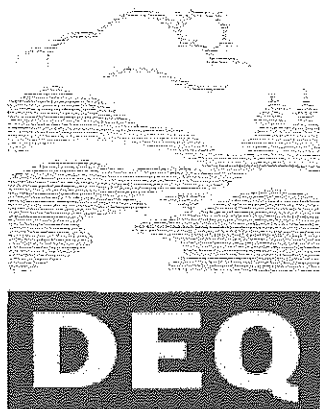


**4/30/1976**

**OREGON  
ENVIRONMENTAL QUALITY  
COMMISSION MEETING  
MATERIALS**



State of Oregon  
**Department of  
Environmental  
Quality**

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Peter

(Tentative)

AGENDA

Oregon Environmental Quality Commission

April 30, 1976

Main Branch

Albany City Library

1390 S. Waverly Drive

Albany, Oregon

- 9:00 a.m. A. Minutes of January 12, 1976 EQC Meeting.
- B. Applications for tax credit under ORS 468.155 et seq.
- C. Extensions of Variances
  - 1) Oregon Portland Cement Company, Lime, Oregon Plant.
  - 2) Beaver Lumber Co., Clatskanie, Oregon.
- D. Authorization for Public Hearing to consider proposed changes to Subsurface and Alternative Sewage Disposal Rules.
- 10:00 a.m. E. PUBLIC HEARING to consider amendments to Agricultural Field Burning Rules pertaining to establishment of acreage allocations for the 1976 field burning season and to establish procedures for tax credit.
- F. Proposed Rules Adoption Pertaining to:
  - 1) Management and Disposal of Environmentally Hazardous Wastes.
  - 2) Wastewater Discharge Permit Fee Schedule.
- 2:00 p.m. G. Review by Commission of Respondent's demurrer in DEQ vs. Faydrex.
- H. Consideration of Amendment of Subsurface Sewage Disposal Rules pertaining to Seepage Pits.
- I. Disposal of Environmentally Hazardous Wastes presently stored at Alkali Lake site, Lake County, Oregon.
- J. Report of Air Quality Permit Fee Task Force.

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Note: Because of the uncertain time spans involved, the Commission reserves the right to deal with any item, except items E and G, at any time in the meeting.

The Commission will breakfast (7:30 a.m.) and lunch (12:00 noon) at the Swept Wing Restaurant, 1212 S.E. Price Road, Albany.

MINUTES OF THE SEVENTY-SIXTH MEETING

OF THE

ENVIRONMENTAL QUALITY COMMISSION

April 30, 1976

At 9:00 a.m. on April 30, 1976, the seventy-sixth Commission meeting convened in the Main Branch of the Albany Public Library at 1390 S. Waverly Drive in Albany, Oregon.

All five Commissioners were present: Mr. Joe Richards, Chairman; Dr. Morris Crothers, Vice Chairman; Dr. Grace Phinney; (Mrs.) Jacklyn Hallock; and Mr. Ronald Somers.

Representing the Department were Mr. Loren (Bud) Kramer, Director; Mr. E.J. Weathersbee, Coordinator of Technical Programs; and several other staff members. Present from the Office of the Attorney General was Mr. Robert Haskins, of Counsel to the agency.

AGENDA ITEMS A, B, C, D, F(2), AND K

After a call for public testimony on agenda items K, and F(2) was ignored, a MOTION by Commissioner Somers, seconded by Commissioner Hallock, was unanimously carried that the Commission adopt the Director's recommendation and the Minutes with regard to agenda items A, B, C, D, F(2), and K. These items were titled as follows:

- A. Minutes of January 12, 1976 EQC Meeting.
- B. Monthly Activity Reports for January, February, March.
- C. Applications for tax credit under ORS 468.155 et seq.
- D. Authorization for Public Hearing to consider proposed changes to Subsurface and Alternative Sewage Disposal Rules.
- F(2) Proposed Rules Adoption Pertaining to Wastewater Discharge Permit Fee Schedule.
- K. Extensions of Variances:
  - 1) Oregon Portland Cement Company, Lime, Oregon Plant.
  - 2) Beaver Lumber Co., Clatskanie, Oregon.

ADOPTION OF TEMPORARY RULE: REVISION OF FEE SCHEDULES FOR SUBSURFACE SEWAGE DISPOSAL PERMIT ACTIVITIES IN JACKSON COUNTY

This agenda item was late in reaching the public and the Commission. Mr. T.J. Osborne of the Department's Land Quality Control Division reported to the Commission that the Director would recommend that the Commission (1) enter a

finding that failure of the Commission to act promptly would result in prejudice to the interests of the public and Jackson County for the specific reasons stated in the staff report (addressed to the fiscal problems of Jackson County and its conduct of required activity as an agent of the Department in performing regulatory duties relating to subsurface sewage disposal systems), and (2) adopt as a temporary rule a proposed rule which would authorize Jackson County to charge the statutory maximum fee schedule for the above-mentioned regulatory activity, such rule to be effective upon filing with the Secretary of State and such adoption to be followed by a public hearing on the propriety of a permanent rule.

It was suggested that the proposed public hearing could be consolidated with public hearings in the matter of other amendments proposed for the subsurface sewage disposal regulatory area.

Commissioner Somers expressed his view that the request for such a rule should be included in the record of subsequent hearing procedure and inquired if Mr. Osborne had received additional communication from Jackson County officials. The reply was that Jackson County had indicated, after some six weeks of hearings on budgetary matters, that severe stress might result in the County's abrogation of the subsurface sewage regulatory program in an attempt to save funds. The result would require the Department to assume additional duties in that County.

An ignored invitation for public testimony was followed by a call for the Commissioners' votes on Commissioner Somers' MOTION, as seconded by Commissioner Phinney, that the Director's recommendation (to enter the suggested findings, adopt the temporary rule, and authorize public hearings) be adopted with the written request from Jackson County and the report of Mr. Osborne to be entered in the record of such hearing. The Commissioners unanimously approved the motion.

#### DISPOSAL OF PESTICIDE WASTES STORED AT ALKALI LAKE IN LAKE COUNTY, OREGON

Taking the agenda item out of order without dissent, the Commission moved to consideration of the storage of pesticide wastes at Alkali Lake in Lake County.

Mr. Pat Wicks of the Department's Land Quality Control Division presented the staff report (as previously delivered to each Commissioner).

The Director's recommendations were that the Department be authorized (1) to dispose of the subject wastes by burial onsite, (2) to execute all necessary agreements with the owners of the site, (3) to solicit bids from contractors, (4) to select a successful bidder, (5) to request Emergency Board funding from said bidder, and (6) to award such contract as might be approved by the Emergency Board toward implementation of the disposal project.

The recommendations were amended (through Mr. Wicks) by the Director to include the provision that the Department be authorized to entertain bids for alternatives to on-site burial. The latter amendment was based on recent information that a potential bidder could remove the waste to Idaho (to be disposed of in an approved site) for a cost equal to or below the legislative limitation on funding for the project. Pursuant to inquiry by Commissioner



Somers, Mr. Wicks reported that the contemplated removal would include removal of shallow earth (in his opinion the only earth possibly contaminated) along with the wastes. Some five thousand tons in 55 gallon drums were estimated by Mr. Wicks to be the object of the disposal effort.

It was explained to Commissioner Somers that the area consisted not of diatomaceous earth, but primarily of salt deposits, coupled with minor amounts of sand and silt. The ground water in the area was said to be surfacing, resulting in its evaporation and deposition of salt. Wind erosion was said to be a minor problem.

Fifty to one hundred years was Mr. Wicks' estimate for the time span in which the by-product of 2-4-D manufacture deposited on the site could be expected to degrade in the sun.

On April 18, the Lake County Commissioners had written a letter expressing apprehension regarding water contamination as the possible result of burying the wastes. Commissioner Richards asked Mr. Wicks for his response and received the opinion that the site characteristics, while allowing of contamination of shallow water, would not permit wastes to contaminate the deeper ground water used for water supply.

Commissioner Hallock inquired if a more specific proposal should be sought, along with information as to the costs of such alternatives as soil incorporation, removal to the newly-licensed Chem-Nuclear Disposal Site, or alternatives being explored at Oregon State University.

Commissioner Somers added to the question, inquiring if deposition on diatomaceous earth would be an alternative.

Commissioner Hallock, informed that the last estimated cost of soil incorporation (said to be a better method than burial) was 90 thousand dollars in excess of the legislative funding, asked if Senator Heard (a member of the Legislative Emergency Board) should be informed and asked for the additional money.

The reply of Mr. Wicks was that the Legislature, in setting the present funding, did so with full knowledge of the cost of soil incorporation. He said a request of the Emergency Board would not be possible until such time as a specific proposal was ready. Mr. Kramer added that the recommended Commission action was intended to invite proposals for all cost-conscious alternatives so that the Commission could then select a proposal and approach the Emergency Board before inviting bids.

Commissioner Phinney sought Mr. Wicks' position on the suggestion of Dr. Witt of Oregon State University with regard to the possibility of burial on higher ground with a liner and organic materials introduced. She queried whether such a strategy would be inexpensive and providing of degradation earlier than a deep burial which, though protective, would provide anaerobic conditions inimical to degradation.

Mr. Wicks stated himself unsure that Dr. Witt's theory would significantly shorten the time span for degradation, and unfamiliar with any specific proposals Dr. Witt may have made. He conceded that very little degradation would take place with burial on the lake bed, whether the burial was in an aerobic soil horizon or not. He noted that the recommendation before the Commission would invite proposals for "modified soil incorporation," such as that envisioned by Dr. Witt, provided they were within the 310 thousand dollar budgetary limitation.

Commissioner Crothers, recalling that the problem had been plaguing the Commission for several years, expressed his desire that the problem should be turned over to the Department to work out any acceptable solution without further delay.

Commissioner Hallock agreed that the problem's longevity was cause for frustration, but wanted to be assured that the Legislature could be made aware that resolution of the problem by perpetuation of the hazard, in a buried state, would come at a cost relatively close to the cost of a more desirable alternative.

Mr. Kramer interjected his concern that, whatever the Commission's direction to the Department might be, the presence of monetary estimates long consumed by inflation, the history of legislative and Commission deliberation, and the unchanged scene at Alkali Lake all argued for a Commission decision authorizing meaningful departmental action.

Commissioner Hallock responded that she would approve action which, in the staff report, better informed of the departmental alternatives contemplated.

It was Commissioner Somers' view that it might be worth the try to authorize the Director to receive bids to dispose of wastes at Alkali Lake, within the sum of 310 thousand dollars and subject to Commission approval, and to review the result of such action. He added that he was unable to understand why the simple burial of the wastes would cost the 310 thousand dollars.

It was Commissioner Phinney's opinion that, given the aforementioned alternatives to simple burial, the Commission should agree that a look at them, within the existing monetary restrictions, would be well.

Commissioner Richards suggested that the Commission might take action which would allow the Department to approach the Emergency Board with its options and discover the Board's willingness (or lack thereof) to increase funding for more desirable courses of action. If such willingness were absent, Commissioner Richards would desire to proceed with such options as might be available within existing funding, simple burial being the least desirable of the same.

Commissioner Crothers adopted this suggestion as his motion.

Mr. Kramer cautioned that such an action, while appreciated in its motive, would result in a twofold approach to the Emergency Board: once to receive approval in sense, and again to gain authorization on a specific contract. Commissioner Somers noted that, for the reasons set forth by the

Director, he would prefer an action providing for Commission approval prior to the approaching of the Emergency Board with a specific proposal.

Commissioner Phinney doubted the realism of expecting bids on an open-ended request to be rid of the wastes at the site.

The Director noted that the newly created Public Bid Committee has authority for the seeking of proposals, rather than bids. This leeway was contended as allowing of proposals designed to achieve any one of the class of acceptable results, ranging the scale of preference. Such an invitation, he added, could include invitation of alternatives which might exceed the moneys available without an increased limitation.

Commissioner Crothers amended his motion to entail an action by the Department as set forth by the Director above, such action to result in return to the Commission for specific approval before approaching the Emergency Board. The motion was seconded by Commissioner Hallock and approved with the support of all Commissioners present. Commissioners Crothers and Hallock noted that correspondence or telephone conference call could be the mode of final Commission approval.

RULE ADOPTION: RULES PERTAINING TO THE MANAGEMENT OF ENVIRONMENTALLY HAZARDOUS WASTES

Mr. Pat Wicks of the Department's Land Quality Control Division presented the staff report and Director's recommendation that the Commission adopt Proposed OAR Chapter 340, sections 63-005 through 63-040 as permanent rules to become effective upon filing with the Secretary of State.

Commissioner Hallock wished some explanation of a provision which would permit unlimited storage of Environmentally Hazardous Wastes (EHW) in an EHW Collection Site.

Commissioner Somers was concerned that the adoption of the rules would, in effect, provide for a statewide monopoly on the collection and storage of EHW due to the presence of only one licensed Hazardous Waste Disposal Site in Oregon, that of Chem-Nuclear. Mr. Wicks, candidly stating his intention to leave the agency and go to work for the licensee in the near future, opined that the adoption of the present rules would make little difference to the operation of Chem-Nuclear's Site and noted that the firm has competition from Idaho and Washington. Mr. Wicks agreed with Commissioner Somers that the Commission does not regulate the rates charged by Chem-Nuclear.

Commissioner Richards conjectured that any leverage granted Chem-Nuclear was granted at the time the Commission granted its license.

Commissioner Somers was hesitant to approve regulations which would tend to put industry at the mercy of a single site licensee. He hoped to be convinced that there would be some degree of economic competition in the field of EHW disposal.

Commissioner Phinney was assured by Mr. Wicks that the provision in the proposed rules for EHW facilities for temporary storage was meant to accommodate producers during the interim between use and permanent disposal and would not result in another situation like that at Alkali Lake.

Commissioner Crothers, stating himself to have learned only recently that Mr. Wicks intended to leave the agency for employ with Chem-Nuclear, wanted it to be known that his three years as a Commissioner had indicated to him that Mr. Wicks had been a fine public servant whose employ with Chem-Nuclear would involve no conflict of interest and should inspire confidence that Chem-Nuclear will do a good job of managing its licensed EHW disposal site. He added that it should be understood that no Commission rules with regard to EHW purported to grant a monopoly to any one interest. Conceding the circumstance of there being only one licensee, Commissioner Crothers pointed out that the rules would allow for others to obtain licenses and compete. He added that the rules under present Commission consideration had been on the drawing board long before Mr. Wicks' decision to join Chem-Nuclear.

The time having approached for the taking of testimony on proposed rules for agricultural open burning (field burning), the Commission tabled further consideration of the EHW rules until later in the meeting.

PUBLIC HEARING AND RULE ADOPTION: PROPOSED AMENDMENTS TO AGRICULTURAL OPEN BURNING (FIELD BURNING) RULES PERTAINING TO ACREAGE ALLOCATION FOR THE 1976 BURNING SEASON

Commissioner Somers, pointing to the lengthy materials set forth in the staff report to the Commission, MOVED that, absent testimony to the contrary, the Commission rely on the evidence in the staff report to enter findings that the methods of straw utilization and removal and the ability of field sanitizing machines, even after reasonable effort to develop these alternatives to open burning had been made and their results reasonably used, were insufficient to reduce the acreage to be open burned. The motion included an additional finding that the Commission had consulted Oregon State University, the Field Sanitation Committee and all others required by statute. Finally, the motion provided that, absent testimony contrary to such findings, the Commission adopt such provisions of the proposed rules as would provide for the burning of the statutorily set maximum of 195 thousand acres during the 1976 season. The motion, seconded by Commissioner Hallock was carried with the unanimous support of the Commissioners.

Commissioner Richards explained to those in attendance that the carried motion would mean that, absent testimony against such an action, the Commission would now proceed to enter all findings statutorily required (as set forth more specifically in the staff report) and move to permit burning of the statutory maximum acreage. He called for any testimony against such action and received none.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and unanimously carried that the first three parts of the Director's recommendation be adopted. These consisted of the Commission's finding that proper consultation had taken place, that the three statutory criterion for maximum allocation had been met, and the Commission's decision to allocate maximum acreage in a manner to be decided after further hearing on the proposals.

It was agreed by unanimous consent that the staff report, with all attachments, be considered part of the hearing record.

Mr. Scott Freeburn, head of the Department's Field Burning Program, presented the Commission with an addendum to the staff report in which some changes were proposed. The addendum addressed certain resolutions submitted to the Commission by the Oregon Field Sanitation Committee.

They were as follows:

1. Consideration be given for incentives to those growers participating with the Oregon Field Sanitation Committee to use the Committee's field sanitizer.
2. Consideration be given for incentives to those growers who use sanitizers other than those of the Oregon Field Sanitation Committee.
3. Consideration be given to acreage that cannot be burned by field sanitizers due to excessively steep terrain.
4. Consideration be given to acreage that was not burned in 1975.
5. Consideration be given to the first 100 acres registered by each grower.
6. After consideration has been given to categories 1 - 5, that a percentage reduction take place.

It was concluded that the first two of these resolutions would pose severe administrative difficulties.

Resolution three was said to be capable of implementation only on a time frame which would exclude the 1976 burning season. If this resolution were adopted by the Commission, it was recommended that it be adopted with instructions to staff to proceed as rapidly as possible to effectuate the resolution "when possible."

The fourth resolution was said to be presently capable of implementation only by looking to growers, not by isolating acreages.

