clearing debris.

The proposed regulations would allow year-round open burning of domestic refuse (on non-prohibited days) until July 1977 except in the Scappoose Rural Fire Protection District (see attached map). The City of Scappoose has requested, in writing, that the area within the Scappoose Rural Fire Protection District be included within the restricted area for open burning of domestic waste. The proposed regulations would limit open burning in the Scappoose RFP District to the two open-burn periods each year as contrasted to unlimited year-round open burning at present. We have received no objection to this provision from anyone within the Scappoose RFP District.

The bulk of the comments from North and West Columbia County were in favor of unrestricted open-burning of land clearing debris. The initially proposed rules would have prohibited open-burning of land clearing debris within the boundaries of Rural Fire Protection Districts. From 1970 to 1974 open burning of land clearing debris was prohibited by CWAPA within 3 miles of cities with a population of 1,000 or greater but since 1974 has been unrestricted.

The presently proposed modified rules would reinstate this previous restriction. This restriction is aimed at land clearing debris generated from commercial and industrial development and construction projects. It would not apply to open-burning of property clean-up material associated with private dwellings housing four families or less. It also would not affect agricultural land clearing debris.

It is the staff's contention that open burning of land clearing debris in Columbia County can affect air quality in the Longview-Kelso Air Quality Maintenance Area which includes areas surrounding Rainier, St. Helens and Scappoose and that these materials can be reasonably disposed of by chipping, landfilling or by forced air incineration.

In summary, it is believed that special consideration has been given to Columbia County in the proposed rules by considering their solid waste situation, alternatives to open burning, the environmental impact of open burning in Columbia County, comments received from local government agencies and by attempting to maintain some equity of regulations within the district. Prevailing summer winds result in the dispersal of South Columbia County emissions in the Portland Air Quality Maintenance Area. In the four counties, no single source of emission can be attributed to be the major cause of the problem. In order to effect the necessary reduction of contaminants, all sources must be regulated, including open burning. Therefore, it is believed that further relaxation of open burning rules in Columbia County is not justified.

2. Portland Area

The City of Portland, Fire Prevention Division, indicates general support for the proposed rules. They suggest mention of a written permit requirement might be beneficial in 23-035(6). Also suggested is expanded language relating to "barbecue equipment" usage in 23-050(2).

One noteworthy suggestion from the Portland area suggested a fall and spring clean-up period with an incorporated pick-up system as a community endeavor such that open-burning is not required.

3. Land Clearing

Testimony at the February 28 Public Hearing suggested the addition of a restriction of open burning of land clearing debris in the Rogue and Umpqua basins. The staff, therefore, considers it appropriate to change 23-040(4)(a) by deleting the words "...of the Willamette Valley". That section would then read:

"Open burning of land clearing debris is prohibited:

(a) Within population centers.

This change will continue the prohibition contained in the existing Rule relating to burning of land clearing debris within three (3) miles of cities of population of 4,000 or more throughout the State.

4. Clackamas County

Clackamas Marion District of State Forestry Department generally concurred with the proposed rules, but suggested indefinite extension in the rural areas. They also requested that a hearing be held in the Clackamas County area.

5. Slash Burning

The State Forester noted that forest land burning was omitted from the exclusions listed in 23-050 and suggested a notice provision to be included. The staff agrees with the State Forester and therefore proposes an addition to Section 23-050 to be paragraph (6) as follows:

"23-050(6) Burning on forest land permitted under the Smoke Management Plan filed pursuant to ORS 477.515."

6. Definition

The Attorney General's office has suggested a change in some of

the definitions in the interest of clarity. These changes have been incorporated in the attached draft of the proposed rules. New material has been underlined and deleted material is lined out in parenthesis.

7. Temporary Rule

At present, OAR Chapter 340, Section 28-015(3) prohibits any burning of yard clippings in Special Restricted Areas. The current proposal would permit the same in conjunction with residential yard cleanup activities during defined periods of spring and autumn. Since the commencement of the first spring period (April 11) precedes the earliest practicable date for effectiveness of a permanent rule (ten days after publication in the April 15 Secretary of State's Bulletin), failure to adopt as a temporary rule would result in an unduly short burning period this spring and result in serious prejudice to the public interest.

Conclusions

After due consideration of the testimony received at the February 28, 1975, Public Hearing, the staff concludes that:

1. The proposed rules for Open Burning as amended following the Public Hearing and presented here represents a reasonable approach to the regulation of open burning in the State and is based on currently available technology.
2. Additional Public Hearings in the Portland area appear to be unnecessary inasmuch as the response which was received from Portland area people indicates general compatibility with the proposed fall and spring burning periods (with extensions of the fall burn period from 4 weeks to 8 weeks).
3. Temporary adoption of the rule and immediate filing with the Secretary of State is needed for the reason that failure to act promptly will substantially impair the proposed spring burning period for certain Special Restricted Areas and result in serious prejudice to the public interest.
4. Since all requisite proceedings under ORS 183 have been met, the Commission may proceed with adoption of the rule as a permanent rule which, on its effective date, will succeed the temporary rule.

Director's Recommendation

It is the Director's recommendation that the Commission act as follows:

- 1) Find that failure to act promptly on the proposed rule would result in serious prejudice to the public interest for the specific reason that failure to act promptly will substantially impair the proposed spring burning period in Special Restricted Areas as set forth in Section 23-040(5)(d).
- 2) Adopt the proposed rule as both a temporary rule in accordance with ORS 183.335(2) and a permanent rule in accordance with ORS 183.335(1).



KESSLER R. CANNON
Director

EJW:lb:ahe
March 18, 1975

Attachments
Amended Rules
One map

T.5N.

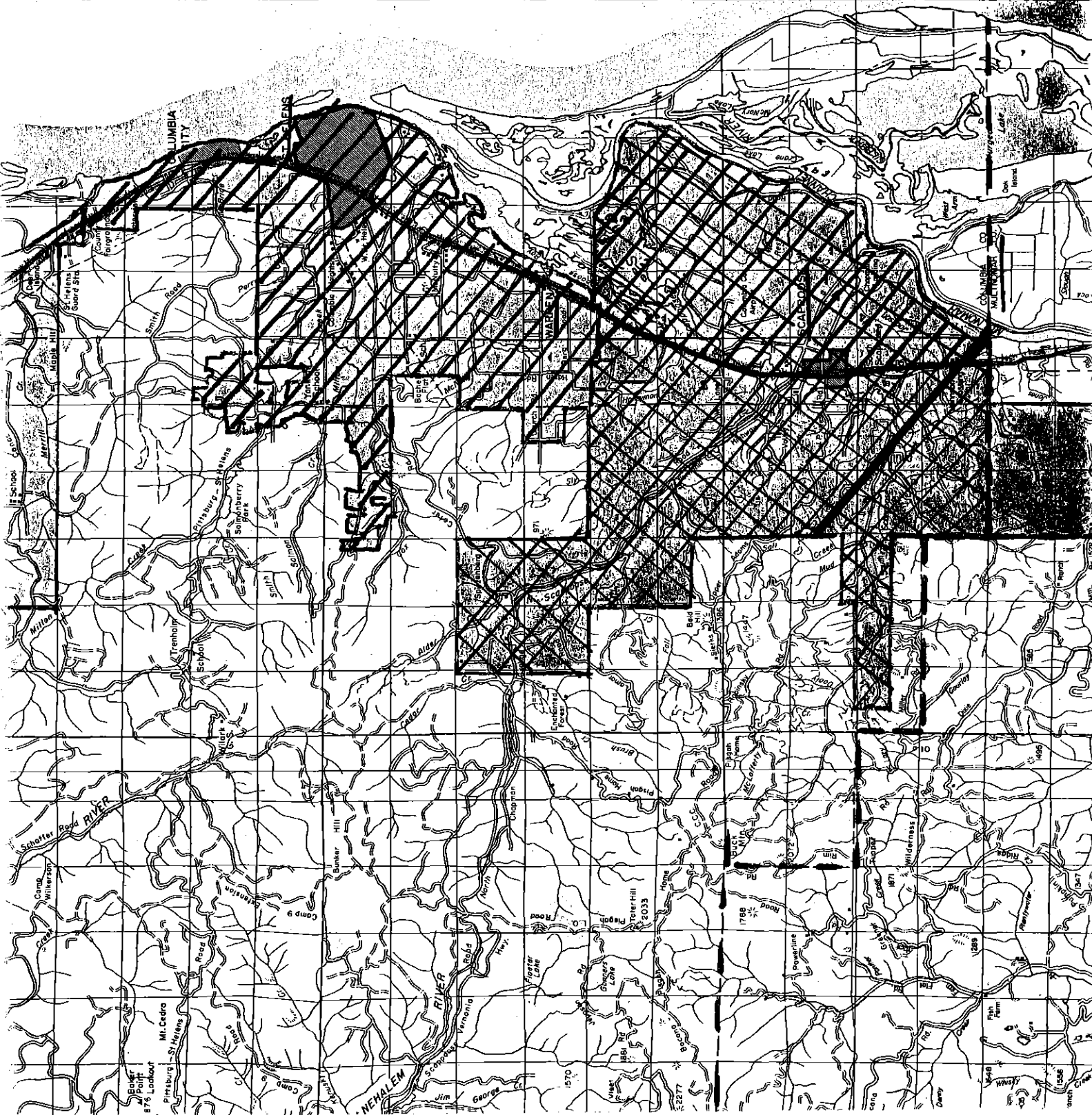


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DEPARTMENT OF ENVIRONMENTAL QUALITY

PROPOSED RULES FOR OPEN BURNING

March 18, 1975

OAR Chapter 340, Sections 23-005 through 23-020 and 28-005 through 28-020 are repealed and new Sections 23-025 through 23-050 and 28-006 are adopted in lieu thereof.

23-025 POLICY

In order to restore and maintain the quality of the air resources of the State in a condition as free from air pollution as is practicable, consistent with the overall public welfare of the state, it is the policy of the Environmental Quality Commission: to eliminate open burning disposal practices where alternative disposal methods are feasible and practicable; to encourage the development of alternative disposal methods; to emphasize resource recovery; to regulate specified types of open burning; to encourage utilization of the highest and best practicable burning methods to minimize emissions where other disposal practices are not feasible; and to require specific programs and timetables for compliance with these rules.

23-030 DEFINITIONS. As used in this Section, unless the context requires otherwise:

- (1) "Commercial Waste" means any waste produced (by) in any business (operations such as retail and) involving the lease or sale (including wholesale and retail) (wholesale trade or service activities, transportation, warehousing, storage, merchandising, packaging, or management including offices, office buildings, governmental establishments, schools, hospitals, and apartment houses of more than and retail) of goods or services including but not limited to housing or an office and means any waste produced by a governmental, educational or charitable institution; however it does not include any waste produced in a dwelling containing four (4) living (family) units(→) or less.

- (2) "Commission" means the Environmental Quality Commission.
- (3) "Demolition Material" means any waste resulting from the complete or partial destruction of any man-made structure(~~s~~) such as a house(~~s~~), apartment(~~s~~), commercial building(~~s~~) or industrial building(~~s~~).
- (4) "Department" means the Department of Environmental Quality.
- (5) "Director" means the Director of the Department of Environmental Quality or his delegated representative pursuant to ORS 468.045 (3).
- (6) "Domestic Waste" means any non-putrescible waste(~~s~~) consisting of combustible materials such as paper, cardboard, yard clippings, wood, (~~and~~) or similar materials generated (~~by~~) in a dwelling, (~~housing~~) including the real property on which it is situated containing four (4) (~~families~~) living units or less.
- (7) "Forced-air Pit Incineration" means any method or device by which burning of wastes is done in a subsurface pit or above ground enclosure with combustion air supplied under positive draft or air curtain and controlled in such a manner as to optimize combustion efficiency and minimize the emission of air contaminants.
- (8) "Industrial Waste" means any waste resulting from any process or activity of manufacturing or construction.
- (9) "Land Clearing Debris" means any waste generated by the removal of debris, logs, trees, brush, or demolition material from any site in preparation for a land improvement or a construction project.
- (10) "Open Burning" means any burning conducted (~~in open outdoor fires, common burn barrels or backyard incinerators, or burning conducted~~) in such a manner that combustion air (~~may~~) is not (~~be~~) effectively controlled and that combustion products are not vented through a stack or chimney(~~s~~), including but not limited to burning conducted in open outdoor fires, common burn barrels and backyard incinerators.
- (11) "Population" means the annual population estimate of incorporated cities within the State of Oregon issued by the Center for Population Research and Census, Portland State University, Portland, Oregon.

- (12) "Population Center" means areas within incorporated cities having a population of four thousand (4,000) or more and within three (3) miles of the corporate limits of any such city. If the resulting boundary touches or intersects the corporate limits of any other smaller incorporated city, the affected smaller city shall be considered to be a part of the population center which shall then extend to three (3) miles beyond the corporate limits of the smaller city.
- (13) "The Rogue Basin" means the area bounded by the following line: Beginning at the NE corner of T32S, R2E, W.M.; thence South along Range line 2E to the SE corner of T39S; thence West along Township line 39S to the NE corner of T40S, R7W; thence South to the SE corner of T40S, R7W; thence West to the SE corner of T40S, R9W; thence North on Range line 9W to the NE corner of T39S, R9W; thence East to the NE corner of T39S, R8W; thence North on Range line 8W to the SE corner of Sec. 1, T33S, R8W on the Josephine-Douglas County line; thence East on the Josephine-Douglas and Jackson-Douglas County lines to the NE corner of T32S, R1W; thence East along township line 32S to the NE corner of T32S, R2E to the point of beginning.
- (14) "Special Control Area" means:
- a. Population Center
 - b. The Rogue Basin
 - c. The Umpqua Basin
 - d. The Willamette Valley
- (15) "Special Restricted Area" means those areas established to control specific practices or to maintain specific standards.
- (a) In Columbia, Clackamas, and Washington Counties, Special Restricted Areas are all areas within rural fire protection districts, including the areas of incorporated cities within or surrounded by said districts.