The fifth resolution was said to present little difficulty for 1976. It was cautioned that the resolution might invite abuse of the registration process in 1977.

Regarding the sixth resolution, Mr. Freeburn stated that before a percentage reduction, acreage for implementation of any or all of the first five resolutions would have to be reserved in a fashion compatible with existing computer capabilities.

Speaking for the Governor's Office, Mrs. Janet McLennan addressed the Commission, setting forth appreciation that the Commission proposed to give full effect to the tax credit provisions relating to open field burning alternatives which resulted in pollution control.

Mrs. McLennan outlined the history of open field burning, noting that original permits, issued by the Fire Districts, were intended only to prevent wild fire. This intention evolved, she reported, into a scheme of smoke management and, finally, a scheme that would end all open field burning. This last scheme, she reported, had been revised by the 1975 Legislature resulting in a statute intended to reduce acreage burned to a yearly maximum, with permission to burn becoming a right vested in the individual grower upon the accomplishment of certain conditions. Emphasis was given to the discovery of alternatives to open field burning. She felt that this emphasis might not be clearly understood at the administrative level.

With respect to those incentives in the resolution of the Field Sanitation Committee addressing "bonus acreage" for those cooperating to find alternatives, Mrs. McLennan stated that, if the incentive would pose difficulty of implementation this year, it might be advisable to provide for the burning of bonus acres next year.

She noted that such a bonus would be all the more meaningful next year, when placed against the statutory maximum allocation of 95,000 acres.

She reported that a subject of ubiquitous legislative debate had been whether there were some acres which, due to shallow soils, excessive slope, and above average rainfall, could never be satisfactorily burned with a machine. This acreage was understood to reside primarily in the Silverton Hills and to have been the subject of size estimates ranging from 17 to 50 thousand acres. Mrs. McLennan was unable to say what acreage was involved other than to disagree with Mr. Freeburn's conjecture that 50 thousand were involved and to report that a grower, local to the area, had conjectured that 30 thousand might be involved. Mrs. McLennan felt there to be a clear legislative intent that these acres be burned in perpetuity. This intent, she argued, obliged the Commission to find a way to provide for its fulfillment. Mrs. McLennan stated that sufficient time had elapsed since passage of the legislation for the Commission to adopt meaningful rules regarding this acreage. She suggested that affidavits by the owners or growers, staff information, or information from the Director of the Department of Agriculture could be the source of acreage identification.

Recalling that some 163 permittees did not get to burn their permitted acreage last year and that much of this acreage was in small parcels, Mrs. McLennan suggested there be measures to avoid the repetition of this dilemma, including the Committee's suggestion that the first 100 acres registered by each grower be given permits to burn. Of consideration was the Committee's desire to prevent the loss of profitable, tillable land due to two successive years without sanitation. She emphasized that the right to burn the first 100 acres registered would vest in the growers and that only 792 growers presently had land registered. She disagreed with the staff's conjecture that this suggestion might prove to be an administrative nightmare.

She argued that a percentage reduction in the small acreages (only some 15,000 by estimate) would work undue hardship on acreages of such size and cause undue administrative burden as well.

Mrs. McLennan noted it had been suggested by Mr. Miles and Mr. Robertson (persons familiar with the problem) that permission to burn the first 100 acres registered ought, as a matter of equity, to be accorded to all growers, if accorded to those owning 100 acres or less. This suggestion had found agreement, she reported, among the majority of the Field Sanitation Committee.

State Senator John Powell, District #19, addressed the Commission. He stated he did not fully understand the stance of the Oregon Field Sanitation Committee and the Governor's Office in the matter, but set this question aside as a moot issue. It was the Senator's contention that the real issue, for both this year and next, would be equity in the Commission's treatment of the growers.

Contending a maximum of ten machines would be available for the coming season and would be only in Lane County and priority areas of other counties as a matter of law, Senator Powell questioned whether such a severe limitation on the number of machines and their location could ever accompany an equitable program to give bonus acreage to those involved with the machines. He noted such bonus acreage would have to be drawn from the allocation which would otherwise be available to all growers. He pointed out that those having access to the machines had already enjoyed an advantage and should not enjoy the suggested bonus. He said, in addition, that the sacrifices of many growers in experimenting with straw removal, plowing under acres, crop rotation, etc., would go not only unnoticed but punished by providing acreage incentives for machine experimentation.

Senator Powell said he had proposed amendments to the current statute which would have addressed the matter of acreage unworkable by machines due to steep terrain or other reasons. He noted that the Legislature had ignored this problem and, in so doing, made a decision which should not be altered by the Commission.

Turning to the proposal that each grower be permitted to burn his first 100 acres registered, Senator Powell argued that the reason for not burning small acreages up to permitted capacity in 1975 had, in a large measure, been owing to managerial ineptitude and lack of business incentives on the part of the small grower. He felt this condition would remain unchanged in the coming season and was not sufficient cause to penalize the larger growers for their superior management of their business interests. He found administrative convenience an equally insufficient reason for such a penalty. He reminded the Commission that the small growers usually did not rely solely on the production of grass seed for their livelihood and should not be benefitted at the expense of those who do.

Senator Powell questioned whether any administrative convenience would result, arguing that it were no less an administrative chore to single out 62.5% of 550 acres than from a parcel containing less than 100 acres. He contended that the configurations of the fields involved would not, in general, render large acreages easier to monitor.

It was Senator Powell's position that the resolutions and proposed rules would not tend to further the interests of smoke management or air quality. He noted that a previous staff report had declared present rules, with the exception of the need for refined record keeping requirements of the fire districts, to be adequate for the 1976 season as well as that of 1975.

It was contended that the adoption of current proposals would result in a loss of cooperation from fire districts.

It was the Senator's contention that the rules would comprise a management decision made by the Commission on behalf of the growers, a decision, he stated, never intended by the Legislature to be made by the Commission.

Recalling his prediction that the passage of SB 311 would mean the demise of the marginal grower, the Senator reaffirmed that prediction and called for the Commission to recognize that not only the small grower would be finished, but also large growers operating on a marginal recovery for any number of reasons. Such large growers he urged, should not be penalized simply to afford solicitude to the grower in a marginal stance who happens to be so because he has a small acreage. As a corollary to this line of thought, the Senator dismissed as myth the notion that a reduction in growers registering acreage could be explained wholly from sources other than bankruptcy or abandonment.

Senator Powell estimated that, for many growers, the Commission's decision on the present proposals would make a turning point in the course of grower cooperation with the field burning program.

He urged a percentage reduction affecting all growers equally.

Finally, the Senator expressed dissatisfaction that a failure of communication from the Governor's Office and the Department had resulted in his being allowed no input into the proposals before the Commission.

In response to inquiry from Commissioner Somers, Senator Powell contended that charts contained in the staff report could not be used to support the proposition that 1975 registrants of 100 acres or less had, in fact, burned a higher percentage of their acreage in 1975 than registrants in other categories of size.

Mentioning the Governor's Office's estimation that only 15,000 of the acres currently registered were on parcels of 100 acres or less, the Senator contended that 15,000 acres would constitute a significant reduction to large growers faced with severe acreage limitations in the first place.

Commissioner Somers asked Senator Powell if failure to afford solicitude to the small grower would result in his being cheated by some large growers who may have registered a good deal more acreage than was actually planted to burnable crops. He asked also if the imposition of permit cancellation for those found violative in this respect would not result in the freeing of considerable acreage for allocation next year to those who have conscientiously complied with the law. It was the Senator's response that such a proposal would require a thorough review and might be difficult of enforcement.



Commissioner Crothers, assuring Senator Powell that he too was against Commission involvement in management decisions, asked if the Senator would find the only alternative to be an across the board percentage reduction. He asked what was to be made of the legislative authorization of the Commission to make "reasonable classifications" in allocating acreage.

It was the Senator's reply that hardships, such as those that might result from a two year failure to sanitize acreage or from acreage on terrain too steep for field burning machines, could be addressed, under current law, by the Governor's Office. He said such acreage could gain an allocation to burn which would not be deducted from the 195 thousand acre maximum for the industry in general. In the meantime, he stated, if the Commission were prepared to make classifications based on soils types (where, for example, a certain type of soil were determined to present feasible crop alternatives) such classifications would be appropriate to an extent greater than the current proposals. He added his conviction that the growers were well aware of acres unburned last year and were best qualified, with an across the board reduction, to decide which acres should be included in the current allocation.

Commissioner Richards inquired if straight percentage reduction, to include the 15 thousand acres registered by those registering no more than 100 acres, could be enforced effectively by means other than a spot check of part of the acreage; such check to be followed with civil penalties where violations are found. The Senator conceded this area would pose an enforcement problem, but argued that such problem did not successfully weigh for any alternatives which would jeopardize the entire smoke management program. He added that small growers aggrieved by a limited allocation might well apply to the Governor's Office for a hardship allocation.

Representing Senator Dick Groener, District # 14, was Mr. Carlos Rivera. Mr. Rivera apologized because, due to a conflict of scheduling, the Senator was unable to appear. On behalf of the Senator, Mr. Rivera urged a balance between economy and environment. He stated Senator Groener to be in support of Senator Powell's position. It was noted that cooperation from all sectors was needed to get the economy moving again. It was argued that the primary goals should be to create new jobs, strengthen the economy, promote cooperation between agriculture and government, and promote growth.

Mr. Rivera told Commissioner Somers that, while the Senator was without specifics other than as had been urged by Senator Powell, Senator Groener would favor postponement of as much action as possible until further review, either by the next legislative session of an interim committee.

Mr. Bill L. Rose addressed the Commission as Chairman of the Field Sanitation Committee. He expressed his wish not to repeat what had gone before. He noted with regard to the Commission's concurrence that the statutorily authorized 195,000 acres be burned that historically the number of acres burned had been exceeded by the number permitted. He estimated that the Commission would have to grant permits totalling 210 thousand acres to insure that 195,000 would be burned.

He reported that the budget of the Field Sanitation Committee was contingent upon acreage burned, noting that burning of less than the planned acreage would result in a reduced budget and reduced ability to address the problem of field burning.

He told Commissioner Richards that issuance of more permits than those issued for 234 thousand acres in 1975 probably would have resulted in burning in excess of the acres actually burned.

Commissioner Somers conjectured that such a course as was suggested by Mr. Rose would have to be preceded by a Commission finding that the acreage burned would not be as much as acreage permitted. Commissioner Somers wondered if the Commission might be liable for any excess acreage burned under such a scheme. Mr. Rose pointed out that both history and logic would predict some attrition between permitted and burned acres. He added that a slight overburn would not be as detrimental as an underburn. He stressed this to be particularly true in view of the small correlation between acres burned and complaints, as well as the correlation between acres burned and the Eugene air quality.

It was the feeling of Commissioner Somers that any such scheme should be accompanied by expert testimony that the number of permitted acres could be expected to exceed, by a given percentage, the number of acres burned.

It was the apprehension of the Director that to issue permits exceeding allowable acreage would require that a number of those holding permits at year's end be forbidden to burn. Among these, he feared, would be an inordinate number of those growing late-harvesting crops.

Mr. Rose urged that the best statistics be used to predict as accurately as possible the number of permitted acres that would not be burned for reasons other than administrative constraint and, upon the issuance of permits based on that number, the Department, he contended, should then honor all permits.

The Director was dissatisfied with Mr. Rose's suggestion in that it embraced the possibility that more than 195 thousand acres might be burned, in violation of the statute.

Speaking as a seed grower (not from his position as Chairman of the Oregon Field Sanitation Committee), Mr. Rose stated himself to be in support of the position of Senator Powell.

Mr. Rose pointed out that, to his understanding, the implementation of the first two resolutions of the Field Sanitation Committee would result in depletion of monies which would otherwise go toward smoke management. He noted also that smoke conditions in Eugene during 1975 had been quite mild, as measured at the airport.

Mr. Rose concurred with Senator Powell that to give preferential treatment to growers who did not burn registered acreage last year were to subsidize poor management. He added that such would also give unfair advantage to the farmer who has a large diversity of operation which might include only a few acres of seed crop.

Mr. Rose turned his attention to the "big burn" concept. The theory, he reported, was that the simultaneous ignition (under proper weather conditions) of many, many acres would result in such heat concentrations as would send the smoke to an altitude of ten or twelve thousand feet, rendering it harmless. Mr. Rose urged that a program be worked out to allow such an experiment. He felt the Governor's office might be the only source of the help needed. He felt that the acreage would have to come from without the 195 thousand acre quota because all included fields, whether ready or not, would have to be burned at once.

In response to inquiry by Commissioner Crothers, Mr. Rose stated himself in favor of an equal percentage reduction in the acreage to be burned by all registrants.

Commissioner Somers conjectured that a program which would allow a "big burn" on the larger acreages might result in full sanitation of all desired fields.

Mr. Rose pointed out that, even where single growers possess large acreages, the acreages are rarely in single blocks that would lend themselves readily to a "big burn."

It was the Director's contention that experimentation with a "big burn" might not prove helpful within the framework of the present law which would require a reduction in open burning to no more than 50 thousand acres over a period of four years. The Director did not find facilitation of a "big burn" to be consonant with the charge given the Commission by current legislation.

Mr. Rose contended that the "big burn" should be looked upon as a possible alternative to open burning which, if successful, might prove of interest to the Legislature.

Noting the materials submitted to the Commission regarding extra acreage allocation based on inability to burn fields last year, Commissioner Phinney pointed out that the phrases "not permitted to be burned," "could not be burned," and "was not burned" were interchanged. She asked Mr. Rose if distinction should be made. It was the latter's conviction that, after the initial management decision as to which acres should be burned was made, all was the same. For one reason or another, the grower could not get a permit when the field could be burned.

Mr. Les Anderson, member of the Field Sanitation Committee and Mayor of Eugene, argued in favor of the resolutions passed by the Committee. He felt it appropriate to provide incentives which might benefit some over others as a short term means of achieving an overall solution to the field burning problem. He rejected difficulty of enforcement as a valid reason to forego steps to enhance the program.

Development of a workable field burning machine, to Mr. Anderson's point of view, was the most promising of alternatives to open field

burning (his Committee's first goal). This would, Mr. Anderson argued, require grower cooperation, engineering, funding, and other efforts. Therefore, Mr. Anderson contended, it would be appropriate to recognize growers who share in the effort needed to develop a workable machine.

Noting that only 5,000 acres would be affected by the "first 100 acre" proposal, the Mayor argued the proposal to be worthwhile in terms of enforcement. Further, the Mayor cautioned the Commission against characterizing the small grower as a hobby farmer. It was his contention that the Commission should look at all growers from an overall standpoint.

With regard to the suggested "big burn" experiment, the Mayor felt the Commission might include in its allocation 100% of any acreage used in such an experiment.

Finally, Mr. Anderson contended that the resolutions of the Field Sanitation Committee fell well within the "reasonable classification" powers granted the Commission by statute.

Mr. Paul Pugh of the Oregon Field Sanitation Committee, a full time seed grower, deferred to the expertise of those on the Committee who follow disciplines other than agriculture. He cautioned, however, that the resolutions before the Commission were not endorsed by the two members of the Committee who are involved in agriculture. Mr. Pugh reported himself as against the resolutions and in favor of a straight percentage cut. Any implementation of the resolutions, he stated, should come in addition to the statutory allocation and should be granted under the Governor's hardship powers. Regarding the provisions suggested for steep terrain, Mr. Pugh stated that there were many acres facing difficulty other than steep terrain which should be given equal consideration. He rejected the notion that deference should be given for acres not burned in 1975. Mr. Pugh reiterated Mr. Rose's contention that registration of 100 acres or less might often involve a large farm with a small seed crop. He favored the "big burn" concept for the reason that an experiment should take place for the benefit of the Legislature. Finally, Mr. Pugh charged that the Commission should see that 195 thousand acres are burned and that permits in excess of the 195 thousand, if necessary to reach this goal, should be granted.

In response to inquiry from the Director, Mr. Pugh stated that he could not predict whether retention of the present statute and its 1978 limitation of 50 thousand acres would result in his recommending for that year a straight percentage cut of acres registered. He added that he had talked to many growers this year on the phone and that almost all favored a straight cut.

Addressing himself to the "first 100 acre" proposal again, Mr. Pugh added that it is right to assume that the registrant of a small acreage has a source of income other than seed growing. He stated that 500 acres of low yield soil planted to seed might be a smaller economic operation than 100 acres in a better area.

Mr. Kramer conjectured that, in the future, with steadily decreasing maximum allocations, attention would have to be given to certain classifications, such as soils which would not bear any crop other than seed crops.

Mr. Jim Carnes, representing International Seeds, Inc. of Halsey, presented the Commission with statistics indicative of the competitive footing of the Oregon seed industry. Mr. Carnes supported the remarks of Senator Powell, Senator Groener, Mr. Rose, and Mr. Pugh. The remarks of Mr. Carnes tended to demonstrate that the local industry, pitted against foreign suppliers (who were in some instances subsidized by their governments), could ill afford the economic restraints imposed by the attempt to phase out field burning. He concluded that a straight percentage reduction was called for.

Mr. Carnes opted for a straight percentage cut even though conceding that, as was suggested by Commissioner Somers, it might be possible to make classifications based upon the seed crops whose competitive viability appears most likely.

Mr. Carnes stressed that the grass seed industry is an important part of the State's economy.

He was unable to concur with Commissioner Richards' suggestion that industry confidence was high, a suggestion prompted by the increase in the number of growers registering 6,000 acres or more since 1975.

Commissioner Richards noted a resolution of the Albany Area Chamber of Commerce calling for new legislation which would permit the use of known sanitation methods until such time as better ones are developed. Acknowledged also was a writing from the Oregon League of Women Voters endorsing the resolutions of the Field Sanitation Committee.

Mr. Allen Hick of the Oregon Seed Council (also a representative of Northrup King Company) addressed the Commission, augmenting written comments he had passed out. He supported the straight percentage allocation suggested by Senator Powell. Mr. Hick assured Commissioner Somers that statistics indicating the historical difference between acres registered and acres burned were available from the Oregon Seed Council.

Addressing himself to Mr. Kramer's questions regarding the industry's plans for the eventuality of the 1978 allocation of only 50 thousand acres, Mr. Hick explained the lack of planning to be based on the conviction that, should the legislative maximum go unchanged, the industry will have been dealt a mortal blow. He noted that the Legislature had passed SB 311 on the premise that a viable field burning machine would emerge. This premise, Mr. Hick stated, had proven false. Noting that the Legislature intended not to kill the grass seed industry, Mr. Hick urged the Commission to conduct itself in a manner consonant with that intent.

Mr. Hick noted that the current plight of the seed industry had forced him to recommend that Northrup King and Company not proceed with a half million dollar plant expansion in Tangent, Oregon. Mr. Hick cited this as an example of the economic impact of damaging the seed industry in Linn County, a county said to have a high unemployment rate among counties in a state plagued with high unemployment.

Mr. Hick charged that the present administration was taking undue steps to destroy an industry which caused only 12% of the smoke problem in Eugene last year. It was his contention that such steps were contradictory to the administration's espoused goal of encouraging new industry.

Mr. Hick found it inappropriate that an appointed majority of the Field Sanitation Committee was using monies contributed by the growers to foster alternatives undesired by the growers.

In response to inquiry from Commissioner Richards, Mr. Hick stated his conviction to be that the present Governor has political strength based in Eugene. He stated also that he had no faith in field burning machines.

Mr. Tom Miles, a consulting engineer for the Oregon Field Sanitation Committee, testified at the request of Commissioner Richards.

Mr. Miles recalled briefly how the introduction in 1974 of an experimental "forward flaming" machine had lead to experimentation with this type of machine in 1975 and had lead to prototypes which were smaller and more manageable to the growers. The machines were said to be capable of application in a wider variety of situations, an important feature because field conditions vary by twenty times. Though weather conditions hampered use of the machines in 1975, Mr. Miles reported, learning had taken place and in 1976 there would be a total of six state-owned "dragonfly" types operating in the field. It was reported that several of these would involve experimental structures designed to prolong machine life.

Mr. Miles estimated that as much as 2,000 acres could be burned in 1976 with the six Committee-owned machines and four privately owned machines working (and getting a \$15 bonus from the Committee for each machine-burned acre).

Mr. Miles stated that work was still on an experimental basis and that he could not guarantee the machine. He noted that the machine is a good, though costly, piece of equipment. He said it costs as much as \$20 per acre to own and operate without straw removal (which removal would cost another \$10 per acre, \$20 per acre if bailed).

Mr. Hick had recounted a near injury involving a machine. Mr. Miles pointed out that this particular incident had involved a modification of the machine not approved by the engineers and that use of the machines in general was in consultation with the State occupational safety authorities.

Commissioner Somers asked if the tax credit proposals before the Commission (which could result in tax credits for investments in machines, tractors to pull them, sheds to store removed straw, etc.) were viewed as advantageous by Mr. Miles.

Mr. Miles stressed that they were, adding that they would provide a particularly useful incentive in the area of straw removal and usage. Mr. Miles added that two of the machines in experimental usage this year would be designed to take all the straw on the field, an area of experimentation deemed costly, but useful.

It was conjectured for the benefit of Commissioner Richards that, weather and circumstances permitting, the machines might well reach the 200 hour per season usage expected of them this year.

Mr. Robert Lorence, president of the Oregon Seed Council, noted that much of his planned testimony had been offered by others. Mr. Lorence stressed that the answer to the Director's questions (about what would be the alternatives when the 95 thousand and 50 thousand acre allocations of the future arrive) was that alternatives such as machine burning were contemplated by the Legislature. Because of the disparity between this expectation and reality, Mr. Lorence argued, there was clear hardship which would authorize the Governor's Office to act. Mr. Lorence noted that a presentation had been made to the Governor in January to illustrate the Governor's authority. He said this presentation would be made again to the Commission in abbreviated form.

Mr. Lorence stated his first request to be that all registered acreage be allowed to be burned, noting that the Commission could only recommend this to the Governor's Office. Mr. Lorence reported himself in support of Senator Powell's reaction to the resolutions of the Field Sanitation Committee.

Turning to the Department's report on field burning in the Willamette Valley in 1975, Mr. Lorence referred to documents showing a limited number of smoke days in Eugene. He argued that last year's system should be repeated because it had worked well in terms of smoke management.

Mr. Lorence gave the Chairman an editorial from the Albany Democrat Herald which, he felt, expressed the feelings of the Seed Council.

Mr. Lorence went on record in support of the "big burn" concept as an alternative to open burning.

Finally, he noted that the Governor had taken the position that the seed industry could remain in business only if it were not a polluting industry. It was Mr. Lorence's position that the pollution from the industry was only a small percentage of the total air pollution in the Eugene area during only eight weeks of the year. He felt that, on balance, this pollution was outweighed by the contribution of an industry that spends the rest of the year growing a green crop which contributes to air quality and the environment in general.

Commissioner Somers asked what percentage of permits above 195 thousand acres should be granted to both effectuate the legislative intent that the full 195 thousand be burned and prevent burning in excess of the statutory limitation. Mr. Lorence replied that the figure would have to be only an estimate and said that ten or fifteen thousand acres would be close, based upon previous figures. Commissioner Somers hoped that someone in attendance could produce a more definite figure which would be reliable for Commission action. Mr. Lorence said a solution more preferable to him would be a finding of hardship by the Governor's Office with regard to the 50 thousand acres not burned last year.

Commissioner Crothers asked Mr. Lorence if, in his belief, permits granted for 205 thousand acres would result in the burning of no more than 195 thousand acres. Mr. Lorence gave an affirmative answer with the reservation that he could not be exact about the matter. It was noted by Commissioners Phinney and Crothers that 205 thousand would be approximately 5% in excess of the maximum allowable for burning.

Some discussion of prices on the market by Commissioner Richards and Mr. Lorence resulted in their agreement that even a ten percent increase in market price (as predicted in a recent news article) would not begin to make up for the cost of field sanitization by machine.

Mr. Lorence told Commissioner Richards that, while there was always a possibility of human error, he felt that the 290 acres registered was based on the best estimate of each farmer at the time of registration and was, therefore, a reliable figure, not an inflated one. Mr. Lorence cautioned that some of the things he was discussing had not been a topic of discussion before the Seed Council and that his comments on them could not be taken as the Council's position.

He held forth no opposition to Commissioner Somers' suggestions that the Commission might adopt a scheme of forfeiture to penalize those found registering acreage beyond that planted to burnable crops. It was Mr. Lorence's position that no sympathy should be given to deliberate falsification of registration forms.

He explained that the lack of hardship applications last year, when only 67% of the permitted acreage was burned, was attributable to weather conditions which would have made it either impossible or undesirable to burn even if permission had been granted.

In response to Commissioner Richards' inquiry about the increase in registered cereal grains over last year's registration, Mr. Lorence explained that many farmers had grown wheat during a period of high prices and that this crop had to be rotated after a period of years. It was Mr. Lorence's conjecture that many farmers were turning to various cereal grains from wheat.

Commissioner Richards, noting that some crops called for sanitization earlier than others, asked what would be the industry's position with regard to transferring unused permits from early harvest crops to acres of late harvesting crops. The reply was that just such a system worked out in conjunction with the Department and the Fire Districts last year and had resulted in the burning of about 3,000 acres.



Mr. John Hardison of the U.S. D.A's Extension Service addressed the Commission, noting that the Seed Council had requested his presence to answer questions and stating himself satisfied with his position as set forth in the staff report to the Commission. He reiterated that, despite experimentation occurring on many fronts, the only known sanitation method for the crops in issue remained field burning.

Commissioner Somers asked if it were true that experimentation with chemicals was not sufficiently funded at present. Mr. Hardison pointed out that his total budget came from many sources, including a full time technician employed by the state. He was unable to state what the total funding was. He felt it adequate to test the chemicals on hand. Mr. Hardison noted that stringent EPA regulations had recently caused many chemical companies to withdraw from the fungicide market, leaving relatively few chemicals to be tested.

Dr. W. Orvid Lee of the U.S.D.A., addressed the Commission in support of the industry's proposal that the reduction to 195 thousand acres be achieved by a percentage reduction to affect all acreage equally.

Mr. LeRoy Nicewood, a seed grower, related to the Commission his experiences with alternate crops on soils in the Halsey area. He noted that the soils were characterized by flat terrain and a shallow layer of clay, resulting in poor drainage and few crop alternatives. Due to this, he said, common ryegrass was his primary crop.

Mr. Nicewood endorsed the suggestions of Senator Powell, Mr. Rose and Mr. Lorence, adding that, with his particular operation, the field burning machines held little promise in terms of investment in the machine and the crew to operate it.

DEMURRER FILED BY FAYDREX, INC., JOHNS AND MEADE, RESPONDENTS, IN CONTESTED CASE MATTERS RELATING TO THE REVOCATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEM INSTALLATION PERMITS: ORAL ARGUMENT

The Commission had earlier agreed to undertake interlocutory review of a hearing officer's overruling of the subject demurrers. The present time and place had been set for oral argument. Mr. James Sutherland of attorneys for the Respondents, and Mr. Robert Haskins, of attorneys for the Department of Environmental Quality each presented oral argument in support of their respective positions.

It was the request of Mr. Sutherland that the Commission await his offering by mail of materials bearing upon the legislative history of the "20 day" provision of ORS 454.655. Mr. Sutherland had no objection to the Chairman's proposal that the Commission allow ten days for the material to be submitted and then dispose of the demurrer after deliberation, such deliberation to be by way of conference telephone call if necessary. The Chairman further arranged that, after the arrival of the materials submitted, Mr. Haskins should have five additional days to respond. Mr. Sutherland agreed to such arrangement and stated that he agreed that the Commission was acting expeditiously in handling the demurrers.

RULE PROPOSAL IN THE MATTER OF ALLOWING SEEPAGE PITS IN WASCO COUNTY, OREGON

Mr. Irv Reierson, Wasco County Sanitarian, addressed the Commission. He took issue with the part of the staff report which stated no counties had requested a change in the rules regarding seepage pits. It was Mr. Reierson's recollection that Wasco County had written the Department about a month ago recommending that the rules be changed to allow seepage pits and drywells. Mr. Reierson added that his County did not seek to simply have a temporary rule to handle current applications to install seepage pits or drywells. It was his contention that the County did not have a sizable backlog of applications for such. However, he stated, the County, along with Sherman County did have a considerable number of drywells which were accompanied by a low failure rate. These were said to be in areas where a conventional system would not work. Further, Mr. Reierson took issue with the Director's suggestion that the variance procedure should be used to ascertain where seepage pits or drywells should be used. It was Mr. Reierson's position that his office would not recommend a seepage pit or drywell in an area where the same would not work. For this reason, he argued against the expensive process of requiring a variance request.

Commissioner Somers contended that, even under the variance procedures, seepage pits and drywells would not be permitted in Wasco County.

If a system should fail in Murray Edition (said to contain many drywells) Mr. Reierson reported, current rules would not permit the installation of another one.

Noting that the area contains perhaps two feet of sandstone before one runs into rock and gravel, he said this condition would prevent the installation of a system under current rules in Wasco County. He contended that in some areas of the State, such seepage pits and drywells would be allowed.

Mr. Reierson mentioned that Wasco County was not the only object of his concern, noting that in 120 days' time, Wasco County might entertain as little as two to three applications for installation of these systems.

Mr. Reierson objected to what he saw to be the continued issuance by the Department headquarters in Portland of lengthy memos which confused even the technical personnel in the field and were a source of confusion to the builders. He cited an instance wherein a legal memo which issued in 1974 had allowed for individual judgment in the field with regard to modified soil conditions. This memo, he reported, while it would have allowed several systems in his County to go ahead, did not reach his office until a couple of weeks ago. Commissioner Somers gained Mr. Reierson's agreement that such a problem had been on the Beardsley property where a consultant from Bend had turned the property down because some soil had been removed. On this same site, it was reported, Dr. Paeth and Mr. Listner from Portland had found nothing wrong with commencing construction. According to Mr. Reierson, the problem had come, in part, from interpreting the word "modified" in the rules.

Commissioner Somers stated that, although he had understood Mr. Free to have said as much, Commissioner Somers in no way represented Mr. Beardsley.

Mr. Reiersen objected that a citizen in the situation Mr. Beardsley was caught in should not have to pay money for a variance request simply over differing interpretations of the rules.

Mr. Reiersen confirmed Commissioner Somers' understanding that the present practice in Wasco County is to tell persons not to bother applying for a dry well because, under current rules, there is no way to get one permitted.

AGRICULTURAL OPEN BURNING (FIELD BURNING) HEARING RECONVENED

The Commission, having recessed the hearing to attend to other business as reported above, returned to the public testimony regarding agricultural field burning rules.

Mr. John Duerst of the Marion Soil and Water Conservation District and the Oregon Seed Council, recalled that he had been among those making a presentation to Governor Straub in January.

Mr. Duerst addressed the severe soil erosion that had occurred on some of the sloped terrain prior to the discovery that grass seed could be grown on the soil. It was reported that water quality was a problem associated with the previous erosion. Pictures were shown the Commission to illustrate the benefits to be derived in terms of erosion control by the planting of the grass seed crops on the sloped soils.

Where wheat was planted for fear that the Legislature would not extend the ban on field burning effective in 1975, extensive tillage and severe winter runoff reportedly presented problems.

The raising of sheep was said to have been eliminated as a viable alternate use about five years ago when the coyote problem became intolerable.

Mr. Duerst pointed out that some foreign governments subsidize the growing of grass seed while Oregon handicaps it through regulation.

As a member of the Marion Soil and Water Conservation District, Mr. Duerst related his District's concern. While basically in support of an across-the-board percentage cut, Mr. Duerst stated his District would favor more acreage allocated to soils facing the erosion problems which he addressed, as well as flat fields with poor drainage.

In response to Commissioner Somers' inquiry, Mr. Duerst conceded that wheat could be planted every year, but only with extensive tillage that would break down the composition of the soil and encourage erosion over a period of time.

Mr. Mike McClain of the Oregon Rye Grass Growers Association presented the Chairman with some written proposals from his Association. Mr. McClain, a Corvallis attorney representing the Association, wished to support the statement of Senator Powell. He stated that a vast majority of the members of his organization were in support of an across-the-board percentage reduction in registered acres to meet the maximum allocation for 1976. Such a reduction was said to be the only fair way to allow grower planning for crop management.

Regarding the total acreage registered for 1976, Mr. McClain reported an overall decrease in registered acres of grass and an increase in registered cereal grains. Mr. McClain explained that, under the provisions of the statute, this increase had been the result of growers protecting their next crop. Much winter wheat had done poorly, he stated, and was plowed under in early spring. These acres were largely registered and planted to cereal grains before the deadline for registration.

Addressing the issue of deference to those having small acreages, Mr. McClain reported that the problem, upon information from his clients, appeared to have been worked out within the industry in the past, through trade-offs within the fire districts.

In response to inquiry by Commissioner Richards, Mr. McClain stated that the small growers got sufficient deference from within the industry and were in no need of regulatory relief.

Mr. McClain stated that all of the constituents of his Association were willing to cooperate and that the proposed provisions affording solicitude to those cooperating with the Field Sanitation Committee were unneeded and unwise.

It was suggested, with regard to problems of acreage not burned last year and acreage on poor terrain, that the Commission recommend that the Governor grant hardship allocations to resolve problems.

In response to inquiry by Commissioner Somers, Mr. McClain contended that both testimony given previously and Table II on page 10 of the staff report on 1975 burning would support the inference that 16,000 acres less than the total registered acreage could be expected to be burned. Mr. McClain informed Commissioner Somers that he felt granting permits to 10% in excess of the maximum allocation would be a safe procedure.

The Director expressed puzzlement at the seeming contradiction between testimony to the effect that the small grower should be treated equally with the large grower and Mr. McClain's testimony indicating that, within the industry, the large growers afforded deference to the small growers. Mr. McClain stated his understanding to be that the small growers achieved optimum burning opportunities through cooperation with each other within the fire districts. Mr. Dick Vogt of the Department's Air Quality Control Program affirmed that such cooperative trade-offs within fire districts had been both allowable and achieved.

Commissioner Richards inquired of Mr. McClain to what degree the Commission would be discharging its statutory duty to encourage alternatives to open field burning by simply approving an across-the-board percentage reduction for the second year in a row. It was the latter's reply that the additional acreage allowed a grower merely by virtue of his burning the same with other than an open burning method (by machine, for example) should be incentive enough for growers to seek alternatives to the scarce allocation for open burning.

Commissioner Somers pointed out that the proposed tax credit provisions would provide an incentive to alternatives.