(b) In Multnomah County, the Special Restricted Area is all area west of the Sandy River.

(16) "The Umpqua Basin" means the area bounded by the following line:

Beginning at the SW corner of Sec. 2, T19S, R9W, W.M., on the Douglas-Lane County lines and extending due South to the SW corner of Sec. 14, T32S, R9W, on the Douglas-Curry County lines; thence Easterly on the Douglas-Curry and Douglas-Josephine County lines to the intersection of the Douglas, Josephine and Jackson County lines; thence Easterly on the Douglas-Jackson County line to the intersection of the Umpqua National Forest boundary on the NW corner of Sec. 32, T32S, R3W; thence Northerly on the Umpqua National Forest boundary to the NE corner of Sec. 36, T25S, R2W; thence West to the NW corner of Sec. 36, T25S, R4W; thence North to the Douglas-Lane County line; thence Westerly on the Douglas-Lane County line to the point of beginning.

(17) "Waste" means any unwanted or discarded solid or liquid material~~(s)~~.

(18) "The Willamette Valley" means all areas within the following counties or portions thereof as indicated:

1. Benton
2. Clackamas
3. Columbia
4. Lane, all areas east of Range Nine (9) West of the Willamette Meridian.
5. Linn
6. Marion
7. Multnomah
8. Polk
9. Washington
10. Yamhill

23-035 OPEN BURNING GENERAL

- (1) No person shall cause or permit to be initiated or maintained any open burning which is specifically prohibited by any rule of the Commission.
- (2) Open burning in violation of any rule of the Commission shall be promptly extinguished by the person in attendance or person responsible upon notice to extinguish from the Department, or other public official.
- (3) No open burning shall be initiated on any day or time when the Department advises fire permit issuing agencies that open burning is not permitted because of adverse meteorological or air quality conditions.
- (4) No open burning shall be initiated in any area of the State in which an air pollution alert, warning, or emergency has been declared pursuant to OAR Chapter 340, Sections 27-010 and 27-025 (2), and is then in effect.
- (5) Open burning of any waste materials which normally emit dense smoke, noxious odors, or which may tend to create a public nuisance such as, but not limited to plastics, wire insulation, auto bodies, asphalt, waste petroleum products, rubber products, animal remains, and animal or vegetable wastes resulting from the handling, preparation, cooking, or serving of food is prohibited.
- (6) Open burning authorized by these rules does not exempt or excuse any person from liability for, consequences, damages, or injuries resulting from such burning, nor does it exempt any person from complying with applicable laws, ordinances, or regulations of other governmental agencies having jurisdiction.

23-040 OPEN BURNING PRACTICES

(1) Industrial Waste

Open burning of industrial waste is prohibited.

(2) Commercial Waste

Open burning of commercial waste is prohibited within Special Control Areas.

(3) Solid Waste Disposal Sites

Open burning at solid waste disposal sites is governed by OAR Chapter 340 Sections 61-005 through 61-085.

(4) Land Clearing Debris

Open burning of land clearing debris is prohibited:

- (a) Within population centers (~~of The Willamette Valley~~).
- (b) Within the Special Restricted Areas of (~~Columbia~~) Multnomah and Washington Counties.
- (c) In Clackamas County and Columbia County within control areas established as:
 - 1. Any area in or within three (3) miles of the boundary of any city of more than 1,000 population, but less than 45,000 population.
 - 2. Any area in or within six (6) miles of the boundary of any city of 45,000 or more population.
 - 3. Any area between areas established by this rule where the boundaries are separated by three (3) miles or less.
 - 4. Whenever two or more cities have a common boundary, the total population of these cities will determine the control area classification and the municipal boundaries of each of the cities shall be used to determine the limits of the control area.

5. Whenever the boundary of a control area passes within the boundary of a city, the entire area of the city shall be deemed to be in the control area.

(d) After July 1, 1977 in The Willamette Valley.

(5) Domestic Waste

No person shall cause or permit to be initiated or maintained any open burning of domestic waste within Special Restricted Areas except such open burning of domestic waste as is permitted:

- (a) In Columbia County until July 1, 1977, excluding the area within the Scappoose Rural Fire Protection District.
- (b) In the Timber and Tri-City Rural Fire Protection Districts, of Washington County until July 1, 1977.
- (c) In the following rural fire protection districts of Clackamas County until July 1, 1977:
 1. Clarkes Rural Fire Protection District;
 2. Estacada Rural Fire Protection District No. 69;
 3. Colton-Springwater Rural Fire Protection District;
 4. Molalla Rural Fire Protection District;
 5. Hoodland Rural Fire Protection District;
 6. Monitor Rural Fire Protection District;
 7. Scotts Mills Rural Fire Protection District;
 8. Aurora Rural Fire Protection District.

(d) In all other Special Restricted Areas until July 1, 1977 for the burning of wood, needle, or leaf materials from trees, shrubs, or plants from yard clean-up of the property at which one resides, during the period commencing with the last Friday in October and terminating at sundown on the third Sunday in December, and the period commencing the second Friday in April and terminating at sundown on the third Sunday in May. Such burning is permitted only between 7:30 a.m. and sunset on days when the Department has advised fire permit issuing agencies that open burning is permitted.

(6) Emergency Conditions

To prevent or abate environmental emergency problems such as but not limited to accumulations of waste caused by:

- (a) Log jams, storms or floods, the Director may upon request of an operator, owner, or appropriate official, give approval for burning of wastes otherwise prohibited by these rules;
- (b) Oil spills, the Director may upon request of an operator or appropriate official, approve the burning of oil soaked debris generated by an oil spill.

All such requests and approvals shall be confirmed in writing. The Director may require whatever degree of control he deems appropriate under the circumstances.

23-045 FORCED-AIR PIT INCINERATION

- (1) Forced-air pit incineration may be approved as an alternative to open burning prohibited by this regulation, provided it is demonstrated to the satisfaction of the Department that:
 - (a) No feasible or practicable alternative to forced-air pit incineration exists;

- (b) The facility is designed, installed, and operated in such a manner that visible emission standards set forth in OAR Chapter 340, Section 21-015, are not exceeded after thirty (30) minutes of operation from a cold start.
- (2) Authorization to establish a forced-air pit incineration facility shall be granted only after a Notice of Construction and Application for Approval is submitted pursuant to OAR Chapter 340, Sections 20-020 through 20-030.

23-050 EXCEPTIONS

These rules do not apply to:

- (1) Fires set for traditional recreational purposes and traditional ceremonial occasions when a campfire or bonfire is appropriate using fuels customarily associated with this activity.
- (2) Barbecue equipment used in connection with any residence.
- (3) Fires set or permitted by any public agency when such fire is set or permitted to be set in the performance of its official duty for the purpose of weed abatement, prevention, or elimination of a fire hazard, or instruction of employees in the method of fire fighting, which in the opinion of the agency is necessary.
- (4) Fires set pursuant to permit for the purpose of instruction of employees of private industrial concerns in methods of fire fighting, or for civil defense instruction.
- (5) Open burning as a part of agricultural operations which is regulated by OAR Chapter 340, Division 2, Subdivision 6, (Agricultural Operations).
- (6) Burning on forest land permitted under the Smoke Management Plan filed pursuant to ORS 477.515.

28-006 DEFINITIONS

As used in this subdivision:

- (1) "Fuel burning equipment" means a device which burns a solid, liquid, or gaseous fuel, the principal purpose of which is to produce heat, except marine installations and internal combustion engines that are not stationary gas turbines.
- (2) "Odor" means the property of a substance which allows its detection by the sense of smell.



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: **E. J. Weathersbee**
From: **H. M. Patterson**
Subject: **Proposed Open Burning Rules**

Date: **March 27, 1975**

In response to your request relative to the letter from Gene Hopkins, Executive Vice-President, Greater Medford Chamber of Commerce, I called him on March 26 and explained the nature and reasons for the proposed rule modification; that industrial and commercial burning were the same as in the current rules; and that the land clearing was proposed to be modified to be more lenient in that the prohibition of open burning of land clearing would be on population center basis rather than the Rogue Basin basis. In view of the explanation, he did not believe a hearing was necessary in the Jackson County area; however, he suggested that inasmuch as Commissioner Tam Moore was primarily the one concerned that I should call him.

I called Commissioner Tam Moore and explained the proposed rule modification. Mr. Moore was somewhat disturbed that I was interfering with his busy schedule and indicated that he had been promised a hearing in the Medford general area and that he had discussed the rule and was familiar with it with our Regional representative. He was adamant that his request be maintained for a hearing in the Southern Oregon area.

FWB - PLUM



GREATER MEDFORD Chamber of Commerce

304 South Central - Medford, Oregon 97501
Telephone (503) 772-6293

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAR 26 1975

March 24, 1975

OFFICE OF THE DIRECTOR

B. A. McPhillips, Chairman
Environmental Quality Commission
1234 S. W. Morrison Street
Portland, Oregon 97205

Dear Mr. McPhillips:

It has come to our attention that the Commission is scheduled to act on new rules for open burning at a meeting scheduled for March 28, 1975.

Inasmuch as the Rogue Basin is identified as one of the special control areas, we respectfully urge that before adoption of the proposed rules, a hearing be held here in Southern Oregon so that citizens of the area may become acquainted with the proposed rules and have an opportunity to participate in the procedure. Since the Rogue Basin, as defined in the proposed rules, includes a goodly portion of Jackson County and Josephine County, and also the Umpqua Basin special control area by definition covers portions of Douglas County, it seems appropriate that their citizens likewise have an opportunity to acquaint themselves with the proposed rules.

We would appreciate your consideration in this matter, and look forward to the opportunity to participate in a hearing on this subject here in Southern Oregon.

Sincerely yours,

Gene Hopkins
Executive Vice President

kje
cc Commissioner Tam Moore
Senators Debbs Potts and Lenn Hannon
Representatives Al Densmore, Brad Morris
and Cleatis Mitchell





State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

[Handwritten signature]

INTEROFFICE MEMO

To: TRB, NWRO

Date: March 26, 1975

From: LDB *[Handwritten mark]*

Subject: Open Burning Rules

The attached letter is the result of a conversation with Charlie Ross shortly after the February 28 hearing. He was somewhat irritated by the comment about the extended burning season made in the letter from Washington County Fire District No. 1. He claims it was not part of the Fire Marshals Association consensus and was added by McEvoy who was the only proponent of such a comment.

This letter is for your staff report.

LDB:mh

cc: HMP *[Handwritten checkmark]*

RLV

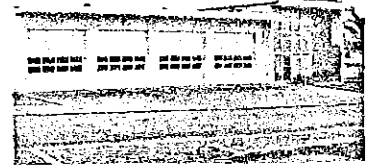
Att.



FIRE CHIEF
JUSTIN GEORGE

Forest Grove Fire Department

1919 Ash Street
FOREST GROVE, OREGON 97116
Phone 357-7151
Phone 357-4111



FIRE MARSHAL
CHARLES ROSS

March 25, 1975

Mr. L. D. Brannock, Meteorologist
Department of Environmental Quality
1234 S.W. Morrison Street
Portland, Oregon 97205

RE: 23-040 OPEN BURNING PRACTICES, Subject, Section 5 (d)
of proposed rules for open burning. Dated January 13, 1975.

Dear Doug:

Just a note confirming our recent conversation. I feel the extended time in the fall allotted to the back yard debris burning has much merit. It seems there is always a problem in the fall of the burning either being too late due to early rains or too early, thus being over before the leaves fall.

I feel that in this area that this type of burning is going to be with us for a while longer at least.

Our district being predominately agriculture outside of the City, is rather hard to explain and justify the different regulations between the backyard burner and agricultural when many times they are just across the fence and possibly wanting to burn the same type of debris.

I understood this subject will be delt with at the March 28th meeting of the Commission. I would request early notification of the results and exact dates so our permit forms may be printed as soon as possible.

Respectfully submitted,

Charles Ross
Fire Marshal

SOLID WASTE PLAN ACTION
Month of February 1975

Solid Waste Management Division

General Refuse (Garbage) Projects:

(Plan Action Completed - 2)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Linn Co.	Sweet Home Transfer Station Existing Facility Operational Plan	2/24/75	Approved

(Action Pending - 6)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Deschutes Co.	Southwest Landfill	10/10/74	Located on USFS property, awaiting USFS approval.
Umatilla Co.	Pendleton Area Landfill	10/15/74	More data requested.
Douglas Co.	Glide Transfer Station	1/3/75	More data requested.
Douglas Co.	Myrtle Creek Transfer Station	1/6/75	More data requested.
Baker Co.	Baker Sanitary Landfill	1/31/75	In process. Action 4/75
Douglas Co.	Reedsport Landfill	2/18/75	In process. Action 3/75
Douglas Co.	Canyonville Landfill	3/18/75	In process. Action 3/75

Demolition Solid Waste Disposal Projects:

(Plan Action Completed - 0)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
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(Action Pending - 0)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
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Industrial Solid Waste Disposal Projects:

(Plan Action Completed - 0)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
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(Action Pending - 1)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
Linn Co.	Western Kraft Corp.	12/19/74	In process Action 3-75

Sludge Disposal Projects

(Plan Action Completed - 1)

<u>Location</u>	<u>Project</u>	<u>Date of Action</u>	<u>Action</u>
Morrow Co.	Eastern Oregon Farms New Sludge Disposal Site Operational Plan Not reported for January	1/17/75	Prov. Approval

(Action Pending - 0)

<u>Location</u>	<u>Project</u>	<u>Date Received</u>	<u>Status</u>
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GEORGE D. WARD & ASSOCIATES

1126 S. W. 13th Avenue, Portland, Oregon 97205
222-4333

ENVIRONMENTAL CONSULTING ENGINEERS

March 28, 1975

TO: THE OREGON ENVIRONMENTAL QUALITY COMMISSION-
March 28, 1975 Public Meeting.

CONCERNING: WASTE PESTICIDE MANAGEMENT.

Gentlemen;

This is to inform you that this firm, in conjunction with The Land Use Research Institute, has been retained to represent WES-CON, INC. of Twin Falls, Idaho, in regards to waste pesticide disposal and long term disposal site management.