Commissioner Richards found the tax credit incentives to be largely a product of legislation for which the Commission could take little credit.

Mr. McClain asserted that a primary reason not to grant special allocations for acreages burned by machine was the fact that the acreage which machines would be capable of burning this season would be minimal. He stated he would be willing to see incentives if the alternatives were available, contending that, essentially, they are not. He stated that incentives to take effect next season might be in order if more alternatives to open burning could be expected next year.

In response to inquiry from Commissioner Crothers, Mr. McClain stated that the "big burn" concept appeared to be a good idea which should be handled through the Governor's Office. He noted that provision for a big burn on acreage within the 195 thousand acre allocation would involve an inherent classification of large and small farmers and of topography of fields. He declined to say that such classifications, under the circumstances, would be reasonable for the Commission to make.

Commissioner Somers expressed his view that cooperation from the growers had been forthcoming but unfruitful in the face of a legislative goal which had proven unreachable.

Commissioner Phinney agreed, but contended that the Commission was under a duty to provide some incentives in allocating the available 195 thousand acres.

She and Commissioner Somers questioned the propriety of simply allocating the acreage across the board and asking the Governor to resolve remaining difficulties.

Mr. Tom Hunton of the Oregon Seed Council addressed the Commission with the information that much of his intended testimony had already been offered by others. He reported that he and his father had been among the first to own a field burning machine and had, during 1975, burned approximately 210 acres by machine, burning 140 with their own (Rears-built) machine, 40 with an experimental Rears machine, and the remainder with a State-owned, Dragonfly machine.

Mr. Hunton objected that the Field Sanitation Committee, charged with providing an alternative to open burning, had focused largely on the mobile field sanitizer as the most promising alternative. He expressed severe skepticism that the mobile field sanitizers would ever become a viable alternative to open burning. He argued that the machines, when in use, cause severe smoke problems. He stated that neither he nor two other owners of private machines with whom he had consulted were in favor of the Committee resolution to afford solicitude to those conducting machine burning. Mr. Hunton feared, as one result, the reprisal of his neighbors in the industry who do not use the machines.

Pointing to the \$15 per acre subsidy provided by the Field Sanitation Committee and the \$4 refund of registration fee provided by the Department as incentives of the type Commissioner Richards sought, Mr. Hunton found further incentives unwarranted because of unfairness to others who employ alternatives such as plowing under (causing no smoke) and straw utilization. These latter growers, he noted, would receive no consideration under the Committee resolutions.

Mr. Hunton recommended that any incentives should be a subject of recommendation to the Governor for acreage above the 195 thousand acre allocation and should give equal treatment to all types of effort to find alternatives, not just the use of machines.

Mr. Hunton stated that the eventuation of 400 field sanitizers as an alternative to open field burning would result in air quality problems in the valley.

Mr. John Swatzka, a Linn County grower, offered the Commission written data on grass seed production in the Willamette Valley which had been sought but not received during the 1975 Commission hearing on field burning. Stating himself to be growing on 480 acres of wet, clay soils in Linn County which would not support grain, Mr. Swatzka contended that the burning of his field was as essential to successful growing as was the burning of steep terrain and urged the Commission to adopt an across-the-board percentage reduction in allocating acreage.

Having discovered the cost of machine burning (including straw removal) to run as high as \$47 per acre by various estimates, Mr. Swatzka reported that he had destroyed a stand of fine leaf rye grass and returned the land to annual rye grass. Based on acreage burned per machine, observation of the machines, and conversation with those using them, Mr. Swatzka concluded that the field sanitation machines should be discounted as a viable solution to field burning in the near future. He contended that, even if the machines would work, the costs to remove straw and use them would be prohibitive. He stated he had found it difficult even to give straw away.

Mr. Swatzka recited cost figures to the Commission from which he derived a projected income for the coming year of \$6.67 per acre, a net income which, he argued, would rule out the economic feasibility of paying \$47 per acre to use a field sanitizer.

Mr. Howard Pope of Mount View Seed Farms, Inc. addressed the Commission. He stated that his "mismanagement" in burning only 80% of 1800 registered acres last year was largely owing to his attempts to cooperate with the field burning program in straw removal. He stated that, due to such effort, he had lost about 300 acres of perennials. It was pointed out that an unsteady market for removed straw (no market at all for bailed annuals) made it impossible for him to know how many of the registered acres he would burn until he received offers to buy the straw.

Mr. Pope stated that he would support the "big burn" concept.

He recalled, with regard to the field burning machines, that he had never had an opportunity to use one and knew of no one in Polk County who had.

Mr. Pope supported the recommendations of Senator Powell and urged the Commission not to invoke any kind of a penalty for not burning registered acreage. Members of the Commission and the Director assured him this had not been intended and that there was a misunderstanding in this regard.

Mr. Pope said he would take greater solace from the assurance of a good income than from the ability to deduct costs from his income under the proposed tax credit provisions.

Mr. Nelson, representing the growers, asked that the Commission hear testimony from Mr. Pope regarding the latter's efforts and expenses at straw removal.

Mr. Pope stated that, as a member of the Polk County Planning Commission, he was charged with maintaining agricultural use on much land classified by the USDA as suitable for the production of grass seed only.

Mr. Pope reported himself in the process of trying to get a \$100,000 straw storage facility constructed with a rail site. This was a project to be accomplished with the Corporation's own funds, he reported, and was an example of work going on in the area of straw removal and utilization that would not be recognized under current proposals. It was the understanding of Mr. Pope that moneys already spent on equipment for straw removal would not be eligible for tax credit relief.

Mr. Vernie Elder, speaking for Representative Bud Byers, reported that he had quit farming for economic reasons a year ago. It was Representative Byers' understanding that the decision of the Legislature to extend open field burning revealed a legislative intent not to extinguish the field burning industry in the event of unsatisfactory alternatives to open burning. It was recalled that many legislators had understood the Governor's emergency powers to cover the contingency whereby expected alternatives were not forthcoming. It was the Representative's recommendation that the Commission ought to report to the Governor the absence

of alternatives to open field burning and recommend that the Governor use his emergency powers to alleviate the problem. Mr. Byers cited Kansas and California as agricultural states which, unlike Oregon, would not think of stifling agricultural industry with overburdensome regulations.

Upon inquiry by Commissioner Crothers, Mr. Elder reported that he had leased his lands to one who could afford to grow grass seed because of the size of his operation. If, as Mr. Elder had understood the Commission to believe, seed growing was being undertaken by ever larger concerns, then, Mr. Elder offered, he was one of the reasons.

Mr. Jack Pimm, a farmer in West Linn County reported that he would support an equal percentage reduction going to all acreage. He argued that such would foster greater cooperation from the growers. He reported himself to be a marginal farmer who could neither afford to run a field burning machine nor qualify for any of the other special categories mentioned in the Committee resolutions to the Commission. He did not feel that he should lose any of his allocation to benefit those with these other interests.

Mr. Richard Pimm, father of the previous witness, reported himself to be in partnership with his son, growing on approximately 1,300 acres which would not permit of any other crops. Mr. Pimm recalled having signed up and prepared his fields for use of the burner to the extent of ten acres; only to wait until September with no prospect of the field burners arriving. Mr. Pimm expressed skepticism that the burner would ever be an answer for the industry and supported an across-the-board percentage cut.

Mr. Pimm was unable to state for the Director what his position would be with regard to a proposal to give 100% allocation to lands which could be used for no purpose other than grass seed production.

Mrs. George Van Leewen of the Linn County Farm Bureau reported that she and her husband had tried to take a 1974 tax credit for buying straw removal equipment under the 1973 law. She reported her application to have been denied. To her knowledge, she and her husband were the only ones to have applied.

Mrs. Van Leewen wished to make it clear that growers who had been calling for an across-the-board reduction meant by this that they would prefer that each grower receive an equal percentage of his registered acres in his burning allocation. Commissioner Somers assured Mrs. Van Leewen that the Commission understood this.

Mrs. Van Leewen reported that circumstantial factors had lead accidentally in late 1974 to the burning of larger acreages than usual at a faster rate than usual in her area. The result, she reported, was that the smoke was hardly noticed in Lebanon, an area usually heavily affected by field burning in her area. From this experience, Mrs. Van Leewen found merit in the "block burn" or "big burn" concept.



Mrs. Van Leewen argued that the main objective of the Commission, the Governor, and the Legislature should be to achieve minimum air pollution without disrupting an important segment of the economy. She cautioned that 195 thousand acres burned on the wrong day would be much worse than burning all registered acreage on the right day. She urged that recommendations to the Governor be based on air pollution, not acreage. She requested that the Governor receive a recommendation to allow a "big burn."

Pictures were shown the Commission to illustrate the weed infestation resulting from the election not to burn.

Mrs. Van Leewen asked that the seed industry be given the same attractive business climate that the Governor had urged for industry in general.

She stated that information in a recent newspaper editorial would support the inference that, of all the air pollution in Eugene over a 365 day year, only two days of it could be attributed to field burning in 1975.

Mrs. Van Leewen reiterated Mr. Lorence's explanation as to the increased acreage registered to cereal grains. She added that growing of wheat year after year was often accompanied by root-rot problems.

Some of the lack of specificity in the answers given the Commission by earlier witnesses was attributed by Mrs. Van Leewen to the number of variables attendant to farming, an aspect of the industry which she asked the Commission to keep in mind.

Mrs. Van Leewen added to her comments with written testimony regarding straw removal.

Based on the testimony which had preceded, Mrs. Janet McLennan wished to revise her suggestions on behalf of the Governor's Office as follows:

She recommended that the Commission provide by permit that 214,500 acres be made eligible for open burning on the finding that at least 10% of the acreage under permit would not, in fact, be burned.

It was recommended that permits to burn acreage be nontransferable so as to avoid the possibility that transfer of permits from one grower to another would result in many outstanding and unused permits on acreage still sought to be burned at the end of the season. (Much testimony had indicated that many permits had not been used because the growers had elected, for one reason or another, not to use them).

It was recommended that not more than 10,000 acres of the 214,500 be set aside for purposes of a "big burn," to be arranged by the growers, the Seed Council, and the Department on an experimental basis to see if sufficient convection would occur to lift the smoke to a relatively harmless altitude.

It was recommended that each grower be permitted to burn the first 100 acres registered, a recommendation which would, in Mrs. McLennan's estimation, provide permits for some 62,500 acres, to be distributed among both large and small growers.

It was recommended that, after removal from the aforementioned 214,500 acres of the 72,500 acres necessary to implement the recommendations above, each grower, in addition to his share of the acreage above, be given a permit for 65% of the acres he registered.

Mrs. McLennan pointed out that the first two suggestions would leave approximately 65% of the total registered acreage remaining.

With regard to the latter two recommendations, Mrs. McLennan suggested that, in the event the expected attrition between permitted acreage and burned acreage did not evolve, those at the end of the burning season who had not been allowed to burn at least 100 acres plus 65% of their total registration should be given favorable recommendation for hardship relief from the Governor's Office. She estimated this problem, if it occurred, would occur in September.

Recalling last year's weekly staff report on the number of burned acres, Mrs. McLennan conjectured that such a device could be used this year to anticipate rapidly any problems which might be arising. She felt any problems developing might be in a particular category of late harvesting crops, such as bent grass.

Mrs. McLennan suggested further that the Department keep a record of growers who cooperate with the Field Sanitation Committee in experimentation with field sanitizers so that consideration could possibly be given during the 1977 season when, she noted, the reduced maximum allocation would make such consideration even more significant than at present.

Finally, Mrs. McLennan suggested that the Department take appropriate steps to identify all acreage which, due to slope, shallow soils, heavy rainfall, etc., would not lend itself to profitable growth of other than perennial rye grass without the result of irreparable soil erosion problems. It was hoped that either this year or next, such information could become a matter of record for the Governor in considering hardship applications.

With regard to Commission inquiry as to what administrative costs might be saved by allowing the first 100 acres, Mrs. McLennan mentioned that testimony from the staff had indicated that it was difficult, if not impossible, to enforce burning limitations involving small acreages. She found this particularly true where the acreage was spread out over different fields. She added that it should not be the plight of the small grower to rely upon the largess of his fellows to achieve burning of sufficient acreage through trade-offs.

Commissioner Hallock inquired if information should be kept regarding the efforts of farmers toward alternatives other than the field sanitation machines.

Mrs. McLennan replied that she felt that the present information warranted attention to the farmers using sanitizers or permitting the same to be used on their land. She added, however, that subsequent information might support a decision to provide incentive to other efforts, such as experiments with plowing under, crew cutting, chemicals, straw utilization, etc. She stated she would have no objection to the Department's keeping track of these efforts also.

In response to inquiry by Commissioner Phinney, Mrs. McLennan stated that she did not intend as an exclusive list the criteria she listed as indicative of soils where the only profitable crop was a seed crop needed to prevent soil erosion. She indicated that other criteria might be added to hers.

Finally, in support of the suggestion that each grower be allowed to burn at least 100 acres of those registered, she noted that the cost of field sanitizers, based on present estimates, would preclude their purchase by small growers and, in turn, preclude their use until such time as rentals are readily available. Mrs. McLennan felt that the "100 acre" recommendation would tend to offset this disadvantage somewhat.

The Chairman asked if either Mr. Freeburn or Mr. Vogt wished to comment on Mrs. McLennan's recommendations.

Mr. Vogt suggested that, rather than the Commission's preventing the transfer of permits, the growers could be given permits based on the 214,500 figure whose use would be limited by the 195,000 acre basis for the quota in each fire district. Mrs. McLennan agreed this would be an alternative.

Commissioner Richards found special merit in this suggestion in that it would tend to preclude any possibility of the Commission's inadvertently authorizing the burning of more than the statutory maximum. He noted that the law does not say "issue permits for 195,000 acres," but says "burn 195,000 acres."

Mr. Freeburn was of the opinion that the soils information required by Mrs. McLennan's suggestions could be gathered through cooperation with the Soil Conservation Service and others.

It was MOVED by Commissioner Crothers that the Commission adopt the procedure outlined by Mrs. McLennan and modified by Mr. Vogt as a sense of the Commission with the understanding that, when drafted into rule form, the suggestions would be essentially satisfactory to the Commission. The motion, seconded by Commissioner Somers, was given unanimous approval.

Prior to the vote on the motion, Commissioner Phinney was assured that the computer could provide information over the coming season regarding acres not burned. Also, Mr. Lorence was assured that, under the sense of the motion, transferability of acres, as had been allowed last year, would still prevail. Mrs. McLennan offered to this arrangement the caveat that the fire districts, acting as agents for the Department, would be able to transfer acres in a prodigal manner which might leave some growers unable to burn a large percentage of their permitted acres at season's end.

She found authority vested in the fire districts which could conceivably go far beyond the Commission's purpose. Commissioner Richards felt this risk would be undergone by the growers at their own request. It was agreed that transfers between fire districts could take place.

It was further agreed that in ten days or a week the rule should be drafted for Commission consideration, perhaps via telephone conference call.

In response to comment by Mr. Doug Brannock of the Department's Air Quality Control Program, Commissioner Richards pointed out that, if there were problems in assembling sufficient desired acreage for a "big burn," the lack of experimentation in this area would simply lead to permission to burn an increased number of acres in the normal course.

Commissioner Somers took comfort in what he found to be some guarantee that, in the event of disaster, the Governor's Office would be sympathetic to the Commission's efforts.

RULE ADOPTION: PROPOSED RULE REGARDING USE OF SEEPAGE PITS IN WASCO COUNTY

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried that this agenda item be set over until the next meeting. The motion carried with the support of all but Commissioner Crothers who opposed it.

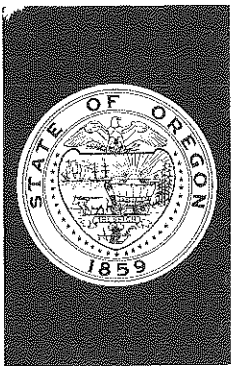
RULE ADOPTION: RULES GOVERNING THE HANDLING AND DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES

Mr. Pat Wicks of the Department's Land Quality Control Division, resuming with this matter which had earlier been set over after short deliberation, pointed out that the matter should, if possible, be concluded as part of the day's business.

With regard to the definition of an Environmentally Hazardous Waste (EHW) Facility, Commission members had been concerned that, though intended to defer to those requiring some temporary disposition of materials between the time of their becoming wastes and the time of their final disposal, the wording would allow "storage" to become indefinite. There was considerable discussion by members of the Commission, Commission Counsel, Mr. Wicks, Mr. Schmidt, and others over this point and the difficulty of defining "waste" in general.

In resolution of the matter it was MOVED by Commissioner Crothers, seconded by Commissioner Phinney, and approved by the Commission that to the words "or temporarily stored" in Proposed OAR Section 63-010(12) be added the words "for not more than ninety days." It was further MOVED by Commissioner Crothers and seconded by Commissioner Phinney that the proposed rules, as amended by the above motion, be adopted by the Commission. This motion also carried. Both motions passed with the unanimous support of all Commissioners except Commissioner Somers who was not present at the time of either vote.

There being no further business, the meeting was adjourned.



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item B, April 30, 1976, EQC Meeting  
January, February and March 1976 Program Activity Reports

### Discussion

Attached are the January, February and March 1976 Program Activity Reports.

ORS 468.325 provides for approval or disapproval of Air Quality plans and specifications by the Environmental Quality Commission. Water and Solid Waste facility plans and specifications approvals or disapprovals and issuance, denials, modifications and revocations of permits are prescribed by statutes to be functions of the Department, subject to appeal to the Commission.

The purposes of this report are to provide information to the Commission regarding status of the reported program activities, to provide a historical record of project plan and permit actions, and to obtain the confirming approval of the Commission of actions taken by the Department relative to air quality plans and specifications.

### Recommendation

It is the Director's recommendation that the Commission take notice of the reported program activities and give confirming approval to the Department's actions relative to air quality project plans and specifications as described on page 10 of the January 1976 report (Appendix A), on pages 10 and 11 of the February 1976 report (Appendix B), and on page 12 of the March 1976 report (Appendix C).

LOREN KRAMER  
Director



Contains  
Recycled  
Materials

RLF:ee  
4/16/76

APPENDIX A

Department of Environmental Quality  
Technical Programs

Permit and Plan Actions

January 1976

<u>Water Quality Division</u>	<u>Page</u>
72 . . . . Plan Actions Completed - Summary	1
Plan Actions Completed - Listing	2
19 . . . . Plan Actions Pending - Summary	1
19 . . . . Permit Actions Completed - Summary	7
Permit Actions Completed - Listing	8
192 . . . . Permit Actions Pending - Summary	7
 <u>Air Quality Division</u>	
9 . . . . Plan Actions Completed - Summary	1
Plan Actions Completed - Listing	10
22 . . . . Plan Actions Pending - Summary	1
57 . . . . Permit Actions Completed - Summary	11
Permit Actions Completed - Listing	12
131 . . . . Permit Actions Pending - Summary	11
 <u>Land Quality Division</u>	
8 . . . . Plan Actions Completed - Summary	1
Plan Actions Completed - Listing	16
18 . . . . Plan Actions Pending - Summary	1
14 . . . . Permit Actions Completed - Summary	17
Permit Actions Completed - Listing	18
100 . . . . Permit Actions Pending - Summary	17

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air, Water and Land  
Quality Divisions  
(Reporting Unit)

January 1976  
(Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.	
<u>Air</u>							
Direct Sources	14	74	9	78			22
Indirect Sources							
Total	14	74	9	78			22
<u>Water</u>							
Municipal	41	499	52	535			10
Industrial	18	114	20	101		6	9
Total	59	613	72	636		6	19
<u>Solid Waste</u>							
General Refuse	6	46	6	50	1	1	13
Demolition	1	3	1	3	1	1	1
Industrial	1	15	1	20			4
Sludge		3		4		1	
Total	8	67	8	77	2	3	18
<u>Hazardous Wastes</u>							
<u>GRAND TOTAL</u>	81	754	89	792	2	9	59

Department of Environmental Quality  
 Technical Programs

Monthly Activity Report

Water Quality  
 (Program)

January 1976  
 (Month and Year)

PLAN ACTIONS COMPLETED - 72

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Sources - 52</u>			
Ashland Jackson	Maple Way Sewer Extension	1/5/76	Provisional Approval
S.Suburban SD Klamath	Edison Street Sewer	1/6/76	Provisional Approval
Harbeck - Fruitdale Josephine	C.O. #3,4 & 5 South Allen Creek Int.	1/6/76	Approved
Harbor SD Curry	C.O. #5 & 6 Sewer Project	1/7/76	Approved
USA (Aloha) Washington	Revised Plans Scotch Hollow Apts. Sewer	1/8/76	Provisional Approval
Salem (Willow) Marion	Commercial St., S.E. (Boone Rd.) Sewer	1/8/76	Provisional Approval
Lake Oswego Clackamas	L.I.D. 170 San. Sewers (Oak, Ash & Maple St.)	1/8/76	Provisional Approval
Newberg Yamhill	Morton St. Int. Sewer	1/8/76	Provisional Approval
Knoxtown SD Curry	Parshall Flume & Flow Measurement (Lagoon)	1/12/76	Provisional Approval
USA (Durham) Washington	Equip. Rebid for STP	1/12/76	Provisional Approval
Independence Polk	Donita Estates Subdn. Sewer	1/12/76	Provisional Approval
Harbeck - Fruitdale Josephine	Lateral D-16 Sewer	1/13/76	Provisional Approval
Gresham Multnomah	Valle Vista Subdn. Sewers	1/14/76	Provisional Approval
USA (Forest Grove) Washington	19th Ave. Sewer Ext.	1/14/76	Provisional Approval



Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Water Quality  
(Program)

January 1976  
(Month and Year)

PLAN ACTIONS COMPLETED - 72 (Continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Sources - 52 (Continued)</u>			
USA (Aloha) Washington	Stonewood Subdn. Sewers	1/14/76	Provisional Approval
Pendleton Umatilla	Bonbright Development - Revised Plans, Pump Sta., etc.	1/15/76	Provisional Approval
Toledo Lincoln	C.O. #3 Ollala Slough Int.	1/16/76	Approved
Gresham Multnomah	Fleming Terrace L.I.D. Sewers	1/16/76	Provisional Approval
Lake Oswego Clackamas	High Village Subdn. Sewers	1/16/76	Provisional Approval
USA (Durham) Washington	Add. #1 STP	1/19/76	Provisional Approval
Baker Baker	Phase 1, 2, 3 & 4 & Birch St. Sewers	1/19/76	Provisional Approval
Oregon City Clackamas	South End Rd. Elem. School Pump Sta.	1/19/76	Provisional Approval
Astoria Clatsop	C.O. #3 Schedule C STP Project	1/20/76	Approved
Salem (Willow) Marion	12th St., S.E. & Lewis St. Sewer	1/20/76	Provisional Approval
NTCSA Tillamook	C.O. #A-3 & B-5, Sch. II STP	1/20/76	Approved
Bend Deschutes	C.O. #4 Grit Works Project	1/20/76	Approved
Chiloquin Klamath	C.O. #1, Sch. B Sewer Rehab.	1/20/76	Approved
Keizer SD #1 (Salem-Willow) Marion	Gwen Addn. Sewers	1/21/76	Provisional Approval
Dayton Yamhill	Flower Lane Sewer - Revised Plans	1/23/76	Provisional Approval

Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Water Quality  
(Program)

January 1976  
(Month and Year)

PLAN ACTIONS COMPLETED - 72 (Continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Sources - 52 (Continued)</u>			
Clackamas Co. SD #1 Clackamas	C.O. #7 & 8 Kellogg STP	1/26/76	Approved
Portland Multnomah	C.O. #12 STP Project	1/26/76	Approved
Government Camp SD Clackamas	0.225 MGD Advanced Secondary STP with Disinfection	1/26/76	Provisional Approval
Cascade Locks Multnomah	Lower Tramway Bldg. Sewer	1/26/76	Provisional Approval
Clackamas Co. SD #1 Clackamas	Scott Mt. Phase II Subdn.	1/26/76	Provisional Approval
Lake Oswego Clackamas	Evergreen Int. Lake Connection	1/26/76	Provisional Approval
Portland Multnomah	Extra Work Bills 1, 2 & 3 North Portland Rd. Sewer	1/27/76	Approved
Portland Multnomah	Extra Work Bill #2 N. Portland Rd. P.S.	1/28/76	Approved
Sweet Home Linn	Sewer Lateral 4C-1	1/29/76	Provisional Approval
USA (Rock Cr.) Washington	Sch. A,B,C & E - Contr. 38 STP	1/29/76	Provisional Approval
USA (Rock Cr.) Washington	Bidding Document 39 - Rock Cr. STP	1/30/76	Provisional Approval
Cabin Creek Douglas	Roadside Rest Area - P.S. to	1/30/76	Provisional Approval
Madras Jefferson	C. O. #3 - Sch. P - STP Proj.	1/30/76	Approved

Department of Environmental Quality  
 Technical Programs

Monthly Activity Report

Water Quality  
 (Program)

January 1976  
 (Month and Year)

PLAN ACTIONS COMPLETED - 72 (Continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Waste Sources - 20</u>			
Springfield Lane	Weyerhaeuser Co. - Cooling Ponds	12/15/75	Approved
Elgin Union	Boise Cascade Corp. - Waste Water Recirculation	12/24/75	Approved
North Bend Coos	Menasha Corp. - Primary Treatment Screens	12/29/75	Approved
Brookings Curry	Warrenton Seafood - Fine Screening	12/29/75	Approved
Albany Linn	Teledyne - Wah Chang Waste Treatment	1/11/76	Approved
Salem Marion	Oregon National Guard Truck Wash Water Control	1/12/76	Approved
Dexter Linn	Oregon Fish & Wildlife Dexter Hatchery Pond Cleaning Solids Removal	1/23/76	Approved
Lyons Linn	Oregon Fish & Wildlife Roaring River Hatchery Pond Cleaning Solids Removal	1/23/76	Approved
Leaburg Linn	Oregon Fish & Wildlife Leaburg Hatchery Pond Cleaning Solids Removal	1/23/76	Approved
Dexter Dam Linn	Oregon Fish & Wildlife Willamette Salmon Hatchery Pond Cleaning Solids Removal	1/23/76	Approved
Marion Fork Linn	Oregon Fish & Wildlife Marion Forks Hatchery Pond Cleaning Solids Removal	1/23/76	Approved
Klamath Falls Klamath	D. G. Shelter Products - Thermal Plume Correction Plan	1/23/76	Approved

Department of Environmental Quality  
 Technical Programs

Monthly Activity Report

Water Quality  
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January 1976  
 (Month and Year)

PLAN ACTIONS COMPLETED - 72 (Continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Sutherlin Douglas	Mt. Mazama Plywood Co. - Veneer Dryer Washdown Recirculation	1/23/76	Approved
Glendale Douglas	Robert Dollar - Veneer Dryer Washdown Recirculation	1/26/76	Approved
Portland Multnomah	Rhodia, Inc. - Butyrolactone Recovery System	1/26/76	Approved
Roseburg Douglas	Roseburg Paving Inc. - Oil Separators	1/27/76	Approved
Oakland Douglas	Oregon Water Corporation Oakland Plant - Preliminary Plans, Backwash treatment.	1/27/76	Approved
Roseburg Douglas	Oregon Water Corporation Winchester Plant Preliminary Plans, Backwash Treatment	1/27/76	Approved
Monroe Benton	Dennis Doolittle Hog Farm Waste Facilities	1/29/76	Approved
Albany Linn	Oregon Metallurgical Waste Treatment	1/30/76	Approved

Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Water Quality  
(Program)

January 1976  
(Month and Year)

SUMMARY OF WATER PERMIT ACTIONS

	Applications Received		Permit Actions Completed		Permit Actions Pending	Sources Under Permits	Sources Reqr'g Permits
	Month	Fis. Yr.	Month	Fis. Yr.			
	*   **	*   **	*   **	*   **			
<u>Municipal</u> <sup>1/</sup>							
New	0   0	2   1	0   0	0   5	2   1		
Existing	0   0	0   4	0   0	10   4	2   4		
Renewals	16   1	31   2	0   0	0   11	33   7		
Modifications	-   -	-   -	4   0	41   0	18   1		
Total	16   1	33   7	4   0	51   20	55   13	285   45	289   50
<u>Industrial</u>							
New	1   1	6   7	0   0	6   11	6   3		
Existing	0   0	3   4	0   2	3   13	7   7		
Renewals	5   0	22   2	0   1	0   20	26   13		
Modifications	-   -	-   -	11   0	49   2	51   0		
Total	6   1	31   13	11   3	58   46	90   23	416   67	429   76
<u>Agricultural (Hatcheries, Dairies, Etc.)</u>							
New	1   0	3   0	0   0	0   0	3   0		
Existing	0   0	0   0	0   0	0   0	0   1		
Renewals	0   0	0   0	0   0	0   0	0   1		
Modifications	-   -	-   -	1   0	6   0	6   0		
Total	1   0	3   0	1   0	6   0	9   2	58   3	61   4
<u>GRAND TOTALS</u>	23   <sup>2/</sup> 2	67   <sup>2/</sup> 20	16   <sup>3/</sup> 3	115   66	154   38	759   115	779   130

\* NPDES Permits

\*\* State Permits

1/ Includes all domestic sewage. Does not include municipally operated industrial waste facilities or water filtration plants.

2/ Since permit modifications do not always involve an application they have been left out of these totals.

3/ Other permit actions not included in summary

1 - Withdrawal

3 - Exempted from NPDES permits

Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Water Quality  
(Program)

January 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED - 23

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sources</u> (4)			
Cloverdale Tillamook	Cloverdale Sanitary District Sewage Disposal	1/22/76	NPDES Permit Modified
John Day Grant	City of John Day Sewage Disposal	1/22/76	NPDES Permit Modified
Government Camp Clackamas	Government Camp S.D. Sewage Disposal	1/29/76	NPDES Permit Modified
Tillamook Tillamook	City of Tillamook Sewage Disposal	1/29/76	NPDES Permit Modified
<u>Industrial &amp; Commercial Sources</u> (19)			
Merrill Klamath	Klamath Potato Potato Washing	1/1/76	Application Withdrawn
Florence Lane	City of Florence Filter Plant	1/7/76	Exempted from NPDES Permit
Albany Linn	Hub City Concrete Gravel Operations	1/8/76	Exempted from NPDES Permit
Hermiston Umatilla	Lamb-Weston, Inc. Potato Processor	1/9/76	State Permit Issued
Eugene Lane	L.A. Borba Dairy Cattle Animal Confinement	1/15/76	State Permit Issued
Corvallis Benton	Oregon State University Animal Disease Research	1/15/76	State Permit Issued
Springfield Lane	Weyerhaeuser Company Springfield	1/22/76	NPDES Permit Modified
Gilchrist Klamath	Gilchrist Timber co. Saw Mill	1/22/76	NPDES Permit Modified
Bend Deschutes	Oregon Wildlife Comm. Fall River Hatchery	1/22/76	NPDES Permit Modified

Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Water Quality  
(Program)

January 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED - 23 (Continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial &amp; Commercial Sources - Continued</u>			
St. Helens Columbia	Boise Cascade Corp St. Helens Sawmill	1/22/76	NPDES Permit Modified
Columbia City Columbia	Crown Zellerbach Corp. Columbia City Sawmill	1/22/76	NPDES Permit Modified
Portland Multnomah	Crown Zellerbach Corp. N. Portland Packaging	1/22/76	NPDES Permit Modified
St. Helens Columbia	Kaiser Gypsum Co. St. Helens Plant	1/22/76	NPDES Permit Modified
Sandy Clackamas	Olaf M. Oja Lumber Co. Sawmill	1/22/76	NPDES Permit Modified
Portland Clackamas	Portable Equipment Co.	1/22/76	NPDES Permit Modified
Portland Multnomah	Portland Willamette Co. Gravel Operation	1/29/76	NPDES Permit Modified
Portland Multnomah	Cascade Construction Co. Gravel Operation	1/29/76	NPDES Permit Modified
Portland Multnomah	Liquid Air, Inc.	1/29/76	NPDES Permit Modified
Grants Pass Josephine	Clay-No Mining Co.	1/29/76	Exempted from NPDES Permit

Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Air Quality Control  
(Program)

January 1976  
(Month and Year)

PLAN ACTIONS COMPLETED (9)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources (9)</u>			
LaGrande, Union	Boise Cascade, adding bag- house for wood waste transfer cyclone	1/8/76	Approved
LaGrande, Union	Boise Cascade, changing baghouses on wood waste transfer cyclones 16 and 17.	1/8/76	Approved
Clatsop, Clatsop	Clatsop County, wet scrubber system for existing asphalt paving plant.	1/13/76	Approved
Grants Pass, Josephine	SWF Plant #4, rebuilding and modifying #3 plywood veneer drier	1/21/76	Approved
Tualatin, Washington	The Hervin Company, Expansion of fume incinerator	1/21/76	Approved
Independence, Polk	Boise Cascade, installation of a used hogged fuel boiler	1/22/76	Approved
Portland, Multnomah	Midland Ross Corporation, Extension for two existing exhaust stacks	1/22/76	Approved
Portland, Multnomah	Shell Oil Company, replacement of existing water tub boiler with a new Cleaver-Brooks package boiler	1/23/76	Approved
Beaver, Columbia	Portland General Electric Co., Combined cycle turbine generators	1/30/76	Approved



Department of Environmental Quality  
Technical Programs

Monthly Activity Report

Air Quality Control  
(Program)

January 1976  
(Month and Year)

SUMMARY OF AIR PERMIT ACTIONS

	Applications Received		Permit Actions Completed		Permit Actions Pending	Sources under Permits	Sources Reqr'g Permits
	Month	Fis.Yr.	Month	Fis.Yr.			
<u>Direct Sources</u>							
New	1	5	1	3	5		
Existing	-	43	24	239	69	1/	
Renewals	10	32	15	39	36		
Modifications	1	11	14	36	1		
<b>Total</b>	<b>12</b>	<b>91</b>	<b>53</b>	<b>317</b>	<b>111</b>	<b>2075</b>	<b>2149</b>
<u>Indirect Sources</u>							
New	3	33	4	27	20		
Existing	NA	NA	NA	NA	NA		
Renewals	NA	NA	NA	NA	NA		
Modifications	0	1	0	1	--		
<b>Total</b>	<b>3</b>	<b>34</b>	<b>4</b>	<b>28</b>	<b>20</b>	<b>33</b>	<b>NA</b>
<u>Fuel Burning</u>							
New	(Included in Direct Sources)						
Existing							
Renewals							
Modifications							
<b>Total</b>							
<b>GRAND TOTALS</b>	<b>15</b>	<b>125</b>	<b>57</b>	<b>345</b>	<b>131</b>	<b>2108</b>	

1/ These pending actions are for existing sources which are operating on automatic extensions or on temporary permits.