In view of the decision before you at this time concerning the Alkali Lake problem, I have been asked to acquaint you with the unique disposal capabilities now available through Wes-Con, Inc. Wes-Con is primarily a chemical disposal and recycling firm. Its staff and management consists of men having an extensive amount of experience in the agri-chemical field.

All waste chemicals, for which some use can be found, are recycled. Toxic compounds, too complex for re-use at this time, are encapsulated in vast underground chambers remaining from an abandoned Titan Missile Site located approximately 50 miles south of the city of Boise. All receiving vaults are underground and consist of a series of impenetrable silos with side walls and floors of four to thirteen feet of steel reinforced concrete. The entire complex was designed to withstand atomic blasts, earthquakes, and massive internal explosions. Only skilled employees are permitted to place waste chemicals in the silos. When not in use, the ground entrance is sealed with blast-proof doors weighing 110 tons

each. Un-authorized entrance is impossible!

There are also specialized facilities to store or neutralize chemicals and their containers. The entire site is secured by a nine foot, climb-proof, chain-link fence with entrance by appointment only.

Permission to operate the site as described has been granted to Wes-Con by the Department of Environmental and Community Services of Idaho. The site is also operated in full compliance with all rules and regulations adopted by the Environmental Protection Agency. Inspection by members of Oregon's Environmental Quality Commission and the Department of Environmental Quality are welcome.


Wes-Con's Titan site is accepting waste chemicals from throughout the Pacific Northwest at this time. It is in a position to accept the entire 22,000 drums of pesticide wastes presently stored at Alkali Lake. Delivery could begin immediately. Additionally, it has the capability of accepting virtually all of the waste chemicals to be produced throughout Oregon for the for-seeable future.

The intent of my appearing before you today is to request an opportunity to submit a firm proposal on behalf of Wes-Con, Inc. for the complete removal and absolute disposal of all wastes as well as their containers now stored at Alkali Lake. If acceptable, the bonded contract would accept the site in its present condition and upon completion, yield it to its owners free of all traces of the former operation except for chemicals that have previously leached into the soil.

Secondly, Wes-Con, Inc. is prepared to enter into a long term chemical waste disposal agreement with the State of Oregon, or its chemical producers, thereby eliminating the need for the state to embark on its projected program of chemical disposal.

Upon your direction, a bonded agreement will be prepared for your review at the earliest opportunity.

Cordially yours,


George D. Ward

GDW/wj



*Info Record
3/28/75*

Reference No. SM-0188

Environmental Activities Staff
General Motors Corporation
General Motors Technical Center
Warren, Michigan 48090

March 20, 1975

Mr. Kessler R. Cannon, Director
Department of Environmental Quality
1234 Southwest Morrison Street
Portland, Oregon 97205

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

MAR 27 1975

OFFICE OF THE DIRECTOR

Dear Mr. Cannon:

This is in response to your notice of public hearing concerning the adoption of rules to establish motor vehicle pollution control criteria methods and standards for in-use vehicle emission inspection.

After carefully considering the hearing notice along with the supplemental material that we had previously received from your staff, General Motors must oppose the proposed vehicle emission inspection standards. This opposition is based on our belief that the standards are too stringent and as such will wrongly penalize some vehicles that will meet the required federal vehicle exhaust emission standards.

Table 1, copy attached, of Appendix A of the supplemental material is a summary of test results of vehicles that you have already tested. This table shows that approximately 45-50% of the vehicles are failing the interim idle emission standards. The proposed standards if adopted will result in a greater percentage of vehicles failing your standards. Our experience has been that rejection rates of this magnitude would certainly cause a number of vehicles that would normally meet the federal exhaust emission standards to be wrongly penalized.

To further support our position that the standards are too stringent, consider the idle emission criteria that we are currently using for vehicles produced for sale in California. Depending on the engine family, the pass-fail idle emission criteria used for these vehicles range from .50-1% CO and 70-190 PPM HC. Although most 1975 vehicles will have idle emission substantially below these criteria, some will have emissions near the upper limit and still meet the required exhaust emission standards.

Mr. Kessler R. Cannon

March 20, 1975

Page Two

As you probably know, California has vehicle emission standards more stringent than those used in the other forty nine states. All vehicles produced for sale in California are given an idle emission test at the end of the assembly line. From this production, a 2% sample is taken and is given the CVS mass test. Of that sample, 90% of the vehicles are required to pass the California exhaust emission standards before the total production is considered acceptable for sale in that state.

We mentioned our California experience to emphasize the fact that quality control is of necessity a part of our production process and also to point out that the vehicles produced for sale in states other than California are produced at the same assembly plants. Therefore, we would not expect the idle emissions from vehicles produced for sale in Oregon to be significantly different from those produced for sale in California.

It would appear to us that if all vehicles in Oregon are required to pass the inspection standards, the service industry may not have the capacity to handle the volume that you will reject by the proposed standard. This could result in public opposition to your program.

We have discussed the proposed standards with Mr. Ron Householder of your staff and it is our understanding that the rationale for having stringent standards is to require the vehicle to be adjusted as close as possible to manufacturers specification. While we recognize the importance of having vehicles adjusted to manufacturers specifications, we believe that this can also be accomplished by instructions to the repair industry. The instructions would include a statement to the effect that all repairs on emission related components should be done to manufacturers specifications.

We recommend that you reconsider the proposed standards and continue using the interim standards. The interim standards can be adjusted at a future date to correct any errors of commission or omission. Please have this letter made a part of the record during the public hearing on March 28, 1975.

Yours very truly,



T. M. Fisher, Director
Automotive Emission Control

TMF/JCC/etj

Attachment

cc: Ron Householder

SUMMARY OF PRIVATELY OWNED VEHICLES *

Tested in Sept., Oct., & Nov., 1974

Number of Tests at Burnside Facilities	6305
Number Tested by Mobile Units	8233
Total Number of Tests Conducted	14538

Interim Oregon Idle Emission Criteria

	<u>CO%</u>	<u>HC ppm</u>				
Pre 1968 vehicles	6	1200				
1968-1969	5	600				
1970-1971	4	500				
1972-1974	3	350				
	<u>Number of Vehicle Tests</u>	<u>% Passed</u>	<u>CO</u>	<u>HC</u>	<u>Both</u>	<u>Other</u>
BURNSIDE FACILITIES						
Pre 1968 vehicles	2354	53	25	7	7	8
1968-1969	1040	56	26	4	7	7
1970-1971	1038	54	31	4	6	6
1972-1974	1873	55	33	3	6	3
Total	6305	54	28	5	7	6
MOBILE UNIT TESTING						
Pre 1968 vehicles	2820	53	19	12	9	8
1968-1969	1427	51	20	10	11	7
1970-1971	1565	50	26	6	12	6
1972-1974	2421	51	20	7	17	4
Total	8233	51	21	9	13	6
TOTAL ALL VEHICLES	14538	53	24	7	10	6

* Includes less than 1% publicly owned vehicles

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

March 10, 1975

Gentlemen:

With reference to the upcoming March 28th meeting concerning vehicle emission testing in the tri-county area and in particular, Motor Vehicle Emission Control Inspection Test Criteria, Methods and Standards 24,320, section (4) and subsection a, b, and c of this section.

We, the undersigned, are in accordance with the statement that follows. This statement was read at the hearing, February 25, 1975 in the Portland City Council Chambers.

"I am a tune-up man for a shop here in town. We have an oscilloscope, a chassis dynamometer, and an infra-red machine. My boss is in contact with other shops, and the D.E.Q., so we usually are aware of all the latest information. As late as last week, I was told by the D.E.Q. that cars which have altered or removed pollution control devices will fail the test, whether or not the carbon monoxide and hydrocarbon levels are acceptable. I have recently tested several cars that fall into this category.

I am an automotive enthusiast and have owned, driven, and built many modified cars. I believe it is unfair and unreasonable for the D.E.Q. to continue to fail cars only because one or more of the pollution controls have been altered or removed; if the car can still pass the acceptable carbon-monoxide, hydrocarbon, visible smoke, and noise levels. It is an infringement on our personal freedom and our individual rights to force us to live with pollution control devices which sacrifice mileage and performance, when we can, through our own modifications, not only attain the standards set by the D.E.Q., but get more mileage and better performance. The Ultimate Goal is clean air. There are better ways to attain this goal than the inefficient, energy consuming controls installed by the automotive manufacturers. Thank-you."

Furthermore, at that hearing we were informed that generally the cars equipped with the factory controls normally passed the more strict federal test, and modified cars may not. We were told it lasts 23 minutes and incorporates load and run tests as well as an idle test. When we asked where we could take our cars for this test, we were told the only place in the Northwest was the laboratories at the University of Oregon, and that they would have to be rented, and this would not be practical financially on an individual basis.

We are not disputing the established standards. The people setting those standards know far better than we do, what is required to clean up our air and keep it clean. We are only saying that we will meet them, but demand the right to meet them in our own way.

Name	Address	Affiliation
Michael Sumatt	1945 SE Spruce Greasbaum	MHRC
Gilbert P. Baker	12520 N.E. Tiffany Dr.	MHRC
Ken Schuster	6675 N. Powers Portland	MHRC
H. Alex Merwin	4506 S.W. HAMILTON - Portland	Multnomah Nat Red Council
John Bruce	2322 NE 142 Portland	MHRC ISCA
Al Egglez	4506 S.W. Hamilton - Portland	MHRC
Art Jones	13750 S.E. 172 ND CLACKAMAS	M.H.R.C. 49 th CAR CLUB
William Campbell	4152 SE Norway St, Milwaukie	M.H.R.C. 49 th CAR CLUB
Dave Douvanick	600 S.E. 71 st Portland	M.H.R.C. - NWSEA
William Peterson	4993 S.E. 30 th Portland	M.H.R.C.
Gary Coe	8945 SW Dolph Portland	MHRC - NW DRA
Kenneth E. Heard	1336 SE 151 st PORTLAND	Rep. For CLUB MEMBERS MHRC - NW DRA
Jon Tracy	10405 NE 88 th AVE. VANC.	NW DRA
Robert Burkland	12765 NW Filbert Portland	AMX Club
Frank Burkland	12765 NW Filbert Portland	AMX Club
Edna Burkland	7350 SW Oak PORT.	AMX CLUB
Robert Burkland Jr	7350 SW Oak Portland	AMX Club
Jim Preble	16023 SE Outfield Rd.	" " "
Michael A. Porter	1732 S.W. maurecrest ave. Gresham	M.H.R.C.
Tony Seneca	3200 C FLOSS MILWAUKIE	MOCHR UNLTD
Bob Entz	503 N.E. 62 nd PORTLAND	M.H.R.C. MOCHR UNLTD
Mike Stib	2343 SE 101 PORTLAND ORE	M.H.R.C.
Wicki Reynolds	1334 SE. 159 Portland	MHRC
Clint Edwards	3819 N.E. 73 RD Portland	MHRC
Gary Adelbert	8639 NE TILLAMOOK	49 th CAR CLUB M.H.R.C. Egley Marble Co. Port.
Steve Smith	9940 SW Arborcrest way	M.H.R.C.
Dean Johnson	5742 SE Milwaukie Ave	49 th Car Club

NAME	ADDRESS	AFFILIATION
Bob Kullberg	17947 NE. Oregon Port.	49rs CAR club
DAN CYP	5332 N.E. BROADWAY	49rs CAR CLUB
Ken Schmidt	6739 SE Woodstock	49rs Car Club
Bob REED	23300 W arator Rd troutdale	49ER CAR club
Richard E. Raymond	2447 SE 70th PORTLAND	49ER CAR CLUB
Dea Soberg	18322 PORTLAND AVE Gladstone	49er CAR club

NAME	ADDRESS	AFFILIATION
Cris Payne	3233 NE Partland Blvd	NWDRA
John Stodges	5088 4th Pl. N. Salem Ore	NWDRA
John Stodges	234 NW 1st Portland Ore	NWDRA
John Jolley	625 N.E. 22nd Port. Ore.	NIFRA
Donna Kaufman	1933 Pettygrove Ct. NE Salem Ore	NWDRA
Richard M. Zielinski	847 Indian Ct. S.E. Salem Ore 97301	
JIM ROCKSTAD	8115 SHERLEY AVE VANCOUVER, 98664 P. I.R.	
John Tringali	5936 KENT ST MILWAUKIE ORE 97222	
Wayne Nelson	3550 SE Roethe Milwaukie, OR 97222	NWDRA
Thomas T. Giff	2711 NE 108th PORTLAND, ORE 97220	
Merle R. Sanders	5077 S.E. Oethin Way Milwaukie ORE 97222	
Jim Livingston	780 Church St. Woodburn OR 97071	
Paul H. Gumbel	2717 SE Courtney Pl. Milwaukie 97222	

NAME

ADDRESS

George A. Pail	P.O. BOX 42362	PORT. ORE, 97242
Cecilia Kovar	6680 DEVONSHIRE DR	GLADSTONE 97027
Richard W. Flury	1755 SW Heiny Rd.	Gresham, Ore 97030
John S. Anderson	6144 SE KWAPP	PORT ORE
Ruey Williams	8435 S.E. INSLY	PORT. ORE,
Vicki Longoria	5745 S.E. HAROLD	✓ ✓
Goy Sawyer	19831 S. POLEHN DR.	ORE. CITY
Lyle Schuelden	14563 S Lyons Rd	ORE. CITY,
Gem Schuelden	Rte 1 Box 335	Sepperson, Ore.
Volund Grassen	2135 NE 79 TH	PORT. ORE
Bonnie Jones	13750 SE 172 ND	CLACKAMAS
Sonny H. Jones	8334 SE 11 TH	AVE. PORTLAND

REMARKS OF WILLIAM G. HALL
Director of Planning, Tri-Met
At The Hearing Of
THE ENVIRONMENTAL QUALITY COMMISSION
March 28, 1975

In April of 1973, Tri-Met submitted a Transit Improvement Program to the DEQ as part of the transportation control strategy. The goal of our program was to increase ridership to and from the downtown by 50% before July 1, 1975, this year.

Last October, Tri-Met's Assistant General Manager, Steve McCarthy, gave you a progress report. He explained the successes of our overall program, and described the status of each of the elements of the Transit Improvement Program. He reported to you at that time that it did not appear that we were going to meet the ridership goal by July of this year.

I am pleased to announce today that we will achieve our goal; and we now expect to exceed it.

Since February of this year, Tri-Met's average downtown ridership has been consistently above 78,000 riders a day--well above the 50% increase over the base year figure of 50,000, which was our goal. Our system-wide average daily ridership is about 90,000 riders a day. If we include transfers, the total daily ridership is 110,000. This is more riders every day now than we had at the height of last year's gasoline crisis.

We have come a long way in two years. We have completed most of the work in the Transit Improvement Program. We have exceeded it in some cases, and dropped some programs that we felt were not productive enough. Most importantly, people have responded to the program.

We have proved to ourselves that the citizens of the region will ride the bus if good service is provided, if they understand how to use the service; if it is an attractive alternative to taking their cars.

We have been improving services steadily in the last two years. We have also been talking to people. We have been working at CRAG and with local governments; we have held many meetings in the community; we are learning what people want in public transit.

Last Fall, the Tri-Met Board adopted five year goals, which we feel reflect what people have been telling us; and which state what we want to accomplish in better transit service by 1979. I would like to briefly cite our five year goals.

1. We want to double our daily ridership by 1979. This means 145,000 riders every day on Tri-Met.
2. We want to double the percentage of travelers who enter downtown by bus; from the current 18% to 36% by 1979.
3. We want to provide better transportation alternatives for the handicapped and elderly, so that thousands of senior citizens and physically disabled do not look upon the simple act of moving as a luxury.
4. We want to design our system to support regional land use plans and local government planning efforts, so that people will work and live in areas where the entire transportation system can best serve them.
5. Tri-Met wants to provide efficient, safe and convenient transit service throughout the region. This is basic.

6. Finally, we want to do all this--provide the capacity, improve services, maintain the quality and provide for special needs--and pay for it with at least 40% of the cost met from the farebox.

We have developed a program to accomplish these goals. It is an extensive program, developed with the help of the Federal Government, CRAG, the Oregon Department of Transportation, and especially local governments and citizens throughout the region. It is a lean program. It is not technologically spectacular--at least it does not have BART or mono rail in it. All the elements are designed to get service on the ground. The program will provide basic transit services for more people; it is designed to make transit attractive and provide the level and quality of service we think people have demonstrated that they want.

The Tri-Met Five-Year Program is still being modified to reflect changes in regional priorities and plans. But I would like to touch briefly on some of the basic elements of the program as it is planned.

*We need more capacity. In a period of five weeks, Tri-Met Line #56, Forest Grove, increased ridership by 42% as a result of the institution of the flat fare on January 15 of this year. We added seven more buses, and the buses on Line #57 are now full again. We have had similar experiences on other lines, some increasing ridership as much as 88% in a few weeks. Systemwide, we are now operating at 106% capacity for the entire fleet during the peak hours. We have 100 buses on order, which we hope to have delivered this time next year. We will need them. We need them now.

What will we use them for?

*We plan to increase frequencies on lines that consistently run over capacity. The less time people have to wait for a bus, and if it is not so crowded they can't get on, more people will be inclined to ride Tri-Met.

*We still do not serve the entire district. We need more buses to do that. Every day, we get requests for more service--buses where there are no buses now, or more buses where there are not enough. We recently received a request from a group called the Ad Hoc Committee for better Tri-Met service to Clackamas County. It included a list of requests for service, each of which represented a genuine transit need. Each request would require more buses that we do not have now. And the cost of these requests would total \$1,034,000 per year for operation.

*We get similar requests from everywhere in the region. Gresham needs a Gresham local--like Beaverton and Oregon City have now. The new Kaiser Hospital needs good service from Milwaukie, Sellwood and Lake Oswego. St. Johns needs better transit access to the Lloyd Center and southeast Portland. Estacada, Carver, Boring and Damascus need better service. Gaston, Gales Creek, and Banks simply need service. People need to get to Swan Island more conveniently. More people would ride the bus if awkward transfers were not required; better crosstown service is planned so people won't have to go downtown to get to the Airport from Oregon City, or to Lloyd Center from northwest Portland. We have implemented many of these improvements. More are needed and more are part of the Five-Year Plan.

*Our plans call for bus routes within $\frac{1}{4}$ mile of every home in the urban area, within $\frac{1}{2}$ mile of every suburban home. In rural

areas, we plan to run a bus line to a park and ride lot in the community center.

*People do not like to wait in the rain. We are installing 20 bus passenger shelters each week now, and plan to have 715 up by 1976 so that people will have a dry place to wait for the bus. The shelters will have maps and schedule information so people can more easily find out what bus to take where.

*We also plan a whole new system of bus information signs-- 4,000 of them, so people can more easily learn how to use the system.

*We also plan to continue an aggressive marketing program to inform people about new and existing transit services available to them.

*We have already implemented 59 neighborhood park and ride lots, with the cooperation of churches, businesses, and the State of Oregon. These include a total of 2,116 parking spaces. The use of these spaces keeps cars out of downtown, and provides an access point for people to use transit for commuting. These park and ride lots have been made operational at no cost to Tri-Met, except the cost of putting Tri-Met signs up. We plan many more of these.

*We also plan at least five major park and ride stations in suburban communities. The Beaverton interim park and ride station is the first step. It is a place where 120 people can park, wait in a shelter, and take any of five lines in either direction. The Beaverton Station will double in size by this summer, and have plenty of information available to inform people where they can go from the station by bus. With continued cooperation from private industry and local governments, we will have more of these suburban stations, at least five, and maybe more.

*We will run non-stop express service from these stations on exclusive lanes reserved for buses. The Banfield High Occupancy Vehicle Lane project which this commission heard last month was the first step in developing exclusive transit facilities, and we plan more around the region. These facilities will provide an enormous savings in time for the bus patron and enormous cost savings to the public.

*Tri-Met currently has a systemwide off-peak ridership of 40%. To improve this, we are designing off-peak service improvements to capture riders other than the typical commuter; these will cost more money, but will allow us to make more efficient use of our fleet.

*The Tri-Met Board has approved a six-part regional program for special transportation services for the handicapped and elderly. This is a first step to meet an enormous need. We have substantial federal financial support, but it will require about 300,000 additional dollars per year from our own funds to operate the program.

*We are planning for the long-range needs of the transit system as well. We need a new maintenance facility to provide efficient maintenance of the fleet. We plan a substation for storing buses, and for reducing dead-run time. This facility will reduce bus runs on city streets by almost one thousand miles a day, thereby reducing congestion. This could save us as much as \$350,000 per year, but will require capital investment now. We are also working with local governments and the State Highway Division to make street improvements to improve the efficiency and convenience of bus operation. All this to save money.

*We are investigating alternative modes for the future, also. If cost/benefit analysis indicates significant operational cost savings, we may want to consider light rail to Oregon City or trolley buses

for some lines. The increased capital costs of installing these modes will require their careful consideration by the Tri-Met Board, as well as community willingness to fund them.

Those are some of the elements of our five-year program. They are designed to meet the needs as we foresee them. They will provide the region, at the end of the five years, with an efficient, attractive transit system, with a transit mall, exclusive bus lanes, park and ride stations, shelters, express service, shorter waits, better information, better regional access, and many more transit riders.

We are not forcing people out of their cars. We have already proved that when we offer good public transit, people take the bus.

We have met the initial clean air goal for transit; our five year goals are going to be much harder to meet, but we think we can do it if we provide better service. This is going to cost money.

That is the hard part. We cannot pay for even these basic programs without public support.

Public transit is a public service. Part of the cost must be borne by the public in the form of taxes, just as the automobile is supported by taxes. No transit district in the country pays its entire way from the farebox alone. We are currently covering about 50% of our costs from the farebox. Seattle's farebox revenue covers only one-third of its costs.

At the end of this fiscal year, Tri-Met will have \$7 million in accumulated cash reserves. At that time, the payroll tax reverts from .4 to .3%. If we continue the present public transit program without

imposing any additional taxes, our expenses will outrun revenues in January or February of next year--in about nine or ten months.

We are receiving a very substantial level of federal grant assistance, but cash flow remains a serious problem.

At present program levels, we will run a deficit of \$4.3 million by the end of the next fiscal year. The deficit will increase. To accomplish the program, I have outlined and maintain our substantial growth rate in ridership, we will need \$35 million more than we can raise under current taxing ordinances over the five years.

This leaves us with essentially three choices for the next year alone.

1. We can make major reductions in service programs soon, in order to reduce costs. The impact on overall ridership of such reductions is difficult to calculate, but will be enormous.
2. We can impose increased or additional taxes soon, to cover the projected deficit next year.
3. We can wait until next winter to do anything, and then make drastic cutbacks; this would result in a "minimum" public transit system for the region.

Let me give some examples of some of our choices for reducing services:

1. We can eliminate all Sunday service throughout the region. This would save us only \$1,860,466 per year.
2. We can eliminate all the new Tri-Met lines implemented since January 15. This would save us \$931,724 per year.
3. We can eliminate or cut back all lines with off peak utiliza-

tion of less than 50%. Entirely eliminating service on eight lines, and drastically cutting off-peak service on 21 other lines could save us a maximum of \$2,690,215 per year, exclusive of lost revenue.

Even if we did all of these, we would save a maximum of \$4,290,405 per year--just about the projected deficit for next year. Of course, this does not include the lost revenue from these cuts, nor does it include the reduced ridership that would result systemwide.

We could also cut some capital improvements. We would stop ordering additional buses, for example, or not build park and ride stations. If we make major cuts in transit service, however, it will be impossible to meet our ridership goals. It will make it impossible for us to significantly contribute to clean air goals by the EPA deadline of July 1, 1976. It will also mean that transit probably won't play a major role in meeting future regional transportation needs.

The second alternative, that of imposing additional or increased taxes also presents us with some choices.

1. We can raise the payroll tax to .5% in July. This would raise \$5.8 million annually.
2. If the legislature passes the vehicle registration fee for transit districts, we can impose a \$10 fee in July, and raise \$4.2 million for capital, road-related expenses in Fiscal Year 1976.
3. We can impose a .5% payroll tax in July, as well as a \$5 vehicle registration fee, and put the vehicle registration fee on the ballot for use as general operating revenue. If this were to pass at the ballot box, we would then drop the payroll tax back to .4%. This would raise \$5.7 million annually.

Those are, roughly, the alternatives for keeping our programs alive next year.

We think we have accurately evaluated the need for public transit in this community. The depth of the public's willingness to support it is what has yet to be determined. No legislation in Salem is going to eliminate the need for raising more taxes locally for public transit. The legislature has given us revenue tools, and we hope will give us additional tools this session. The decisions will be made here, however, and we must make our decisions fairly soon if we are to avoid falling back to a "minimal" system, laying off hundreds of drivers, and relegating public transit to a minimum role in transportation and a cleaner environment for this region.

Tri-Met is going to need help from the public in making the decisions necessary to fund a good transit system. The response so far has been very good. We will be scheduling a series of public hearings over the next few months to probe the depth of this public support. We are optimistic, but we are going to need all the help we can get.



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

ok
FEEG
Date: J

To: Kess

From: Pete

Subject: Criteria Rule for processing air permit applications

1. In last EQC Commissioner Somers mentioned the possibility of using a hearing officer in contending that a temporary rule was not needed (a hearing officer could be used to avoid having to wait for subsequent EQC meetings to meet the rule-making requirements for hearings)
2. Based upon the above, I would say that the Commission has not indicated it wants a hearing officer used
3. I gather from EJW that(Penwalt, Cascade Refinery, and Oregon Steel Mills having gone by the board without a rule) the need for prompt action is over and the matter could be set for Commission hearing, perhaps in the June Meeting.



KESS CANNON
Director

TO Pete Date _____

Action Required:

Also, circulate to:

- _____ Handle direct; keep me posted. _____
- _____ Comment and return. _____
- _____ Analyze and draft recommended action. _____
- _____ Prepare draft for my signature. _____
- _____ For your information. Return _____

My reading of the minutes is that this goes to

 public hearing before Hearings officer - not to EQC -

 right? wrong?
 File: _____



State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Kess
 From: Pete
 Subject: Hearings

Date: 4-7-75

John Kowalczyk says that he and Pat are unsure whether the Commission wants the Criteria Rule back before them for hearing or would have it heard before an officer. They might want to take input only from local authorities before adopting a temporary rule and have the permanent rule heard before an officer. ~~Also~~ You might want to add this to the Question of the NPDES Permit hearings for the refineries to your discussion with the Commissioners you'll see on Thursday.

Subdivision 8

SPECIFIC AIR POLLUTION CONTROL
RULES FOR
CLACKAMAS, COLUMBIA, MULTNOMAH
AND WASHINGTON COUNTIES

[ED. NOTE: Unless otherwise specified, sections 28-001 through 28-090 of this chapter of the Oregon Administrative Rules Compilation were adopted by the Environmental Quality Commission November 26, 1973, and filed with the Secretary of State December 5, 1973, as DEQ 61. Effective 12-25-73.]

28-001 PURPOSES AND APPLICATION

The rules in this subdivision shall apply in Clackamas, Columbia, Multnomah and Washington Counties. The Purposes of these rules are to provide continuity of air quality control program previously administered by the Columbia-Willamette Air Pollution Authority and to deal specifically with the critical and unique air quality control needs of the four county area. These rules shall apply in addition to all other rules of the Environmental Quality Commission. The adoption of these rules shall not, in any way, affect the applicability in the four county area of all other rules of the Environmental Quality Commission and the latter shall remain in full force and effect, except as expressly provided otherwise. In cases of apparent duplication, the most stringent rule shall apply.