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PERMIT ACTIONS COMPLETED (57)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources (52)</u>			
Hood River	Hood River Memorial Hospital	1/29/76	Addendum Issued
Hood River	14-0020, Addendum		
Clackamas	PED Mfg.	1/29/76	" "
Oregon City	03-2505, Addendum		
Baker	Oregon Portland Cement Co.	1/28/76	Permit Issued
Huntington	01-0010, Cement Mfg.		
Baker	Oregon Portland Cement Co.	1/28/76	" "
Durkee	01-0015, Rock Crusher		
Baker	Baker Redi-Mix, Inc.	"	" "
Baker	01-0028, Ready Mix Concrete		
Jackson	Hilton Fuel	"	" "
Central Point	15-0095, Sawmill		
Marion	Portland General Electric Co.	"	" "
Salem	24-2318, Electric Power Generation (Renewal)		
Marion	Salem Iron Works	"	" "
Salem	24-5400, Gray Iron Foundry (Renewal)		
Marion	Commercial Sand & Gravel	"	" "
Salem	24-5947, Ready Mix Concrete (Renewal)		
Marion	Woodburn Concrete Sand & Gravel	"	" "
Woodburn	24-9188, Ready Mix Concrete (Renewal)		
Morrow	Eastern Oregon Farming Co.	"	" "
Boardman	25-0012, Boiler		
Multnomah	Herbert Malarkey Roofing Co.	"	" "
Portland	26-1894, Asphalts Felts & Coatings, Boiler (Renewal)		
Multnomah	Angell Bros.	"	" "
Portland	26-1912, Rock Crusher		
Multnomah	Standard Oil	"	" "
Portland	26-2027, Boiler		

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City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Multnomah Portland	Mobil Oil 26-2029, Boiler	1/28/76	Permit Issued
Multnomah Portland	Atlantic Richfield 26-2030, Boiler	"	" "
Multnomah Portland	Reimann & McKenney 26-2572, Incinerator	"	" "
Polk Dallas	Cascade Cement Co. 27-0063, Limestone Quarry	"	" "
Tillamook Garibaldi	Waggerby Brothers' Shake Products 29-0052, Shake & Shingle Mill	"	" "
Washington Tigard	Georgia Pacific 34-2628, Incinerator	"	" "
Yamhill McMinnville	Burch Concrete & Supply 36-5032, Ready Mix Concrete (Renewal)	"	" "
Yamhill Willamina	Morton Alder Mill 36-8004, Sawmill	"	" "
Portable	Watson Asphalt Paving 37-0035, Asphalt Plant (Renewal)	"	" "
Portable	S. D. Spencer & Sons 37-0109, Asphalt Plant (Renewal)	"	" "
Portable	Jefferies Timber Corp. 37-0123, Rock Crusher	"	" "
Portable	Curry County Crushers 37-0081, Asphalt Plant (Renewal)	1/2/76	" "
Portable	Morse Bros. 37-0113, Asphalt Plant (Addendum)	1/14/76	Addendum Issued
Portable	Sun Studs 37-0089, Rock Crusher (Addendum)	1/14/76	" "
Clackamas Yoder	Kropf Lumber 03-2630, Sawmill (Addendum)	1/19/76	" "
Douglas Riddle	Hanna Nickel 10-0007, Primary Smelting	1/12/76	Permit Issued

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PERMIT ACTIONS COMPLETED (57 - continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Jackson White City	Permaneer Corp. 15-0027, Particleboard (Modification)	1/22/76	Permit Issued
Multnomah Portland	Georgia Pacific 26-2911, Addendum	1/21/76	Addendum Issued
Washington Hillsboro	Medford Corp. 34-2060, Addendum	1/23/76	" "
Multnomah Portland	Shell Oil Co. 26-2028 Addendum	1/26/76	" "
Clackamas Milwaukie	Milwaukie Plywood Corp. 03-1874, Addendum #1	12/31/75	Issued Addendum
Multnomah Portland	Chevron Asphalt 26-2025, Addendum #1	1/2/76	" "
Multnomah Portland	Pacific Carbide and Alloys 26-2015, Calcium Carbide Mfg.	12/29/75	Permit Issued
Marion Salem	Fairview Hospital 24-5148, Incinerator	1/2/76	" "
Marion Salem	Oregon State Highway Div. 24-4437, Boiler	1/2/76	" "
Marion Idanha	Champion International 24-5667, Veneer Plant	1/2/76	" "
Tillamook Garibaldi	American Shingle 29-0013, Shake & Shingle Mill	1/2/76	" "
Wallowa Lostine	Starner Lumber Co. 32-003, Sawmill	1/2/76	" "
Union LaGrande	Grande Ronde Hospital 31-0027, Incinerator	1/2/76	" "
Union LaGrande	Boise Cascade Corp. 31-0002, Particleboard - Reissued	1/2/76	" "
Portable	B & D Paving 37-0047, Asphalt Plant (Renewal)	1/2/76	" "
Portable	Peter Kiewit 37-0024, Asphalt Plant (Renewal)	1/2/76	" "

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City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Portable	J. C. Compton 37-0044, Asphalt Plant (Renewal)	1/2/76	Permit Issued
Portable	Roseburg Paving 37-0029, Asphalt Plant (Renewal)	1/2/76	" "
Portable	Rogue River Paving 37-0028, Asphalt Plant (Renewal)	1/2/76	" "
Portable	Baldwin-Busch 37-0120, Asphalt Plant	1/2/76	" "
Portable	Beaver State Sand & Gravel 37-0129, Asphalt Plant (Reissued)	1/2/76	" "
Portable	Peter Kiewit 37-0095, Asphalt Plant (Renewal)	1/2/76	" "

New Direct Stationary Sources (1)

Salem, Marion.	Gerlinger Casting New Steel Foundry	1/28/76	Permit Issued
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Indirect Sources (4)

Portland, Multnomah	YMCA Metro Center, 93 space parking facility	1/5/76	Final Permit Issued
Lents Area, Multnomah	Tri-Met bus parking & service facility, 220 space parking facility	1/19/76	Final Permit Issued
Portland, Multnomah	Farwest Center, 62 space parking facility	1/23/76	Final Permit issued
Tigard, Washington	Payless Shopping Center, 421 space parking facility	1/23/76	Final Permit Issued

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PLAN ACTIONS COMPLETED (10)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
West Salem, Polk	Fowler Demolition Site Existing Site Operational Plan	12/29/75	Disapproved
Sutherlin, Douglas	Roseburg Lumber Company Sutherlin Pond Disposal Site Existing Site Operational Plan	12/31/75	Approved
Pendleton, Umatilla	Robert T. Mumm Demolition Site New Site Construction and Operational Plan	1/2/76	Letter of Authorization
Sweet Home, Linn	Clark Mill Road Disposal Site Existing Site Operational Plan	1/19/76	Letter of Authorization
Reedsport, Douglas	Reedsport Disposal Site Existing Site Operational Plan	1/26/76	Provisional Approval
Glendale, Douglas	Glendale Disposal Site Existing Site Interim Operational & Closure Plans	1/26/76	Provisional Approval
Yoncalla, Douglas	Yoncalla Disposal Site Existing Site Interim Operational & Closure Plans	1/26/76	Provisional Approval
Lookingglass, Douglas	Lookingglass Disposal Site Existing Site Interim Operational & Closure Plans	1/26/76	Provisional Approval
Canyonville, Douglas	Canyonville Disposal Site Existing Site Operational Plan	1/27/76	Disapproved
Mid-Columbia Economic Development District	Regional Solid Waste Management Plan	1/28/76	Provisional Approval



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PERMIT ACTIONS COMPLETED (14)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>General Refuse (Garbage) Facilities (11)</u>			
Columbia	Clatskanie Landfill Existing Landfill	1/15/76	Permit issued. (renewal)
Coos	Powers Disposal Site Existing Facility	1/20/76	Permit issued.
Morrow	Turner Landfill New Facility	1/20/76	Permit issued.
Lane	London Transfer Station Existing Facility	1/23/76	Permit issued. (renewal)
Lane	McKenzie Bridge Landfill Existing Facility	1/26/76	Permit issued. (renewal)
Wasco	Maupin Disposal Site Existing Facility	1/26/76	Permit issued.
Coos	Myrtle Point Disposal Site Existing Facility	1/28/76	Permit issued.
Columbia	Vernonia Landfill Existing Facility	1/29/76	Permit issued. (renewal)
Wallowa	Enterprise Disposal Site Existing Facility	1/29/76	Permit issued
Wallowa	Joseph Disposal Site Existing Facility	1/29/76	Permit issued.
Union	Ladd Canyon Storage Site Existing Facility	1/30/76	Permit issued (renewal)



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PERMIT ACTIONS COMPLETED (14 - continued)

City and County	Name of Source/Project/Site and Type of Same	Date of Action	Action
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Demolition Solid Waste Disposal Facilities (1)

Umatilla	Robert J. Mumm New Facility	1/2/76	Letter authorization issued.
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Sludge Disposal Facilities (0)

Industrial Solid Waste Disposal Facilities (2)

Linn	Willamette Industries, Sweet Home; Existing Facility	1/19/76	Letter authorization issued.
Douglas	U.S. Plywood, Roseburg Existing Facility (closed)	8/30/75	Letter authorization revoked. Not previously reported.

APPENDIX B

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Permit and Plan Actions

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PLAN ACTIONS COMPLETED - 62

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 51</u>			
Josephine	Harbeck-Fruitdale-Martin sewer proj.	1/30/76	Provisional Approval
Tillamook	Cloverdale STP & filter shop drawings	2/5/76	Approved
Multnomah	Grësham N.E. Victory Ave. sewer	2/3/76	Provisional Approval
Washington	USA (Rock Cr) Add #4 Contr. 17B	2/3/76	Approved
Washington	USA (Rock Cr) Add #2 & #3 Contrs. 36A & 36B	2/3/76	Approved
Washington	USA (Tigard) Englewood commercial sewer	2/3/76	Provisional Approval
Washington	USA (Beaverton) Center Square Apts. sewer	2/3/76	Provisional Approval
Washington	USA (Aloha) Tee Jay No. 4 Subdn sewers	2/3/76	Provisional Approval
Clackamas	CCSD #1 C.O. #10 STP proj.	2/4/76	Approved
Umatilla	Hermiston Hartley Ave. sewer	2/5/76	Provisional Approval
Curry	Harbor S.D. C.O. #1 & 2 Pump sta contracts	2/5/76	Approved
Deschutes	Bend Pilot Butte Professional Park san. sewers	2/9/76	Provisional Approval
Jackson	Ashland C.O. #3 STP proj.	2/9/76	Approved
Marion	Keizer S.D. #1 (Salem-Willow) Burhardt Addn. sewers	2/9/76	Provisional Approval
Umatilla	Hermiston Turner Addn. sewers	2/9/76	Provisional Approval
Washington	USA (Rock Cr) Add #1, Contr 39	2/10/76	Approved
Yamhill	McMinnville Royal Ann Addn. sewers	2/10/76	Provisional Approval
Multnomah	Portland Extra Bill #3, Force Ave. P.S.	2/11/76	Approved

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PLAN ACTIONS COMPLETED - 62 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 51 (Continued)</u>			
Deschutes	Eight Ball Restaurant septic tank and drill hole modification	2/12/76	Provisional Approval
Clackamas	West Linn Davenport Subdn sewer	2/12/76	Provisional Approval
Multnomah	Portland N.E. 57th & Hassalo sewer	2/13/76	Provisional Approval
Washington	Hillsboro Montego Subdn sewers	2/13/76	Provisional Approval
Washington	Hillsboro Patti-Ron Park Subdn sewers	2/13/76	Provisional Approval
Multnomah	Portland S.W. 35th & Dolph Ct. sewer	2/13/76	Provisional Approval
Washington	USA (Rock Cr) Contracts Nos. 40A & B; Contract 45 STP proj.	2/13/76	Provisional Approval
Yamhill	Dundee Viewmont Terrace No. 2	2/17/76	Provisional Approval
Klamath	Chiloquin C.O. #2 Sch. B STP proj.	2/17/76	Approved
Multnomah	Gresham Richard & Mary Subdn sewers	2/18/76	Provisional Approval
Washington	Hillsboro (Rock Cr) Sussex Park Subdn sewer	2/19/76	Provisional Approval
Marion	Salem (Willow) Ironwood Estates No. 2, Ph. 2 & Meadow Park Village subdn sewers	2/19/76	Provisional Approval
Marion	Salem (Willow Lake) Ironwood Estates No. 2 sewers	2/20/76	Provisional Approval
Washington	USA (Rock Cr) Add. No. 5, Contr. 17B	2/20/76	Approved
Washington	USA (Rock Cr) Contract No. 42	2/20/76	Provisional Approval
Washington	USA (Rock Cr) Add. #1 Contr. 42	2/20/76	Approved
Clackamas	Sandy Industrial Park Sewers	2/20/76	Provisional Approval
Yamhill	McMinnville Royal Ann Addition sewers	2/23/76	Provisional Approval

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PLAN ACTIONS COMPLETED - 62 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 51 (Continued)</u>			
Clackamas	Clack. Co. S.D. #1 Kellogg Oaks Phase II Subdn sewers	2/24/76	Provisional Approval
Multnomah	Inverness Co.O. #1 & 2 - Inverness 6A	2/24/76	Approved
Washington	USA (Aloha) Fieldstone Subdn, Phase 3 sewers	2/24/76	Provisional Approval
Clackamas	Lake Oswego Verte Ridge Subdn sewers	2/25/76	Provisional Approval
Washington	USA (Aloha) Shadow Wood No. 5 Subdn sewers	2/25/76	Provisional Approval
Washington	USA (Aloha) Raleigh Baker Subdn sewers	2/25/76	Provisional Approval
Washington	USA (Forest Grove) Gales Cr. Rd. sewer	2/25/76	Provisional Approval
Washington	USA (Rock Cr) Schedule D, Contract 38 STP	2/25/76	Provisional Approval
Lane	Springfield Shadylane Drive Sewer	2/26/76	Provisional Approval
Deschutes	Bend Knoll Hts. - 1st Addn. Subdn sewers	2/26/76	Provisional Approval
Multnomah	Portland Tryon Cr. STP 8.3 MGD secondary treatment expansion	2/27/76	Provisional Approval
Umatilla	Hermiston Turner Subdn sewer	2/27/76	Provisional Approval

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PLAN ACTIONS COMPLETED - 62 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Waste Sources - 11</u>			
Columbia	Scappoose - C. H. Loos Animal Waste Treatment	2/3/76	Approved
Wasco	The Dalles - The Dalles Cherry Cherry Growers Waste Treatment	2/3/76	Approved
Multnomah	Portland - Halton Tractor Co. Waste Treatment	2/5/76	Approved
Wasco	The Dalles - Stadleman Fruit Co. Secondary Treatment	2/9/76	Approved
Wasco	The Dalles - Oregon Fish & Wildlife Salmon River Hatchery Waste Treatment	2/12/76	Approved
Multnomah	Portland Union Stock Yards Animal Wastes	2/16/76	Approved
Polk	Independence - Sunny-70 Farm, Inc. Animal Waste Facilities	2/17/76	Approved
Multnomah	Union Carbide Recirculation	2/23/76	Approved
Jefferson	Metolius - Gourmet Food Products Inc. Effluent Disposal System	2/25/76	Approved
Linn	Albany - Teledyne - Wah Chang Storm Water Diversion	2/26/76	Disapproved
Linn	Albany - Teledyne - Wah Chang Sheet Piling Wall	2/26/76	Disapproved

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SUMMARY OF WATER PERMIT ACTIONS

	Permit Actions Received				Permit Actions Completed				Permit Actions Pending		Sources Under Permits		Sources Reqr'g Permits	
	Month		Fis. Yr.		Month		Fis. Yr.							
	*	**	*	**	*	**	*	**	*	**	*	**	*	**
<u>Municipal</u> 1/														
New	1	3	3	4	0	1	0	6	3	7				
Existing	0	0	0	4	1	0	11	4	1	5				
Renewals	19	1	50	3	7	0	7	11	44	8				
Modifications	3	0	64	2	5	0	46	2	18	0				
<b>Total</b>	<b>23</b>	<b>4</b>	<b>117</b>	<b>13</b>	<b>13</b>	<b>1</b>	<b>64</b>	<b>21</b>	<b>66</b>	<b>21</b>	<b>286</b>	<b>46</b>	<b>290</b>	<b>58</b>
<u>Industrial</u>														
New	0	1	6	8	0	0	6	11	4	5				
Existing	0	1	3	5	2	0	5	13	6	7				
Renewals	10	3	32	5	3	1	3	21	29	13				
Modifications	5	0	108	2	7	0	56	2	52	0				
<b>Total</b>	<b>15</b>	<b>5</b>	<b>150</b>	<b>20</b>	<b>12</b>	<b>1</b>	<b>70</b>	<b>47</b>	<b>91</b>	<b>25</b>	<b>418</b>	<b>67</b>	<b>428</b>	<b>79</b>
<u>Agricultural (Hatcheries, Dairies, etc.)</u>														
New	0	0	3	0	0	0	0	0	3	0				
Existing	0	0	0	0	0	0	0	0	0	1				
Renewals	0	0	0	0	0	0	0	0	0	0				
Modifications	1	0	20	0	0	0	6	0	14	0				
<b>Total</b>	<b>1</b>	<b>0</b>	<b>23</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>17</b>	<b>1</b>	<b>58</b>	<b>3</b>	<b>61</b>	<b>4</b>
<b>GRAND TOTALS</b>	<b>39</b>	<b>9</b>	<b>290</b>	<b>33</b>	<b>25</b>	<b>2</b>	<b>140</b>	<b>68</b>	<b>174</b>	<b>47</b>	<b>762</b>	<b>116</b>	<b>779</b>	<b>142</b>

\* NPDES Permits  
\*\* State Permits

1/ Includes all domestic sewage. Does not include municipally operated industrial waste facilities or water filtration plants.