28-003 EXCLUSIONS. The requirements contained in this subdivision shall apply to all activities conducted in Clackamas, Columbia, Multnomah and Washington Counties, other than those for which specific industrial standards have been adopted (subdivision of this Division 2), except for the reduction of animal matter, section 25-055(1) and (2).

28-005 DEFINITIONS . As used in this subdivision.

[Former 28-005(1) repealed with adoption of present rule on March 28, 1975]

(1) "Domestic Waste" means any non-putrescible waste consisting of combustible materials, such as paper, cardboard, yard clippings, wood, or similar materials generated in a dwelling, including real property on which it is situated, containing four (4) living units or less.

(2) "Fuel burning equipment" means a device which burns a solid, liquid, or gaseous fuel, the principal purpose of which is to produce heat, except marine installations and internal combustion engines that are not stationary gas turbines.

(3) "Odor" means the property of a substance which allows its detection by the sense of smell.

[Former 28-005(4) repealed with adoption of present rule on March 28, 1975]

(4) "Open burning" means any burning conducted in such a manner that combustion air is not effectively controlled and that combustion products are not vented through a stack or chimney, including but not limited to burning conducted in open outdoor fires, common burn barrels and backyard incinerators.

(5) "Rubbish" means non-putrescible wastes consisting of both combustible and non-combustible wastes, such as but not limited to ashes, paper, cardboard, yard clippings, wood, glass, cans, bedding, household articles and similar materials.

[Former 28-005(6) repealed with adoption of present rule on March 28, 1975]

(6) "Special Restricted Area" means those areas established to control specific practices or to maintain specific standards.

(a) Clackamas, and Washington Counties, Special Restricted Areas are all areas within Rural Fire Protection Districts, including the areas of incorporated cities within or surrounded by said districts.

(b) In Multnomah County, the Special Restricted Area is all area west of the Sandy River.

MINUTES OF THE SIXTY-SEVENTH MEETING
OF THE
OREGON ENVIRONMENTAL QUALITY COMMISSION

March 28, 1975

Pursuant to the required notice and publication, the sixty-seventh meeting of the Oregon Environmental Quality Commission was called to order at 9:00 a.m. on Friday, March 28, 1975. The meeting was convened in Room 602, Multnomah County Courthouse, at 1021 S.W. 4th Avenue, Portland, Oregon.

Commissioners present included: Mr. B.A. McPhillips, Chairman; Dr. Morris Crothers; Dr. Grace S. Phinney; (Mrs.) Jacklyn L. Hallock; and Mr. Ronald M. Somers.

Department staff members present included Mr. Kessler R. Cannon, Director; Mr. Ronald L. Myles, Deputy Director; and three Assistant Directors: Mr. E.J. Weathersbee (Technical Programs), Mr. Kenneth H. Spies (Land Quality), Mr. Harold M. Patterson (Air Quality), and Mr. Harold L. Sawyer (Water Quality). Several additional staff members were present.

MINUTES OF THE FEBRUARY 28, 1975 COMMISSION MEETING

It was MOVED by Mrs. Hallock, seconded by Dr. Phinney and carried that the minutes of the February 28, 1975 EQC meeting be adopted as distributed.

PROGRAM ACTIVITY REPORT

It was MOVED by Mrs. Hallock, seconded by Dr. Phinney and carried that the Commission give confirming approval to the staff action on plans and permits for the month of February, 1975.

TAX CREDIT APPLICATIONS

Directing the staff's attention to application #T-619, Chairman McPhillips inquired as to the current discharge from the Crown Zellerbach facility. Mr. Harold Sawyer of the Department's Water Quality Division, explained that the facility now discharges into the Columbia Slough but would be available for hookup on a currently planned phase of the Portland sewer system. Such hookup, he explained, could take place immediately upon installation of the sewer system. It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried that the Department adopt the Director's recommendation to grant certificates to the five tax credit applicants on the agenda.

PROPOSED RULE-PRIORITY CRITERIA FOR PROCESSING OF AIR CONTAMINANT DISCHARGE PERMIT APPLICATIONS

Mr. John Kowalczyk, of the Department's Northwest Regional Office noted that the proposed rule, if adopted in today's meeting, would affect the permit applications dealt with in Agenda Item E. Mr. Kowalczyk discussed the need for a rule to establish criteria for the processing of

permit applications on the basis of "complete for processing", and "commence construction," definitions. The rule, it was said, was needed to guide the Department in processing Air Contaminant Discharge Permit applications for facilities in airsheds of limited capacity. It was the staff's hope that local government officials, planning agencies, port commissions, and other responsible groups would review new potential air emission sources with the airshed limitations in mind. These parties, and not the Department, were said to have jurisdiction to consider socioeconomic desirability.

In response to inquiry by Mr. Somers, Mr. Kowalczyk opined that, absent an immediate rule, the Department might be without sufficient criteria to process current applications such as those of Pennwalt, Oregon Steel Mills, and Alumax. Mr. Kowalczyk pointed out to Dr. Phinney that the Department was without any rules which would specifically enable it to put a permit revocation clause in Air Contaminant Permits to deal with circumstances where diligent construction did not occur. Dr. Phinney noted that under the proposed rule the Department could revoke for failure to commence construction only after a hearing. Dr. Crothers agreed with the need for a rule but disagreed that the rule was needed on an emergency basis. He suggested that the word "promptly" be stricken from paragraph one and that paragraph two be deleted. He further suggested that paragraph three be amended to authorize the Director to conduct necessary hearings "in a timely fashion" to establish the priority criteria as a permanent rule of the Department. The result was a motion that the Commission find that failure to act will result in serious prejudice to the public interest for the specific reason that, without such a rule, equitable legal allocation of limited airshed capacity will be substantially impaired. The motion also provided that the Commission authorize the Director to conduct necessary hearings in a timely fashion to establish the priority criteria as a permanent rule of the Department. Responding to inquiry from Mr. Cannon and Mrs. Hallock, Mr. Kowalczyk conceded that the current permits being drafted could include a condition of revocation for failure to diligently commence construction. Mr. Kowalczyk added that he was doubtful whether such a condition could be enforced in the absence of a rule authorizing the Department to do so. Mr. Somers agreed with the need for a rule but expressed the view that concerned local government officials should be given further time to consider the impact of such a rule. He urged that, in the interim, permits being drafted should be drafted to provide for revocation for failure of diligent construction. Mr. Somers noted that it would be possible to hold a hearing, before a hearings officer if necessary, within twenty days after the requisite mailing and publication.

Mr. Roger Mellem of Multnomah County's Department of Environmental Services addressed the Commission with the County's wish that adoption of the rule be delayed in order to give the County time to consider the ramifications of the Proposed Rule and to prepare recommendations on it. Mr. Mellem noted that he was in agreement with the Commission in its desire to see the remaining airshed allocated on a wise, sound basis.

Mr. Clifford Hudsick of the Port of Portland also requested that the Commission delay action on the proposed rule for the reasons stated by Multnomah County's representative.

Mr. Cannon wished the record to show that the suggested delay would also serve the wishes of Mayor Goldschmidt of the City of Portland. The motion referred to above was seconded by Mr. Somers and carried by the Commission.

AIR CONTAMINANT DISCHARGE PERMIT APPLICATION-CASCADE ENERGY CO., RAINIER

Mr. John Kowalczyk presented the Director's recommendation that the Air Contaminant Discharge Permit before the Commission in its February 28, 1975 meeting be issued and that conditions be established in order for the Department to consider making future revisions in Cascade's allowable air emission rates. These conditions were that: 1) air quality deterioration limits applicable to the Rainier area not be exceeded (Federal Register, December 5, 1974, Volume 39, #235); 2) at least twelve consecutive months of plant-site meteorological data, with minimal data loss (less than 5%), be obtained for use in any revised impact modeling; 3) air quality impact models be used by Cascade in any future validated impact projections considered by the Department to give reasonably accurate projections of air quality impact in the vicinity of the plant site, particularly on the Rainier hillside; 4) sufficient tracer studies and monitoring be conducted while the plant is in operation to define actual air impact, should a controversy still exist as to the validity of the improved air impact modeling.

Mr. Somers MOVED that the permit be granted with an added condition that construction (meaning fabrication, erection, or installation of the facility) be commenced (meaning that the permittee has undertaken a continuous program of construction) no later than eighteen months from the present date. The motion was seconded by Dr. Phinney and carried.

OREGON STEEL MILLS-PROPOSED ACTION ON AIR CONTAMINANT DISCHARGE PERMIT APPLICATION

Mr. Douglas Ober of the Department's Northwest Regional Office presented a staff report with the Director's recommendation that an Air Contaminant Discharge Permit be issued for the proposed Oregon Steel Mills expansion, subject to the applicant's meeting air emission requirements of the Department's Special Air Quality Maintenance Area Rule and the following:

1. An air permit be prepared and issued for the proposed O.S.M. expansion with air emission increases limited to a maximum 103 t/y particulate and 140 t/y SO₂.
2. A construction schedule be incorporated in the permit specifying construction to be commenced no later than 18 months after issuance of the permit or within 30 days of the date the Oregon P.U.C. lifts the present moratorium on new industrial gas commitments, whichever time occurs first.

3. The permit be considered for revocation after public hearing at any time prior to commencing construction that it appears an air permit application may have to be denied due to lack of available air emission allocations in the Portland Metro Special Air Quality Maintenance Area.

In response to Dr. Phinney's inquiry, Mr. Ober stated that emissions from the proposed expansion would not rise on a linear basis with increased production. He conceded, however, that SO₂ emissions were a problem which required further source testing at the site.

There being no one wishing to address the Commission on behalf of the permit applicant, Mr. Somers MOVED that the permit be granted as per the Director's recommendation. The motion was seconded by Dr. Crothers and carried.

PENNWALT CORPORATION PROPOSED ACTION ON AIR CONTAMINANT DISCHARGE PERMIT APPLICATION

Mr. Ober presented the Director's recommendation that the Air Contaminant Discharge Permit be issued for the proposed Pennwalt Corporation expansion, subject to the applicant's meeting of air emission requirements of the Department's Special Air Quality Maintenance Area Rule and the following:

1. An air permit be prepared and issued for the proposed Pennwalt expansion with emission increases limited to nine (9) tons per year of particulate and 127 tons per year of SO₂.
2. A construction schedule be incorporated in the permit specifying:
 - a. Notification to be given to the Department by July 1, 1975 stating Pennwalt Corporation's decision relative to expanding the Portland Plant.
 - b. Construction of the expansion to commence prior to November 1, 1975.

There being no one wishing to be heard on behalf of Pennwalt, Mr. Somers MOVED that the permit be granted as per the Director's recommendation. Mrs. Hallock seconded the motion and the Commission carried it.

Mr. William Hall of Tri-Met presented a status report to the Commission on the current progress and future goals of his organization. He reported that, contrary to Mr. McCarthy's projection to the Commission in October of 1974, Tri-Met had reached and exceeded its goal of a fifty percent increase in ridership by July 1, 1975. This had been accomplished, Mr. Hall reported, through good public response to the program, and through the formation of a program in alignment with what the people had requested. Last fall, Mr. Hall stated, the Tri-Met board had adopted five-year goals. These consisted of: 1) double daily ridership by 1979, 2) double percentage of downtown bus travelers, 3) better transportation alternatives for the

handicapped and elderly, 4) design of the Tri-Met system to support regional land use plans and local government planning efforts, 5) region-wide safe convenient, and efficient transit service and, 6) accomplishment of the aforesaid goals with at least forty percent of the cost met from the fare box. Mr. Hall noted that, at present, in peak hours, the system was operating at 106 percent of its capacity, pointing up the urgent need for new buses. He stated that 100 buses were on order and were expected within a year. Commissioner Somers inquired of Mr. Hall as to whether or not achievement of his 1979 ridership goals would be accelerated by limited ingress and egress on the freeway. Mr. Hall responded that he was not sure what the acceleration would be but that, in his view, the people would have to begin riding the bus before there would be sufficient justification to provide exclusive lanes for buses such as that now proposed for the Banfield Freeway. Mr. Somers expressed dissatisfaction with the necessity of riding a Tri-Met bus to the downtown area in order to board a DART bus to reach the airport, noting this inconvenience resulted in increased private vehicle usage and a consonant parking problem at the airport. Mr. Hall noted that it was Tri-Met's plan, when more buses became available, to provide service to the airport from Oregon City.

Mr. Hall went on to detail the particulars of Tri-Met's plan activities with regard to the above goals. He cited the transit authority's plans to increase frequencies on lines that consistently run over capacity. He noted a need to give service to parts of the district which were in need of service. These included Clackamas County, Gresham, the new Kaiser Hospital, St. Johns, Estacada, Carver, Boring, Damascus, Gaston, Gales Creek, Banks, and Swan Island. It was contended that more people would ride the bus if awkward transfers were not required.

Plans were said to call for bus routes within one quarter mile of every home in the urban areas, and within one-half mile of every suburban home.

Mr. Hall mentioned Tri-Met's plans to install 715 shelters for the accommodation of passengers on rainy days, to provide a new system of information signs, to implement an aggressive marketing program, to provide more neighborhood park and ride lots, and to include at least five major park and ride lots in suburban communities. These would resemble the park and ride station at Beaverton, where 120 people could park, wait in a shelter, and take any of five lines in either direction. It was planned to run non-stop express service from these stations on exclusive lanes reserved for buses.

Tri-Met was hoping to increase off-peak ridership through improved service to capture riders other than the typical commuter. The board of Tri-Met, Mr. Hall stated, had approved a six part regional program for special transportation for the handicapped and elderly. Plans were said to be in the making for long range needs of the transit system. These included a new maintenance facility, a sub-station for storing buses, and street improvements. Alternative modes of transportation, such as trolley cars or monorails, were under investigation also, Hall reported.

Mr. Hall noted that, at the end of this fiscal year, the payroll tax would revert from .4% to .3%, leaving Tri-Met to face a revenue problem in nine or ten months. At the present program levels, Mr. Hall predicted, Tri-Met would run a deficit of 4.3 million dollars by the end of the next fiscal year. To accomplish the program outlined above, Mr. Hall estimated a cost of 35 million dollars more than could be raised under current taxing ordinances. The alternatives were either increased revenues through taxing measures, or major reductions in transit service. Mr. Hall stated that Tri-Met planned to conduct many public hearings in the near future to determine the presence or absence of public support for a good transit system.