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PERMIT ACTIONS COMPLETED - 29

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sources (16)</u>			
Tillamook	City of Rockaway Sewage Disposal	2/3/76	NPDES Permit Modified
Lane	City of Cottage Grove Sewage Disposal	2/3/76	NPDES Permit Modified
Benton	Knoll Terrace Park Sewage Disposal	2/3/76	NPDES Permit Modified
Clatsop	Sundown Sanitary District Sewage Disposal	2/4/76	NPDES Permit Issued
Coos	City of Powers Sewage Disposal	2/4/76	NPDES Permit Renewed
Jackson	City of Ashland Sewage Disposal	2/4/76	NPDES Permit Renewed
Lane	Lane County Parks Camp Lane	2/13/76	NPDES Permit Renewed
Linn	City of Harrisburg Sewage Disposal	2/13/76	NPDES Permit Renewed
Klamath	Weyerhaeuser Camp 14 Sewage Disposal	2/19/76	State Permit Issued
Multnomah	Cosmopolitan Airtel Sewage Disposal	2/19/76	NPDES Permit Renewed
Umatilla	City of Hermiston Sewage Disposal	2/19/76	NPDES Permit Renewed
Curry	City of Port Orford Sewage Disposal	2/19/76	NPDES Permit Renewed
Douglas	City of Canyonville Sewage Disposal	2/27/76	NPDES Permit Modified
Douglas	City of Sutherlin Sewage Disposal	2/27/76	NPDES Permit Modified

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PERMIT ACTIONS COMPLETED - 29 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sources - continued</u>			
Multnomah	Rodeway Inn Sewage Disposal	2/27/76	Discharge Eliminated
Multnomah	T & W Equipment Sewage Disposal	2/27/76	Discharge Eliminated
<u>Industrial &amp; Commercial Sources - (13)</u>			
Multnomah	Owens-Illinois Fiberglass	2/3/76	NPDES Permit Modified
Tillamook	Tillamook County Creamery Cheese Factory	2/3/76	NPDES Permit Modified
Lane	SWF Plywood Springfield	2/4/76	NPDES Permit Renewed
Coos	Ocean Spray Cranberries Coos Bay	2/4/76	NPDES Permit Issued
Lane	Coca-Cola Bottling Co. Eugene	2/13/76	NPDES Permit Renewed
Yamhill	Millers Wholesale Meats Dayton	2/19/76	State Permit Renewed
Umatilla	Rogers - Walla Walla, Inc. Milton-Freewater	2/19/76	NPDES Permit Renewed
Lane	Parker & Sons Tire Co. Goshen Truck Wash	2/19/76	NPDES Permit Issued
Lane	International Paper Co. Vaughn Sawmill	2/27/76	NPDES Permit Modified
Lane	Oregon Metallurgical Titanium Mill	2/27/76	NPDES Permit Modified
Linn	Skyline Products Plastics	2/27/76	NPDES Permit Modification

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PERMIT ACTIONS COMPLETED - 29 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial &amp; Commercial Sources - continued</u>			
Coos	Alaska Packers Assn. Charleston Plant	2/27/76	NPDES Permit Modified
Douglas	City of Myrtle Creek Filter Plant	2/27/76	NPDES Permit Modified

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PLAN ACTIONS COMPLETED - 14

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources (14)</u>			
Lane	Mazama Timber, Blacktopping traffic areas	2/2/76	Approved
Clackamas	Oregon Ready Mix Co., Inc. Venting weigh hopper exhaust to cement silo baghouse	2/3/76	Approved
Douglas	Umpqua Dairy Products, Installation of NG fired boiler	2/3/76	Approved
Deschutes	Brooks-Willamette, #2 boiler modification	2/4/76	Approved
Washington	USA Rock Creek AWT Plant, Lime slaking system	2/10/76	Approved
Coos	Georgia Pacific Corp., Installation of a new multi- clone for #1 hog fuel boiler	2/12/76	Approved
Marion	Shiny Rock Mining Corp., Installation of rock crushing equipment	2/12/76	Approved
Coos	Johnson Rock Production, Baghouse on concrete mix truck loader	2/12/76	Approved
Klamath	Maywood Industries Installation of 12 cyclones at door manufacturing plant	2/13/76	Approved
Crook	Louisiana Pacific Corporation New wet scrubber for hog fuel boilers #1 and #2	2/13/76	Approved
Douglas	Mercy Medical Center, Installation of two new oil fired boilers	12/17/76	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY  
 TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Control  
 (Reporting Unit)

February 1976  
 (Month and Year)

PLAN ACTIONS COMPLETED - 14 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources (continued)</u>			
Multnomah	McCall Marine Terminal, Two new 100' diameter petroleum products storage tanks	2/19/76	Approved
Douglas	Milo Academy Hog fuel boiler	2/25/76	Approved
Douglas	Mt. Mazama Timber, New sanderdust boiler	2/25/76	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Control  
(Reporting Unit)

February 1976  
(Month and Year)

SUMMARY OF AIR PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending	Sources under Permits	Sources Reqr'g Permits
	<u>Month</u>	<u>Fis.Yr.</u>	<u>Month</u>	<u>Fis.Yr.</u>			
<u>Direct Sources</u>							
New	1	6	1	4	6		
Existing	6	49	4	243	58 <sup>1/</sup>		
Renewals	24	56	6	45	63		
Modifications	7	18	8	44	8		
Total	38*	129	19	336	135	2080	2144
<u>Indirect Sources</u>							
New	5	38	0	27	25		
Existing	NA	NA	NA	NA	NA		
Renewals	NA	NA	NA	NA	NA		
Modifications	0	1	0	1	--		
Total	5	39	0	28	25	33	NA
<u>GRAND TOTALS</u>	42	168	18	364	156	2113	

\*Includes 19 applications received by MWVAPA and 7 modifications generated by the Department.

1/ These pending actions are for existing sources which are operating on automatic extensions or on temporary permits.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Control  
(Reporting Unit)

February 1976  
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PERMIT ACTIONS COMPLETED - 19

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Benton	Mary's River Lumber Co. (02-7002), Sawmill Renewal	2/13/76	Permit Issued
Douglas	Barron Bros. Logging (10-0111), Sawmill	2/13/76	Permit Issued
Douglas	Permaneer Corp. (10-0013), Particleboard, Modification	2/13/76	Permit Issued
Hood River	Sun Paving (14-0017), Asphalt Plant	2/18/76	Permit Issued
Jackson	Ashland Community Hospital (15-0076), Addendum	2/6/76	Addendum Issued
Jackson	Rogue Valley Memorial Hospital (15-0080), Addendum	2/10/76	Addendum Issued
Jackson	Gilmore's Sand and Gravel (15-0082), Addendum #1	2/13/76	Addendum Issued
Lincoln	Pacific Communities Hospital (21-0038), Addendum	2/6/76	Addendum Issued
Linn	Simpson Timber Co. (22-0512), Plywood; Renewal	2/13/76	Permit Issued
Linn	Woodex, Inc. (22-1034), New Source	2/20/76	Permit Issued
Linn	Rose-Nordstrand Cedar (22-5210), Shake & Shingle Mill, Renewal	2/13/76	Permit Issued
Multnomah	Union Carbide Corp. (26-1873) Addendum	2/10/76	Addendum Issued
Multnomah	Koppers Co. (26-2930), Addendum	2/6/76	Addendum Issued
Yamhill	U.S. Plywood (36-8008), Plywood, Renewal	2/13/76	Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Control  
(Reporting Unit)

February 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED - 19 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Portable	Babler Bros. (37-0020), Asphalt Plant Renewal	2/13/76	Permit Issued
Portable	Corvallis Sand & Gravel (37-0070), Ready Mix Concrete Modification	2/13/76	Permit Issued
Portable	Babler Bros. (37-0094), Asphalt Plant Renewal	2/13/76	Permit Issued
Portable	Superior Asphalt & Concrete Co. (37-0097), Rock Crusher	2/13/76	Permit Issued
Portable	Babler Bros. (37-0121), Asphalt Plant	2/13/76	Permit Issued

Indirect Sources - 0



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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality  
(Reporting Unit)

February 1976  
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PLAN ACTIONS COMPLETED (12)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Lincoln	Georgia Pacific Existing Site Closure Plan.	2/1/76	Letter of Authorization
Umatilla	Pendleton Landfill Existing Site Operational Plan.	2/5/76	Provisional Approval
Jackson	South Stage Disposal Site New Site Construction & Operational Plans.	2/5/76	Provisional Approval
Tillamook	Pacific Shrimp Company Agricultural Utilization of Shellfish Waste.	2/6/76	Provisional Approval
Tillamook	Edmunds Fish & Crab, Inc. Agricultural Utilization of Shellfish Waste.	2/6/76	Provisional Approval
Tillamook	Hoy Brothers Fish & Crab, Inc. Agricultural Utilization of Shellfish Waste.	2/6/76	Provisional Approval
Douglas	Elkton Disposal Site. Existing Site Interim Operational and Closure Plans.	2/6/76	Provisional Approval
Grant	Hendrix Landfill Existing Site Operational Plan.	2/10/76	Approved
Linn	Lebanon Landfill Existing Site Development Plan.	2/10/76	Returned for Completion of Submittal
Jackson	Ashland Solid Waste Disposal Site. Existing Site Construction and Operational Plans.	2/19/76	Provisional Approval

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality  
(Reporting Unit)

February 1976  
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PLAN ACTIONS COMPLETED - 12 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Lane	Request for Proposal Resource Recovery Facility New Site.	2/20/76	Approved
Lane	Short Mountain Landfill New Site Environmental Assessment.	2/24/76	Provisional Approval

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality  
(Reporting Unit)

February 1976  
(Month and Year)

SUMMARY OF SOLID AND HAZARDOUS WASTE PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending	Sites Under Permits	Sites Reqr'g Permits
	Month	Fis.Yr.	Month	Fis.Yr.			
<u>General Refuse</u>							
New	1	6		21	1		
Existing	1	2	3	32	65 (*)		
Renewals	3	20	6	25	2		
Modifications		8	1	10			
Total	5	36	10	88	68	193	194
<u>Demolition</u>							
New		4		4	1		
Existing				1	2 (*)		
Renewals	1	3		2	1		
Modifications							
Total	1	7		7	4	14	15
<u>Industrial</u>							
New	3	7	1	9	2		
Existing	1	7	4	24	18 (* - 7 without permits)		
Renewals		4		9			
Modifications		1		3			
Total	4	18	5	45	20	90	97
<u>Sludge Disposal</u>							
New		1					
Existing				1	1 (*)		
Renewals		1	1	2			
Modifications							
Total		2	1	3	1	8	8
<u>Hazardous Waste</u>							
New					1		
Existing							
Renewals							
Modifications							
Total					1	0	0
<u>GRAND TOTALS</u>	10	64	16	144	94	305	314

(\*) Sites operating under temporary permit authorizations until regular permits are issued.

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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality  
(Reporting Unit)

February 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (16)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>General Refuse (Garbage) Facilities (10)</u>			
Jackson	South Stage Disposal Site Existing Facility	2/19/76	Permit issued (renewal)
Wasco	No. Wasco County Landfill Existing Facility	2/24/76	Permit amended
Lane	Vida-Leaburg Transfer Station Existing Facility	2/24/76	Permit issued (renewal)
Coos	Fairview Disposal Site Existing Facility	2/25/76	Permit issued
Jackson	Ashland Disposal Site Existing Facility	2/25/76	Permit issued (renewal)
Lake	Adel Disposal Site Existing Facility	2/27/76	Permit issued (renewal)
Lake	Christmas Valley Disposal Site Existing Facility	2/27/76	Permit issued (renewal)
Lake	Fort Rock Disposal Site Existing Facility	2/27/76	Permit issued
Lake	Plush Disposal Site Existing Facility	2/27/76	Permit issued (renewal)
Lake	Silver Lake Disposal Site Existing Facility	2/27/76	Permit issued

Demolition Solid Waste Disposal Facilities (0)

Sludge Disposal Facilities (1)

Lincoln	Clark's Disposal Site Existing Facility	2/6/76	Permit issued (renewal)
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DEPARTMENT OF ENVIRONMENTAL QUALITY  
 TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality  
 (Reporting Unit)

February 1976  
 (Month and Year)

PERMIT ACTIONS COMPLETED - 16 (con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Solid Waste Disposal Facilities (5)</u>			
Douglas	Roseburg Lumber, Sutherlin Existing Facility	2/13/76	Permit issued
Josephine	Tim Donovan New Facility	2/17/76	Letter author- ization issued
Douglas	Rifle Range Road Site Existing Facility	2/24/76	Permit issued
Douglas	Horse Barn Disposal Site Existing Facility	2/24/76	Permit issued
Benton	Hobin Lumber Company Existing Facility	2/25/76	Permit issued

APPENDIX C

Department of Environmental Quality  
Technical Programs

Permit and Plan Actions

March 1976

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MONTHLY ACTIVITY REPORT

Air, Water and Land  
Quality Divisions  
(Reporting Unit)

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SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.	
<u>Air</u>							
Direct Sources	19	101	13	105			25
Indirect Sources							
Total	19	101	13	105			25
<u>Water</u>							
Municipal	84	643	75	661			31
Industrial	11	135	11	121		8	8
Total	95	778	86	782		8	39
<u>Solid Waste</u>							
General Refuse	6	55	10	68		1	11
Demolition		3		3		1	1
Industrial	4	19	4	28			4
Sludge		3		4		1	
Total	10	80	14	103		3	16
<u>Hazardous Wastes</u>							
<u>GRAND TOTAL</u>	124	959	113	990		11	80

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED - 86

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 75</u>			
Marion	Salem (Willow) - C.O. #4 & 5 STP Projects	3/1/76	Approved
Clackamas	Oak Lodge S.D. - Sunlite Court sewer	3/1/76	Provisional Approval
Washington	USA (Rock Cr.) - Add. #6, Contr. 17B STP Project	3/1/76	Approved
Lane	Florence - Phase I, Siuslaw Village subdn sewers	3/1/76	Provisional Approval
Hood River	Hood River - Div. I, Dist. 8 sewer project	3/2/76	Provisional Approval
Union	La Grande - Sunnyvale Add. sewers	3/3/76	Provisional Approval
Clatsop	Warrenton - N.W. 1st St. & Cedar Ct. sewers	3/4/76	Provisional Approval
Washington	USA (Forest Grove) - Elder Park sewers	3/4/76	Provisional Approval
Washington	USA (Rock Cr.) - Contracts 37A, 37B & 43 STP projects	3/4/76	Provisional Approval
Jefferson	Culver - C.O. #5, 7, 8 & 9 STP projects	3/4/76	Provisional Approval
Multnomah	Tualatin Hts. S.D. #5 - S.W. 47th Ave. sewer project	3/4/76	Provisional Approval
Umatilla	Hermiston - N. 1st St. sewer project	3/5/76	Provisional Approval
Columbia	St. Helens - Crestwood subdn. sewers	3/8/76	Provisional Approval
Clackamas	Wilsonville - Magnolia St. sewer	3/8/76	Provisional Approval
Washington	USA (Aloha) - Willow Creek subdn sewers	3/8/76	Provisional Approval



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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED - 86 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 75 (Continued)</u>			
Washington	USA (Rock Creek) - Add. #1, Contr. 40 A & B	3/8/76	Approved
Washington	USA (Forest Grove) - C.O. #6 STP project	3/8/76	Approved
Jackson	BCVSA - Kings Hwy sewer project	3/8/76	Provisional Approval
Umatilla	Hermiston - Sunland Estates subdn. sewers	3/9/76	Provisional Approval
Lane	Springfield - Vintah Acres subdn. sewers	3/9/76	Provisional Approval
Marion	Salem (Willow Lake ) - Hayesville Estates No. 3 subdn. sewers	3/9/76	Provisional Approval
Washington	USA (Aloha) - Autumn Ridge subdn. sewers	3/9/76	Provisional Approval
Washington	USA (Forest Grove ) - 17th Ave. sewer	3/10/76	Provisional Approval
Washington	USA (Rock Creek) - Add. #1 contr.45	3/10/76	Approved
Jackson	Medford - Lon Mark subdn. sewers	3/10/76	Provisional Approval
Umatilla	Umatilla - Lincoln St. san. sewer	3/10/76	Provisional Approval
Tillamook	NTCSA - C.O. B-1-1 STP project	3/10/76	Approved
Washington	USA (Forest Grove) - C.O. #7 STP	3/10/76	Approved
Clackamas	Government Camp S.D. - Frontage Rd. Int. sewer	3/10/76	Provisonal Approval
Washington	USA (Rock Creek) - Add. # 2, Contr. 45 STP project	3/11/76	Approved
Clackamas	Government Camp S.D.- Add. #2 Frontage Rd. sewer	3/15/76	Approved
Jefferson	Culver - C. O. #1, 2, 3, 4 & 6 STP Project	3/16/76	Approved