Mr. Hall stressed that, without additional monies and the implementation of the new goals, it would be impossible for Tri-Met to meet its clean air goals within the EPA deadlines. In response to Mr. McPhillips' inquiry, Mr. Hall affirmed that the current legislative proposal for vehicle taxing would affect only vehicles registered within the Tri-Met district. It would be administered by the Department of Motor Vehicles.

VARIANCE REQUEST - BEAVER LUMBER CO., CLATSKANIE, OREGON

Mr. Paul Zilka of the Department's Northwest Regional Office presented the staff conclusions that Beaver Lumber Company's antiquated cedar sawmill near Clatskanie had a significant impact on the local economy, employed a wigwam burner to dispose of wood waste in a manner which was consistently in violation of the Department's opacity standards, had undertaken expensive modification of the burner without success, had no feasible alternative means of disposal, created emissions which had little environmental impact due to the location of the mill, and would be eligible to receive a variance from the Commission under the provisions of ORS 468.345. Mr. Zilka then presented the Director's recommendation that the applicant be granted a variance until March 28, 1976 under the conditions of continued operation of the wigwam burner in the "highest and best practicable" manner and submission of a written report sixty days prior to the expiration of the variance. The report would detail to the Department efforts made to reduce emissions, alternate means of disposal investigated and/or employed, and the status of the mill as related to future operation. In response to Dr. Phinney's inquiry, Mr. Zilka conceded that the company had, since 1970, continued to project a future of two to three years for the operation of the installation. Mr. Zilka opined that, as long as an adequate supply of salvage cedar logs existed to facilitate operation of the mill at a profit, the applicant would probably continue operation. Mr. McPhillips stated the mill's operation to have a history prior to 1970, a fact which he derived from his having financed the mill some years ago. Mr. McPhillips hastened to disclaim, however, any conflict of interests which would affect his ability to view the proposed variance with equanimity. Mr. Zilka, in answer to inquiry by Mr. Somers and Mr. McPhillips, pointed out that the feasibility of chipping the cedar and using it for hog fuel was impaired by the requisite substantial capital expenditure, the lack of space for the hog, the chipper, and the surge bins, and the company's inability to use more land around its plant. Mr. Somers noted that the mill was in such a remote area that its emissions were of little consequence. Particularly, it was noted, the emissions would not affect the Portland airshed.

Alluding to the 40 thousand dollars that had already been spent to improve the emissions of the wigwam burner without success, Mr. Somers inquired if the applicant had been victimized by poor technical advice. Mr. Zilka responded that the problem was the need for a fuel supply for an after burner, a need which at present was unfulfilled.

It was MOVED by Mr. Somers, seconded by Mrs. Hallock, and carried, that the Commission adopt the Director's recommendation to grant the variance.

STATUS REPORT - CURRENT DEPARTMENTAL BUDGETARY PROBLEM

At the suggestion of Mr. Somers, Mr. Cannon called upon Mr. Harold Sawyer, Director of the Department's Water Quality Division, to chronologize the events which precipitated current budget troubles. Mr. Sawyer recalled that, prior to 1969, the Department was known as the State Sanitary Authority and was a division of the State Board of Health. He stated that the 1969 Legislature had severed the Sanitary Authority from the Board of Health, renamed it the Department of Environmental Quality, and left it without any funding for administrative support services. To correct this problem, the Board of Health continued to supply the Department with services on an informal basis over the succeeding two years. It was not until 1971, Mr. Sawyer noted, that the Legislature provided the Department with funding for administrative support services.

In addition, it was recalled that the 1971 Legislature had assigned new programs to the Department and doubled its size, authorizing an increase from sixty-eight employees to one hundred and thirty-two employees.

The 1973 Legislature was said to have authorized an additional manpower increase to two hundred and seventy-seven positions, of which approximately two hundred forty-six were reported filled.

Principal new programs given to the agency by the Legislature since 1969 were listed as regulation of solid waste, subsurface sewage, and noise.

Mr. Sawyer then discussed some of the unusual happenings of 1973. Among these were the fact that the appropriations granted by the 1973 Legislature contained a line-item spending limitation by program. The budget was said to have been tied very tightly to organizational lines.

Mr. Sawyer noted that, after the 1973 session, the Department gained a new Director for the second time in two years and entered upon a major realignment effort. This realignment was accompanied by a change in the Department's accounting system, a change directed by Mr. O'Scannlain at the request of the Executive Department. It was stressed that this change in accounting occurred during the middle of the 1974 fiscal year, making it impossible for the agency to balance its books at the end of the fiscal year. Prior to this time, Mr. Sawyer recalled, the Department's accounting had been done with the Board of Health's computerized system. The requested

change was for the purpose of putting the Department's accounting system in alignment with the accounting system used by the Executive Department.

Mr. Sawyer added that the 1973 Legislative Session's election to remove considerable general funding (with the notion that it would be replaced by other sources) had a significant impact on the Department's present difficulty. Three hundred and fourteen thousand dollars was reported to have been removed with the expectancy of its replacement by increased federal air and water grants. In response to Mr. Somers' inquiry, Mr. Sawyer noted that the federal water grant was increased while the federal air grant was not increased, leaving a twenty thousand dollar shortage in that area at present. This shortage, it was reported, was not brought to the attention of the Emergency Board but was brought to the attention of the Legislature upon its reconvening. It was noted that the Special Legislative Session had finally authorized a fifty thousand dollar transfer, leaving a one hundred thousand dollar shortage of general fund support which, it was legislatively intended, would be retrieved through the motor vehicle inspection program fee system. An additional seventy thousand dollars was removed, Mr. Sawyer reported, in the hope that it could be made up through the Subsurface Sewage Disposal System fee schedule.

Mr. Sawyer turned to the Subsurface Sewage Legislation (SB 77) as a major source of the Department's quandry. The Legislature had, he said, handed the Department a January 1, 1974 deadline, after which no one could install or improve a septic tank without purchasing a permit from the Department. The supposition which proved erroneous was that within the time frame allowed the Department could have an operational permit program. He said the program was completely unfunded by the Legislature and was to be funded by the fees from the permits. This was said to have caused a dilemma whereby the Department could not initiate its program without expending revenue, and could not gain revenue without initiating the program. Monies requested by the agency to cover the "front end" costs of getting the program operational had not been forthcoming, Mr. Sawyer noted. Approximately one hundred and sixty five thousand dollars in start up costs were reported incurred after then Director O'Scannlain's election to institute the program by "borrowing" against revenues expected from the permit system.

Mr. Somers noted that perhaps, in retrospect, the Department would have been better advised to simply disregard the program until such time as appropriate funding could be obtained. This, he contended, would have created a legislative crisis wherein those proposing to improve or install septic tanks would require a permit which the Department would be unprepared to issue. Mr. Somers noted that all of this had transpired prior to the beginning of Mr. Cannon's tenure in March of 1974.

In response to Mrs. Hallock's question as to whether the Emergency Board would have had authority to authorize borrowing from other sources to initiate the program, Mr. Sawyer stated that he believed this could have been done and that at least two requests were prepared and later withdrawn at the request of legislative fiscal workers. These withdrawals

were based on uncertainty as to what dollar amounts of transfer should be sought and uncertainty flowing from the change in the Department's accounting system.

Mr. Somers noted that Mr. Stinson, a legislative fiscal officer, had told him that there was no way to settle the exact dollar figure of the agency's deficit until the end of the fiscal year, July 1, 1975. Mr. Sawyer concurred in this conclusion.

Dr. Crothers wished it made clear for the interested public that the basic problem was the Department's having overspent approximately three hundred and fifty thousand dollars in one category of funding. However, Dr. Crothers stressed, the Department had not used up its entire appropriation in another category and would be able to return to the general fund a substantial sum of the monies budgeted to it by the 1973 Legislature. Dr. Crothers pointed out that under the state budgeting system it was improper for the agency to transfer monies funded for one program to the use of another program. The Ways and Means Committee, he stated, was considering making the Department curtail activities to make up the three hundred and fifty thousand dollars, even though the Department was returning substantial sums of money allocated for other programs.

Mr. Sawyer and Mr. Somers noted that, by not filling authorized positions, the Department had eaten the inflationary costs of the last two years and saved substantial sums. Mr. Sawyer estimated savings from this category to have been approximately three hundred thousand dollars and noted that approximately three million dollars would be returned to the general fund from money appropriated to cover the net service costs of pollution control bonds.

In Mr. Somers' view, legislative refusal to permit the requested transfer of funds would result in the requirement that the agency make up the deficit through curtailment of program activities. Such a curtailment, he stressed, should be based on considered priorities and would involve problem situations. For example, he noted, increase in the sewage system permit fee would have a retarding effect on construction, an industry which the Legislature was currently trying to encourage. The funding of the vehicle emission inspection program was said to be dedicated funding, not amenable to any reduction in expenditure. To borrow from either the air or water program, Mr. Somers and Mr. Sawyer concurred, was to run the risk of losing federal matching funds in these areas, matching funds which exceeded one million dollars annually.

Mr. Somers urged the Commission and Director to set priorities in view of the possible program activity curtailment of the next biennium. Dr. Crothers stressed the need for the Commission to let the public know what services would not be performed if budgetary constraints were invoked.

Mr. McPhillips suggested that staff be directed to recommend priorities for the curtailment of activities for consideration by the Commission at its next meeting.

Mr. Somers, noting the sweeping legislative importance of the problem, suggested that the Commission seek legislative input into this decision. The question, he noted, was which legislators should be consulted.

Mr. Cannon stated that the staff had met some weeks ago to work out priorities to deal with the situation. Also, he stressed the importance of avoiding such dilemmas in the future. Henceforth, he urged, it would be imperative that the agency report to the Emergency Board any eventuality whereby lack of funding for administrative services to a program or lack of revenue from a fee schedule was causing a deficit to occur.

Mr. Somers urged that tentative priorities be drawn up as soon as possible and brought to the attention of legislators in Salem. Mr. Cannon suggested that April 10 would be a good time. Mr. Somers and the other Commissioners agreed that promptness was necessary and April 10 would be a good tentative date.

Mrs. Hallock suggested that Mr. Cannon convey to the Ways and Means Committee the possible program curtailment and the possible monetary effect of such curtailment in terms of federal grants prior to the Commission's meeting on the 10th, in order that the Ways and Means Committee could be afforded an opportunity to consider the curtailments in any action they might take prior to the tenth.

PUBLIC FORUM

Offered five minutes of the Commission's attention on any subject of relevance; no one came forward to address the Commission in the scheduled public forum.

The Honorable Neil Goldschmidt, Mayor of Portland, addressed the meeting, expressing satisfaction with the Commission's decision to delay action on the proposed rule for establishing of priority criteria for issuing Air Contaminant Discharge Permits in limited airsheds.

PUBLIC HEARING--PROPOSED RULES ON VEHICLE EMISSION CONTROL PERIODIC INSPECTION PROGRAM

Mr. Ron Householder, head of the Department's Vehicle Inspection Division, presented the staff report, summarizing as follows: Four public hearings on the Proposed Rule had previously been conducted. It was noted that the proposals under consideration called for the emission control inspection of light duty vehicles. Included were three quarter ton pickups and vans. The rules would neither apply to new vehicles nor motorcycles. They would call for no installation of pollution control equipment not originally on the vehicle model.

Mr. Householder noted that certain changes in the proposals had evolved from previous public hearings. Among these was a wording change designed to preclude used car dealers from being licensed as fleet operations. Added was a maximum pre-conditioning time at high idle in the test method section.

The rule was changed to permit installation of a late engine in an early chassis without also modifying the fuel tank system to include any evaporative control systems originally sold with the engine model year. The rules were altered to permit first-year enforcement tolerances of idle carbon monoxide limits and hydrocarbons standards. A section had been added to provide an administrative latitude for the handling of "oversight" situations which might arise and require action on an immediate basis.

The Department had declined to accept the viewpoint that subsections (3) and (4) of section 24-320 should be deleted to eliminate the requirement of inspection of the pollution control equipment during the testing procedure.

In response to inquiry by Mr. Somers, Mr. Householder pointed out that in the test procedure representations made by the vehicle owners, absent any suspicious circumstance, would normally receive credulity. This was with regard to ascertaining the age of the engine being tested.

Commissioner Somers questioned whether the Department had sufficient staff to test the requisite 550,000 vehicles in the Metropolitan Service District within the required one year time frame. Mr. Householder replied that the Department's plans included an increase of staff to meet this need. He noted that presently 22 inspectors were working for the Department. These inspectors, he added, would conduct over seventeen thousand tests during the current month.

Mr. John Vlastelicia, of the Oregon Operations Office of the Environmental Protection Agency (EPA), in answer to Mr. Somers questions regarding the activities in the state of Washington, noted that the EPA does not currently promulgate Vehicle Emission Inspection Programs in Transportation Control Strategies. From this Mr. Vlastelicia inferred that no action, State or Federal, was being taken in Washington toward the implementation of such a program. Mr. Vlastelicia later clarified that EPA had initially promulgated Vehicle I & M provisions in Transportation Control Plans for more than twenty communities in the country where CO₂ violations were occurring and voluntary state/local action was inadequate; and this included Seattle and Spokane. It was said that Washington, as yet, had failed to implement the mandated programs. Mr. Vlastelicia understood that in Washington the EPA was encouraging state and local action such as that being taken by Oregon, but had not taken any enforcement procedures. Commissioner Somers recalled that he had read a United Press International article in the Oregon Journal which had reported Mr. John Biggs as apprehensive of a suit by EPA against the State of Washington for not implementing an inspection control program in the Seattle area.

Mr. Vlastelicia opined that the article was the result of a misimpression. He explained that there were alternatives for the control carbon monoxide emissions in metropolitan areas. One such alternative was said to be the Vehicle Emission Inspection Program concept. Other strategies were available. The EPA, Mr. Vlastelicia said, was urging that local authorities adopt any satisfactory alternative, be it periodic vehicle inspection or some other form of transportation control. Mr. Vlastelicia later indicated that the negotiations with Washington had not produced a compliance program to date and that EPA is now considering an enforcement decision.

Commissioner Somers noted that there was legal compulsion for the Commission to adopt measures to reduce the ambient air level of carbon monoxide.

Mr. Vlastelicia noted that EPA had promulgated Transportation Control Strategies for both Seattle and Spokane, an action which was not necessary in Portland due to local initiative. These strategies were in a state of negotiation and no enforcement action had been taken in Mr. Vlastelicia's understanding. The programs were said to have contained no Vehicle Emission Inspection provisions, having consisted of transportation control and parking restrictions. Mr. Vlastelicia added that a rider on the current EPA budget prevented implementation of the Agency's parking restriction plan prior to July 1 of 1975. He stated, however, that, in the long range picture, parking management and vehicle inspection would both be part of the overall effort to reduce carbon monoxide levels in the air.

Dr. Crothers requested that staff give a brief chronology of the events leading up to the current proposal. He added that he foresaw outcry from affected vehicle owners upon the implementation of these proposals. In answer, Mr. Householder recalled that in 1970 the Federal Clean Air Act required the EPA to set ambient air standards and required states to adopt Implementation Plans to meet them. In 1971, he added, EPA had set ambient air standards for carbon monoxide and criteria for acceptable Implementation Plans. Also in 1971, the Legislature had directed the Department of Environmental Quality to develop a periodic motor vehicle emission inspection program, a program which the Department proposed to the Commission and which the Commission considered in public hearings in Eugene, Medford, and Portland before presenting it to Governor McCall. In January of 1972, Mr. Householder stated, then Governor McCall had submitted Oregon's Implementation Plan to the EPA, a plan which contained provision for a periodic motor vehicle inspection program. Also included in this Implementation Plan were provisions for parking control and transportation strategies, such as improved mass transit.

Mrs. Hallock recalled that in the special legislative session of 1974 the session wherein the current statutes requiring a vehicle emission inspection program was adopted, it was understood by the Legislature that several alternatives existed and the Legislature chose the proposed program as the most desirable.

Mr. Somers pointed out that the provisions of ORS 468.365 to ORS 468.395, taken together, placed the Commission under legislative mandate in the matter of invoking an emission inspection program.

Commissioner Somers then turned his attention to the possibility that the Vehicle Emission Inspection Program, like the Subsurface Sewage Program, might have been insufficiently funded by the Legislature and might precipitate a problem similar to the one faced by former Director O'Scannlain with regard to the subsurface sewage permit system. Mr. Householder and Mr. Cannon explained that the voluntary program was not funded from the general fund, but was supported by funds from motor vehicle licensing. The funds were described as more than adequate to cover the costs of the voluntary program. Mr. Cannon assured the Commission that, on July 1, when the mandatory program commences and the program becomes fee supported, any deficit arising would be the subject of immediate notification to the Commission and the appropriate legislative authority. Mr. Cannon conceded that, as of July 1, 1975, the program would have no "seed" monies; but he noted that there would be an ongoing program, as had been developed through the voluntary phase with motor vehicle funds.

Dr. Crothers expressed his concern that a flood of protests upon the implementation of the mandatory program would result in the Legislature's reversal of its position. He questioned staff as to what would be the result of the elimination of the inspection program, a program which, he noted, was one of the basic elements in the overall implementation plan provision for reduction of carbon monoxide levels. Mr. Patterson addressed himself to the question, speculating that the Transportation Control Strategy would have to be revised with an eye to replacing the gains that would be lost if the Vehicle Inspection Program were relinquished. Mr. Vlastelicia noted that if the Vehicle Inspection Program was dropped and no alternative strategy to meet the overall standards was adopted, then conceivably the Environmental Protection Agency would be required to come in, hold hearings, and consider adding overlaying strategy to the remaining portion of the Implementation Plan with regard to the CO emissions. Mr. Vlastelicia cited the so-called daylight delivery ban (no downtown deliveries to businesses before 6:00 p.m.) and the possibility of limiting access to bridges, freeways, or problem areas as examples of such overlay strategy.

Mr. Somers questioned whether, in an extreme case, EPA would have authority to actually shut down a non-conforming freeway. Mr. Vlastelicia responded that the agency might have authority to do this, while noting that he did not foresee the agency undertaking such drastic measures where lesser measures would suffice. Dr. Crothers stated he would not be concerned about such a severe happenstance until an analagous enforcement procedure had taken place in New York City. Mr. Somers emphasized that the breadth of authority for enforcement was far more severe than the Emission Inspection Program in terms of potential inconvenience to the public. While it was Dr. Crothers opinion that there were those in the Legislature who wanted to repeal the program right now, Mrs. Hallock hastened to add that there were those in the Legislature who favored the program.

Mr. Patterson noted, by way of background, that in the original evolution of the transportation control strategy, a vast array of measures had been considered and found unacceptable to local citizens. The resulting Vehicle Emission Inspection Program had been agreed upon after a thorough public hearing process.

Mr. Somers stressed that, in addition to the DEQ, the Highway Division and the Department of Transportation bore some responsibility in the area of air quality. Mr. Patterson concurred in this.

Mrs. Hallock said that, as far as she could tell, the program in its voluntary stages was receiving good public acceptance. Mr. Householder concurred, noting that, despite a very cautious start up, the program had processed something on the order of fifty thousand cars. He cited the three main benefits of the voluntary program to be the opportunity for the Department to remove difficulties from its process, the opportunity for the public to get acquainted with the effects of the program on their vehicles, and the opportunity for the service industry to anticipate the initiation of the compulsive program. He stressed that the Department was a policing entity,

totally reliant upon the service industry for correction of any emissions problems. Mr. Householder noted his hope that those failing the test would take the inspection sheet with them to the garage. This sheet, he said, was the only aid that the Department could give the service industry in pinpointing defects. Mr. Householder lamented that the service industry had failed to purchase diagnostic equipment, or stock necessary pollution control parts in such degree as would be required after the compulsive program got under way. He felt that, from a business standpoint, the service industry was refusing to make the expenditures necessary until the demand was there. He hoped that the voluntary program had softened this predicament somewhat.

Mr. Cannon asked for Mr. Householder's response to a petition the Department had received in which it was expressed that the petitioners found it unfair for the Department to fail automobiles simply because factory installed pollution controls had been removed. Mr. Householder replied that cars were failed for this reason and noted that ORS 483.825 prohibited the removal or impairment of a pollution control device. Federal law, he noted, prohibited such activities by dealers. Mr. Cannon noted that the law, as enacted, negated the petitioners' contention that it is an infringement on their individual freedoms to force them to live with pollution control equipment. Mr. Householder noted that part of the disagreement arose from the fact that, without factory installed pollution control equipment, many cars could pass DEQ's test. He noted, however, that the factory installed pollution control equipment was designed to pass the EPA twenty-three minute test cycle, a cycle which consisted of testing not only at idle but at varying modes of engine operation. Mr. Householder concluded that a car with pollution equipment removed, though it might pass the DEQ test, might be an extremely high polluter at various modes of acceleration or deceleration. He also concluded that to permit removal of factory installed equipment were to relinquish all of the progress that had been made by manufacturers in abating pollution. It was staff's proposal that an under-the-hood check be made during the DEQ test for obvious removal or blockage of pollution control equipment.

Dr. Crothers, having had some rather probing questions, wished to correct any impression that he was disappointed with the program. He stated it to be a good program, one which was deserving of the Commission's support without falling back on the legislative mandate as an "excuse" for its adoption.

Dr. Phinney stated that she thought Dr. Crothers was perhaps over-estimating the amount of public dissatisfaction that might result. She recalled that many similar efforts had been conducted in other areas of the country, and without any widespread or serious public outcry. At Mr. Cannon's request, Mr. Householder responded to a letter from General Motors Corporation recommending that the program be started up with the more relaxed interim standards used in the voluntary phase. The reason given by General Motors was fear that the service industry could not accommodate the reject volume, and that the result would be public resistance to the program.

Mr. Householder noted that the staff also was concerned with reject volume and its effect on the service industry, but suggested that, rather than revert to the interim standards, the Commission might elect to start the program up with a larger enforcement tolerance for the first year. The interim standards, he commented, contained imperfections whereby gross emitters among late model vehicles could pass the test. He added that reduction in the requirements for passage of the test would also result in reductions in the improvement of the air quality, the very reason for the inception of the program. In response to inquiry by Dr. Phinney, Mr. Householder stated that the staff preferred an approach of enforcement tolerance for the first year of the mandatory program, rather than an approach whereby a mere warning was given when pollution control devices had been subject to tampering or removal.

Mr. Householder explained that the federal requirements made upon manufacturers were only to reduce emissions to X number of grams per mile. They, in effect, had said, "Here is the emission limitation and the driving cycle. Meet these standards in any way you wish." The strategy used was said to have differed among differing manufacturers, resulting in some vehicles which, while able to pass the entire EPA driving cycle, produced high CO emissions at low idle. During the interim period Mr. Householder noted, it had been necessary to set this small group of vehicles aside from the rest, passing them if their emissions conformed with the manufacturers specifications at idle speed. The result, he said, was the concept of an "exempted list." This concept was problematic, in his view, both in its appearance of favoritism and in its application on the test site. Inspectors would not have to refer to a list very often, he reported, and would thus occasionally flunk a car for failure to consult the list. Moreover, these automobiles with a high manufacturer's recommended idle level CO emission, if permitted to operate without pollution abatement devices and to pass a more lenient idle level test, would be gross emitters at all modes of use. Rather than encountering these problems, Mr. Householder recommended the option of adopting an enforcement tolerance for the first year of operation.

Mr. Somers expressed concern that a major problem in gaining public acceptance of the program would be the waiting necessary for one to have one's vehicle tested. Mr. Householder responded that the voluntary program had developed an average test time of less than five minutes. He conceded, however, that at peak hours there might be waiting in line prior to the test. Mr. Householder and Mr. Somers agreed that, with 550,000 vehicles to be tested, 30% of these to be retested, and an eventual force of some eighty inspectors, the program was no small undertaking.

Mr. Robert Raser, a licensed professional engineer, addressed the Commission with his concern about the proposed program. He stressed that his stance was one of inquiry, not one of condemnation. Mr. Raser asked what the dollar figure was in terms of cost to the public per year for the mandatory program and received the reply that five thousand five hundred vehicles would have to be tested at a maximum fee of five dollars per vehicle upon passing the test. Mr. Householder added that the voluntary program had yielded statistics wherein more than half of the cars needing repair were corrected for ten dollars or less. The retest load was projected to be thirty percent.

Mr. Raser then asked what the expected improvement in air quality would be as a result of the program and received Mr. Patterson's answer that the Clean Air Implementation Plan projected a twenty percent improvement in ambient carbon monoxide content.

Noting that, in his view, there was no sound knowledge as to the cost or advantage of the proposed program, Mr. Raser cautioned that disastrous mistakes (such as the investment in catalytic purifiers) had been made on the federal level in the area of emission controls. Mr. Somers reminded him that there were gas mileage savings to be gleaned from the proper adjustment of the idle circuitry on an automobile carburetor, savings which would be a by-product of proper adjustment to pass the test. Mr. Raser noted that the federal test placed only 16% of its weight on the idle mode and that the California seven point mode test involved only 14% idle speed. He took this to be an indication that the federal government placed minimal value on measurement of idle emissions. Mr. Raser saw a conflict between this notion and the current proposal, one which he felt in the main, merely would require individuals to have the proper idle adjustment on their automobile. Mr. Somers stressed that adjustment of the idle screw was the cheapest, most efficient step in the control of vehicle emissions. Mr. Raser was apprehensive that most vehicle owners, despite the simplicity of this step, would take their automobile to a garage and have it done at an expense of ten dollars or more.

While he realized that it was infeasible to adopt a complex cycle such as the federal cycle, Mr. Raser questioned whether or not the Department should adopt at least a two mode test, one which involved testing the engine when the main carburetor circuitry was in use. Mr. Somers rejoined that repair of the main circuitry on a quadro-jet carburetor would entail a cost of at least a hundred and twenty five dollars, and asked Mr. Raser to consider the potential financial burden on vehicle owners from the need for such vehicle repairs. Mr. Raser acknowledged the potential financial impact but stressed that elimination of the most substantial carbon monoxide source would be the result of requiring main circuitry adjustment. Mr. Somers disagreed, recalling that expert testimony had indicated that, in downtown driving conditions, the average engine was at idle speed some 40% of the time. From this he concluded that idle speed was a significant factor in the overall CO emission problem. Mr. Raser reiterated his apprehension that the program, in terms of cost/benefit, might be too simple; lamented the program's failure to test for smoke emission at other than idle speeds; and urged the Commission to inform EPA and the Legislature if the mandated program was not sufficient. He agreed to submit to the Commission a written summary of his remarks.

Mr. Richard Deering was concerned that conflicting statistics, taken as a whole, did not support the conclusion that the automobile was contributing to pollution. He noted that he had read of an experience in the eastern part of the country wherein almost all of the people failed emission tests and were required to have their vehicles brought up to standard at a cost of thirty to fifty dollars apiece. It was ironic to Mr. Deering that the people were required to purchase pollution control equipment along with

the purchase of new automobiles only to turn around a year later and get expensive repairs because the devices had failed. Mr. Deering saw the discussion of pollution control as so much political rhetoric whose purpose was, through conspiracy, to gain political power and destroy America by stopping her transportation, tying up her bridges, closing her highways, and halting her train transport. Rather than requiring pollution control equipment, he thought the correct approach would be to legislatively require higher gas mileage from vehicles. He lamented the circumstance whereby he might be hauled into court on a misdemeanor charge and given a criminal record because of failure to care for his automobile. In support of his contention that this conspiracy existed, Mr. Deering alluded to the gas shortage of a year ago, a condition which he felt was contrived. He noted that in Europe, in his understanding, a saving of one-third was effectuated through the re-refining of used oil. This practice he felt was deterred by the United States Government through taxing devices. Dr. Crothers suggested that Mr. Deering might be exercising too much latitude in the subject matter of his address, reminding him that vehicle emissions were under discussion, not taxes or oil supplies. Mr. Deering concluded his remarks with a warning to the Commission that their freedoms as well as his were threatened by the conspiracy and an exhortation for abolition of the DEQ.

Mr. Somers, noting that no specific proposals for amendment of the Proposed Rules had been heard in addition to those already considered by staff, MOVED that the Proposed Rules be adopted as recommended by the Director. His motion was seconded by Mrs. Hallock and carried.

Mr. Somers assured Mr. Deering of his empathy with Mr. Deering's apprehension of encroaching government, but reminded him that this was a matter to be addressed to the Legislature, not the Commission.

RESOLUTION-ACQUISITION OF ALKALI LAKE SITE

Mr. Pat Wicks of the Department's Land Quality Division presented the Director's recommendation that the Commission adopt the Resolution for Acquisition of Alkali Lake Site and instruct the Department to dispose of the waste on the site and recover the costs of disposal from the principles of Chem-Waste.

Mrs. Hallock expressed the view that, given the Department's budgetary problems, the correct approach would be to instruct the Director to inform Senator Heard and the members of the Ways and Means Committee that the Commission was ready to move on this project but would await initiative from the Legislature.

Mr. Somers noted that to require legislative direction were to require enactment of a statute, an action which would place the Commission in a poor bargaining position. He and Mrs. Hallock agreed that legislative approval should be sought on a less formal basis. Mr. Somers stated his willingness to second a motion that Ways and Means Committee members be asked for approval on an informal basis.

Dr. Crothers questioned the necessity for such action, noting that the monies for condemnation were already an item in the proposed budget for the next biennium. He stated that, perhaps, the only Commission action appropriate would be a resolution that, given the monies, the Commission intended to acquire the site, by condemnation if necessary.

Mr. Somers stated that, with the possibility that the agency would be required to curtail its activities during the next biennium, the question of whether or not condemnation of the site should remain as a goal was a question linked to the priorities of curtailment discussed earlier. He conceded that it was a critical project and one for which a reasonable bid was now available, but contended it to be within the purview of monetary actions which should receive the blessing of the Legislature at this stage of budgetary difficulty. Mr. Cannon stated that the resolution itself was one of the required formal steps necessarily preceding any condemnation action. Mr. Wicks concurred that the resolution was only a formal legal step and stated that, if the Legislature failed to approve it as a budget item, the Department could return to the Commission and request that the resolution be rescinded. He conceded Dr. Crothers' point that it was not necessary for the Commission to adopt a resolution prior to budgetary approval of the project. Dr. Phinney inquired as to whether the Commission should proceed to adopt the resolution but, for the time being, refrain from directing the Department to implement it. Mr. Somers expressed the view that this could be done but would be less appropriate than a prior request for some indication from the Ways and Means Committee that, if adopted, the resolution would receive funding. Mrs. Hallock noted that, while the Commission was not required to seek legislative blessing, to do so would be a good step toward better relations with the Legislature. Mr. Cannon and Mr. McPhillips felt that one option was for the Commission to grant the authorization recommended by the Director and also instruct the Director to consult the Ways and Means Committee as to its feelings on the project. Mr. Somers found it more desirable to table the agenda item for the present with instructions to the Director to contact the Ways and Means Committee to ascertain their inclinations on this subject and he so MOVED. Mrs. Hallock seconded the motion and it was carried. Dr. Crothers' affirmative vote was conditioned by the remark that, in his view, the Ways and Means Committee was already possessed of all the pertinent information on this project and required no further information on the subject.

The meeting was here adjourned for lunch.

DEQ V. ZIDELL EXPLORATIONS INC.- CONTESTED CASE REVIEW

Mr. Somers stated that it was his understanding that this matter was settled. He noted that the proposed Findings of the hearings officer had indicated expenditures on the part of the respondent of between 250,000 and 500,000 dollars for cleaning up the oil spill. Based on this cleanup effort, Mr. Somers MOVED that the Director's 20,000 dollar assessment be mitigated to the sum of 10,000 dollars. He asked Mr. Kenneth Roberts, counsel for the respondent, if this would be satisfactory. Mr. Roberts recommended that the Commission take this action. The motion was seconded by Dr. Crothers and carried.

PROPOSED RULES ON OPEN BURNING

Mr. Somers, in light of the fact that the Legislature and the Governor's Office were currently considering comprehensive legislation in the area of open burning in general, MOVED that Section 23.040(5)(a-d) be adopted along with the appropriate definitions in the Proposed Rule and that the adopted Section replace Section 28.015 of the current rules. This it was thought, would allow burning of domestic waste in spring cleanup activities and, at the same time, avoid any confusion which might result from action on the entire proposal in a manner inconsistent with the way the Legislature might choose to move. Mrs. Hallock, noting that the Governor's Office was about to recommend a bill dealing with land clearing, field burning, slash burning, and other aspects of the problem seconded the motion. It was then carried.

RESOLUTION-ACQUISITION OF ALKALI LAKE SITE (CONTINUATION)

Mr. George Ward addressed the Commission on this subject. Mr. Somers explained to him that it had been a fiscal dilemma which prompted the Commission's action to delay this resolution earlier in the day. Mr. Ward understood. He told the Commission of West Con, Inc. from Twin Falls, Idaho. This Corporation was said to have acquired an abandoned Titan missile site near Twin Falls, Idaho which had subsequently been cleared by the Environmental Protection Agency and the Idaho authorities for the dumping of all but nuclear waste and nerve gases. Consequently, Mr. Ward reported, West Con, Inc. was ready to enter into a bonded contract for complete removal of wastes at the Alkali Lake site, contingent upon obtaining clearance from the Department of Transportation for the transportation of the waste materials. Mr. Ward noted that his investigation had revealed West Con to be an experienced firm which would be able to perform under the terms of any such contract. The firm, he added, had been involved and would continue to be involved in land use research, investigating the long term possibilities of returning chemical waste to the soil. The Titan missile site was offered as a potential long-term storage site which could accommodate the needs of Oregon, Washington, and Idaho. With regard to the Alkali Lake site, Mr. Ward reported West Con as in a position to contractually guarantee that the site would be left free of all traces of waste deposition with the exception of materials previously leached into the soil.

Mr. Somers asked Mr. Ward what could be done about the soil contaminated at the site. Mr. Ward reported that a soil agronomist, Mr. Tom Hinsley, had conducted studies which were in need of further elaboration, but which tentatively indicated that the introduction of sludge, combined with the existing bacteria in the soil, could neutralize to a great extent the damage which had been done. West Con was reported to be in favor of continued study of this possibility.

Mr. Somers asked if Mr. Ward could supply the Commission and the Department with names and banking connections in order that West Con's financial solidarity could be investigated. Mr. Ward agreed that this should be done, noting that his investigation had only been into the technical proficiency of the firm. Mr. Somers thought a financial investigation was particularly warranted in light of the history of the present problem at Alkali Lake site, a history which had involved financial breakdown of the previous site occupant. Mr. Somers expressed interest also in learning of the proposed charges for use of West Con's dumping facility in general.

There being no further business, the meeting was adjourned.

MINUTES OF THE SIXTY-SEVENTH MEETING

of EQC

March 28, 1975

APPENDIX A

Water Quality Control - Water Quality Division (21)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-7-75	Springfield	S. 42nd St. San. Sewer	Prov. Approval
2-13-75	Hermiston	San. Sewer Projects S-3, S-4, S-5, S-6	Prov. Approval
2-13-75	Hermiston	Underwood Add. San. Sewer	Prov. Approval
2-14-75	Winchester Bay	C.O. #2 STP Project	Approved
2-14-75	Winston	Winston Shopping Center Sewer	Prov. Approval
2-14-75	BCVSA	Patio Village Subdn. Sewer	Prov. Approval
2-14-75	USA (Beaverton)	Cresmoor Lift Station By-pass	Prov. Approval
2-18-75	Metolius	C.O. #2 STP Contract	Approved
2-18-75	Rufus	C.O. #1 & #2 STP Contract	Approved
2-18-75	Wood Village	C.O. #4 thru #17 Int. Contract	Approved
2-19-75	Mult. County	Iverness STP - Sludge, Rec. Fac.	Prov. Approval
2-19-75	Corvallis	Mason Place Sewer Lateral	Prov. Approval
2-19-75	NTCSA	Sch. 1 - 3 C.O.; Sch. 11 - 2 C.O.	Approved
2-20-75	Salem (Willow Lake)	Addendum #1 - Sludge Truck Contr.	Approved
2-20-75	Winchester Bay	C.O. #1 STP Contract & C.O. #1 - Sewer Contract	Approved
2-20-75	Grants Pass	C.O. Nos. 1 - 10 STP Contract	Approved
2-21-75	Mult. County	Iverness Int. Unit 6-A	Prov. Approval
2-21-75	Reedsport	Reedsport Real Estate Prop. Sewer	Prov. Approval
2-21-75	Harbor S.D.	Sewerage System	Prov. Approval
2-24-75	Bend	St. Charles Hosp. San. Sewer	Prov. Approval
2-25-75	Rogue River	Cedar Rogue Apts. - Sewage Hold. Facilities	Prov. Approval

Water Quality Control - Water Quality Division - Industrial Projects (2)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-13-75	Bend	Brooks Scanlon, Bend Log Handling Plan	Approved
2-25-75	Gardiner	International Paper, Glue Re-circulation Facilities	Approved

Water Quality Control - Northwest Region (13)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-13-75	Portland	Central County San. Serv. Dist. - Revised - Argay Sq. N.E. 122nd S. of Sandy Blvd. - San. Sewer	Approved
2-19-75	Dayton	Palmer Add. San. Sewer System	Approved
2-19-75	Aloha	USA - Mathis-Sq. San. Sewers	Approved
2-19-75	Aloha	USA - Dinehanian-San. Sewer Ext.	Approved
2-19-75	Lake Oswego	Lake Grove Pharmacy-San. Sewer	Approved

Water Quality Control - Northwest Region (cont.)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-25-75	Gresham	Bon Al Park-Phase 1 San. Sewer	Approved
2-26-75	Gresham	June Heights-S.E. 21 Place San. Sewer	Approved
2-27-75	Portland	Central Co. Serv. Dist. No. 3 (Iverness)-N.E. 121 Ave. Stanton St. and Knott St. - San. Sewer	Approved
2-27-75	Wilsonville	Block G & I San. Sewer	Approved
2-27-75	Somerset West(USA)	Rock Creek Country Club San. Serv. (Columbia STP) N.W. Thurman St.	Approved
2-27-75	Portland	west of Aspen Ave. San. Sewer	Approved
2-27-75	Gresham	S.E. 257 Drive San. Sewer ext.	Approved
2-7-75	Rainier	Rainier Sch. Dist. San. Sewer Ext.	Submitted to Port+ Metro Area Local Gov't Boundary Committee

Water Quality Control - Northwest Region - Industrial Projects(10)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-21-75	McMinnville	Linfield College Boiler Rm. Drain system	
2-6-75	Brooks	Stayton Canning Co. Wastewater Irrigation system	
2-19-75	Stayton	Stayton Canning Co. Wastewater Irrigation system	
2-10-75	Astoria	Astoria Fish Factors-Permit req./ sewer connect	Approved
2-19-75	Hammond	Point Adams Packing Co. Wastewater screening process	Approved
2-19-75	Warrenton	New England Fish Co. Wastewater screening system	Approved
2-20-75	Astoria	Bumble Bee Seafood Elmore Cannery Wastewater screening	Approved
2-24-75	Astoria	Bumble Bee Seafood Cold Storage Plant	Approved
2-27-75	Astoria	Ocean Foods of Astoria-Modification of waste screening process	Approved
2-27-75	Astoria	Astoria Seafood-Waste Screening facilities	Approved

Air Quality Control - Air Quality Division (9)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-7-75	Wallowa	Rogge Lumber Sales-Sawmill Const. plans	Approved
2-10-75	Huntington	Ore. Portland Cement-Prelim. plans for inst. of baghouse for finish grind dept.	Approved

Air Quality Control - Air Quality Division (cont.)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-10-75	Huntington	Ore. Portland Cement Prelim. plans for instal. of electrostatic precipitator for kiln #2	Approved
2-14-75	Baker	Baker Ready Mix-Plans for up-grading wew scrubber	Approved
2-18-75	Dillard	Ten Mile School boiler insta.	Approved
2-19-75	Roseburg	Umpqua Dairy Prod. Co. Boiler Ins.	Approved
2-27-75	Gardiner	International Paper Co. Alternative non-condensable gas incinerator	Prov. Approval
2-27-75	Gardiner	International Paper Co. Lime Kiln scrubber	Prov. Approval
2-28-75	Gardiner	International Paper Co. Baghouse	Approved

Air Quality Control - Northwest Region (6)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-1-75	Portland	Cargill, Inc. Control of barge unloading & ship loading facilities	Approved
2-13-75	Portland	Chevron Asphalt Co. Crude oil storage tank	Approved
2-13-75	Portland	Martin Marietta Control of alumina loading into railroad cars	Approved
2-14-75	Portland	Georgia Pacific-Linnton-wood chip handling facilities-Replacement of pneumatic system	Approved
2-19-75	Portland	McCall Oil Co. 270,000 bbl. #6 fuel	Approved
2-26-75	Portland	Rhodia Chipman Div. Expanding formulation Facilities	Approved

Land Quality - Solid Waste Management Division (3)

<u>Date</u>	<u>Location</u>	<u>Project</u>	<u>Action</u>
2-25-75	Clatskanie	Chris Nielsen	Permit Issued
2-27-75	Portland	Macadam Processing Cntr. Transfer Station	Permit Issued
2-75	Yamhill	Fort Hill Lumber	Permit Issued