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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

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(Month and Year)

PLAN ACTIONS COMPLETED - 86 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 75 (Continued)</u>			
Tillamook	NTCSA - 4 C.O. Contr. 1 & 4	3/16/76	Approved
Grant	Long Creek - Add. #3 STP project	3/16/76	Approved
Washington	USA (Rock Creek) - Add. #2 & 3 Contr. 42 STP project	3/19/76	Approved
Tillamook	Cloverdale - C.O. #B-1 & A-1 Sch. I STP project	3/19/76	Approved
Clackamas	C.C.S.D. #1 - Cavalier Park subdn sewers	3/19/76	Provisional Approval
Yamhill	Amity - sewer lateral A - 1.4.1	3/22/76	Provisional Approval
Grant	Long Creek - Add. #4 STP project	3/23/76	Approved
Yamhill	Dayton - Ash St. & Flower Lane san. sewer	3/24/76	Provisional Approval
Washington	USA (Rock Creek) - Add. # 1, 2 & 3 Contr. 38 STP project	3/24/76	Approved
Deschutes	Sunriver - sludge drying beds and flow equalization - STP	3/24/76	Provisional Approval
Union	Union - sewerage system & STP - 0.365 MGD capacity secondary plus disinfection	3/25/76	Provisional Approval
Multnomah	Portland - C.O. #4 grit facilities at Columbia Blvd. STP	3/25/76	Approved
Multnomah	Portland - S. W. 48th Dr. sewer	3/25/76	Provisional Approval
Coos	North Bend - Spruce St. sewer	3/25/76	Provisional Approval
Washington	USA (Fanno) - Timberidge Subdn. sewers	3/25/76	Provisional Approval
Washington	USA (Aloha) - Newkirk Court sewer	3/25/76	Provisional Approval
Washington	USA (Beaverton) - Holleridge Apts. sewer	3/25/76	Provisional Approval

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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
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PLAN ACTIONS COMPLETED - 86 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Municipal Sewerage Projects - 75 (Continued)</u>			
Josephine	Harbeck-Fruitdale S.D. - sewer lateral L-2	3/25/76	Provisional Approval
Washington	USA (Rock Creek) - Add. No. 1 Contr. 37 STP project	3/26/76	Provisional Approval
Clackamas	C.C.S.D. #1 - Tiffany Court sewer	3/29/76	Provisional Approval
Clackamas	Government Camp S.D. - san. sewer modifications & extensions	3/29/76	Provisional Approval
Polk	Monmouth - Ben Colbath sewer project	3/29/76	Provisional Approval
Clackamas	C.C.S.D. #1 - Cavalier Park subdn. sewer	3/30/76	Provisional Approval
Multnomah	Portland - Johns Landing sewer	3/30/76	Provisional Approval
Marion	Woodburn - Van Lieu subdn. sewers	3/30/76	Provisional Approval
Benton	Corvallis - N.W. Circle Blyd. sewer	3/30/76	Provisional Approval
Clackamas	West Linn - West Willamette L.I.D - Phase A sewers	3/30/76	Provisional Approval
Multnomah	Portland - C.O. #4 - N. Portland Rd. N. Force Ave. pump station	3/31/76	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED - 86 (Continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Waste Sources - 11</u>			
Klamath	Klamath Falls - Burlington Northern, Inc. - Oily waste treatment facilities	3/2/76	Approved
Columbia	Dallas - C. H. Loos - Animal waste manure, holding & disposal	3/2/76	Approved
Lincoln	Oregon Fish & Wildlife - Alsea Hatchery waste water treatment	3/9/76	Approved
Douglas	Oregon Water Corp., Oakland Plant Final plans - waste treatment - backwash	3/24/76	Approved
Clatsop	Astoria - Alaska Packers Install fine screening	3/24/76	Approved
Lincoln	Newport - Alaska Packers Install fine screening	3/24/76	Approved
Washington	Beaverton - Tektronix, Inc. Water reuse improvements	3/24/76	Approved
Linn	Albany - Teledyne Wah Chang Cooling water reuse	3/26/76	Approved
Jackson	Trail - Oregon Fish & Wildlife Cole Rivers Hatchery - waste water treatment	3/31/76	Approved
Lane	Springfield - Chembond Corp. Phenol spill & recovery system	3/31/76	Approved
Douglas	Oregon Water Corp. Winchester Plant - Final plans - waste treatment - backwash	3/24/76	Approved

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MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
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SUMMARY OF WATER PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending		Sources Under Permits		Sources Reqr'g Permits	
	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.
	*   **	*   **	*   **	*   **	*   **	*   **	*   **	*   **	*   **	*   **
<u>Municipal</u> <sup>1/</sup>										
New	2   0	5   4	0   3	0   9	5   4					
Existing	1   1	1   5	1   1	12   5	1   5					
Renewals	3   3	53   6	2   0	7   11	45   11					
Modifications	6   0	70   2	6   1	52   3	18   0					
Total	12   4	129   17	9   5	71   28	69   20	287   50			293   59	
<u>Industrial</u>										
New	0   2	6   10	0   2	6   13	4   5					
Existing	5   1	8   6	<sup>2/</sup> -1   0	5   13	11   8					
Renewals	5   2	37   7	3   2	6   23	31   13					
Modifications	10   0	118   2	25   0	81   2	37   0					
Total	20   5	169   25	29   4	98   51	83   26	417   69			433   82	
<u>Agricultural (Hatcheries, Dairies, etc.)</u>										
New	1   1	4   1	1   0	1   0	3   1					
Existing	0   0	0   0	0   0	0   0	0   1					
Renewals	0   1	0   1	0   0	0   0	0   1					
Modifications	2   0	22   0	6   0	12   0	10   0					
Total	3   2	26   2	7   0	13   0	13   3	59   3			62   5	
<u>GRAND TOTALS</u>	35   11	324   44	45   9	182   79	165   49	763   122			788   146	

\* NPDES Permits  
\*\* State Permits

<sup>1/</sup> Includes all domestic sewage. Does not include municipally operated industrial waste facilities or water filtration plants.

<sup>2/</sup> One permit cancelled.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (54)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>MUNICIPAL SOURCES (14)</u>			
Klamath	New Horizons Boys Ranch Sewage Disposal	3/4/76	State Permit Issued
Malheur	City of Jordan Valley Sewage Disposal	3/4/76	State Permit Issued
Deschutes	Juniper Utility Sewage Disposal	3/4/76	State Permit Modified
Lincoln	City of Lincoln City Sewage Disposal	3/15/76	NPDES Permit Modified
Yamhill	City of McMinnville Sewage Disposal	3/15/76	NPDES Permit Modified
Columbia	City of Clatskanie Sewage Disposal	3/15/76	NPDES Permit Modified
Linn	Millersburg School District Sewage Disposal	3/15/76	NPDES Permit Modified
Jackson	Jackson County Parks Emigrant Lake Sewage	3/17/76	State Permit Issued
Deschutes	York's Restaurant Sewage Disposal	3/17/76	State Permit Issued
Morrow	Oregon State Dept. of Transportation Boardman Rest Area Sewage	3/17/76	NPDES Permit Issued
Lane	City of Creswell Sewage Disposal	3/22/76	NPDES Permit Modified
Douglas	City of Riddle Sewage Disposal	3/22/76	NPDES Permit Modified
Lake	City of Paisley Sewage Disposal	3/24/76	Changed from NPDES To State Application
Lake	City of Lakeview Sewage Disposal	3/24/76	Changed from NPDES to State Application

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TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (54 - continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>INDUSTRIAL &amp; COMMERCIAL SOURCES (33)</u>			
Union	R-D Mac, Inc.	3/4/76	State Permit Renewed
Linn	Hub City Concrete Gravel Operation	3/4/76	State Permit Renewed
Benton	City of Corvallis Rock Creek Filter Plant	3/8/76	NPDES Permit Modified
Benton	City of Corvallis Taylor Filter Plant	3/8/76	NPDES Permit Modified
Lincoln	City of Newport Water Filtration Plant	3/8/76	NPDES Permit Modified
Marion	Pacific Power & Light Co. Mill City Filter Plant	3/8/76	NPDES Permit Modified
Wasco	City of The Dalles Wicks Filter Plant	3/8/76	NPDES Permit Modified
Washington	City of Forest Grove Water Filtration Plant	3/8/76	NPDES Permit Modified
Jackson	City of Ashland Water Filtration Plant	3/8/76	NPDES Permit Modified
Douglas	City of Myrtle Creek Water Filtration Plant	3/8/76	NPDES Permit Modified
Douglas	Oregon Water Corporation Oakland Filter Plant	3/8/76	NPDES Permit Modified
Douglas	Oregon Water Corporation Winchester Filter Plant	3/8/76	NPDES Permit Modified
Douglas	City of Riddle Water Filtration Plant	3/8/76	NPDES Permit Modified
Douglas	Roberts Creek Water District Water Filtration Plant	3/8/76	NPDES Permit Modified
Douglas	City of Sutherlin Calapooya Filter Plant	3/8/76	NPDES Permit Modified

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (54 continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>INDUSTRIAL &amp; COMMERCIAL SOURCES (33 continued)</u>			
Douglas	City of Sutherlin Cooper Filter Plant	3/8/76	NPDES Permit Modified
Jackson	City of Talent Water Filtration Plant	3/8/76	NPDES Permit Modified
Douglas	Winston-Dillard Water District Water Filtration Plant	3/8/76	NPDES Permit Modified
Lincoln	Alaska Packers Assn. Newport Plant	3/15/76	NPDES Permit Modified
Tillamook	Hoy Brothers Fish & Crab Garibaldi	3/15/76	NPDES Permit Modified
Clackamas	Oregon Portland Cement Lake Oswego Plant	3/15/76	NPDES Permit Modified
Lane	Eugene Water & Electric Board Hayden Bridge Filter Plant	3/15/76	NPDES Permit Modified
Coos	Keith Lucas Placer Mine	3/17/76	State Permit Issued
Lake	Weyerhaeuser Company Camp 9 Sewage	3/17/76	State Permit Issued
Clackamas	Dravon Medical, Inc. Implement Sterilization	3/17/76	NPDES Permit Renewed
Union	Boise Cascade Corporation Elgin Mill	3/17/76	NPDES Permit Renewed
Lane	Davidson Industries Tide Plant	3/17/76	NPDES Permit Renewed
Columbia	Multnomah Plywood Corp. Wood Products	3/22/76	NPDES Permit Modified
Yamhill	U.S. Plywood- Champion P. Willamina Mill	3/22/76	NPDES Permit Modified
Clatsop	Astoria Seafood Fish Processing	3/22/76	NPDES Permit Modified



DEPARTMENT OF ENVIRONMENTAL QUALITY  
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MONTHLY ACTIVITY REPORT

Water Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (54 continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>INDUSTRIAL &amp; COMMERCIAL SOURCES (33 continued)</u>			
Tillamook	Edmunds Fish & Crab Co. Fish Processing	3/22/76	NPDES Permit Modified
Jackson	Medford Water Commission Water Filtration Plant	3/22/76	NPDES Permit Modified
Lincoln	Depoe Bay Fish Co. Fish Processing		Discharge Eliminated
<u>AGRICULTURAL SOURCES (7)</u>			
Lincoln	Dept. of Fish & Wildlife Alsea Salmon Hatchery	3/15/76	NPDES Permit Modified
Tillamook	Dept. of Fish & Wildlife East Fork Trask Pond	3/15/76	NPDES Permit Modified
Clatsop	Dept. of Fish & Wildlife Klatskanine Salmon Hatchery	3/15/76	NPDES Permit Modified
Lincoln	Dept. of Fish & Wildlife Siletz Salmon Hatchery	3/15/76	NPDES Permit Modified
Tillamook	Dept. of Fish & Wildlife Trask River Hatchery	3/15/76	NPDES Permit Modified
Lane	Dept. of Fish & Wildlife McKenzie River Hatchery	3/17/76	NPDES Permit Issued
Jackson	Dept. of Fish & Wildlife Butte Falls Hatchery	3/22/76	NPDES Permit Modified

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED (13)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Staitonary Sources (13)</u>			
Umatilla	Pendleton Wood Products, New transfer cyclone for sawdust	3/1/76	Approved
Lane	Georgia Pacific Corp., Veneer dryer burner modifications	3/3/76	Approved
Lane	Weyerhaeuser, Baghouse to control emissions from vinyl plant sander	3/4/76	Approved
Polk	Oregon-American Lumber Co., Hog fuel rotary druer	3/5/76	Approved
Multnomah	Esco Corporation, New bag filter for powder burnout booth	3/17/76	Approved
Douglas	Permaneer Corporation, Bag filter for transfer cyclone #16	3/17/76	Approved
Deschutes	Brooks-Willamette, Baghouse to control emissions from #1 sander	3/18/76	Approved
Crook	Clear Pine Moulding, New transfer cyclone and bag filter	3/24/75	Approved
Washington	D.G. Shelter Products, New bag filter for control of sanderdust	3/25/76	Approved
Douglas	Roseburg Lumber Plant #2, Burley scrubber on #3 dryer	3/25/76	Approved
Lincoln	New Lincoln Hospital, Replacement of existing incinerator	3/25/76	Approved
Wasco,	The Dalles General Hospital, Modification to existing incinerator	3/25/76	Approved
Douglas	Permaneer Corporation, Baghouse for silo storage of wood particles used to make particleboard.	3/31/76.	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

SUMMARY OF AIR PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending	Sources under Permits	Sources Reqr'g Permits
	Month	Fis.Yr.	Month	Fis.Yr.			
<u>Direct Sources</u>							
New	5	10	1	6	9		
Existing	10	59	33	276	33 <sup>1/</sup>		
Renewals	33	89	11	56	77		
Modifications	6	24	9	53	7		
Total	54	182	54	391	126	2114	2156
<u>Indirect Sources</u>							
New	2	40	13	40	14		
Existing	NA	NA	NA	NA	NA		
Renewals	NA	NA	NA	NA	NA		
Modifications	0	1	0	1	--		
Total	2	41	13	41	14	33	na
<u>GRAND TOTALS</u>	56	223	67	432	140	2147	

<sup>1/</sup> These pending actions are for existing sources which are operating on automatic extensions or on temporary permits.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (67)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Direct Stationary Sources - 54			
Clackamas	Oregon Ready Mix Co. 03-1922, Concrete, (Existing)	3/25/76	Permit Issued
Clackamas	Dammasch State Hospital 03-2593, Addendum	3/9/76	Addendum Issued
Clackamas	Eagle Foundry 03-2631, Addendum	3/12/76	Addendum Issued
Clackamas	Globe-Union, Inc. 03-2634, Battery Mfg. (Existing)	3/11/76	Permit Issued
Clackamas	J & W Sand & Gravel 03-2649, Rock Crusher (Existing)	3/25/76	Permit Issued
Clackamas	Eastman's Chrysler-Plymouth Co. 03-2658, Boiler (Existing)	3/11/76	Permit Issued
Coos	Moore Mill & Lumber Co. 06-0026, Sawmill (Existing)	3/11/76	Permit Issued
Coos	Leep Logging Corp. 06-0028 Sawmill (Existing)	3/11/76	Permit Issued
Coos	Alder Mfg. 06-0075 Hardwood Mill (Existing)	3/25/76	Permit Issued
Curry	R. D. Tucker 08-0009, Sawmill (Existing)	3/11/76	Permit Issued
Douglas	D. R. Johnson Lumber Co. 10-0018, Sawmill	3/2/76	Permit Issued
Douglas	Roseburg Lumber 10-0025, Addendum	3/11/76	Addendum Issued
Douglas	Westbrook Wood Products 10-0035, Veneer Mfg. (Existing)	3/25/76	Permit Issued
Harney	Harney County Hospital 13-0004, Incinerator (Existing)	3/25/76	Permit Issued
Jackson	Boise Cascade 15-0004, (Modification)	3/11/76	Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (67 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Klamath	D. G. Shelter Products 18-0015, Sawmill (Existing)	3/25/76	Permit Issued
Linn	Kropf Feed & Seed 22-7144, Animal Feeds (Renewal)	3/25/76	Permit Issued
Malheur	Ontario Asphalt Paving Co. 23-0016, Rock Crusher (Existing)	3/25/76	Permit Issued
Marion	Oregon Dept. of General Services 24-4192, Boiler (Existing)	3/25/76	Permit Issued
Marion	Gerlinger Casting Corp. 24-4505, Foundry (New Source)	3/11/76	Permit Issued
Marion	Keizer Sand & Gravel 24-4795, Rock Crusher (Renewal)	3/25/76	Permit Issued
Marion	Bob Qualey Construction 24-6345, Rock Crusher (Renewal)	3/25/76	Permit Issued
Multnomah	Reynolds Aluminum 26-1851, Addendum	3/5/76	Addendum Issued
Multnomah	Payne Bronze & Aluminum 26-1859, Foundry (Existing)	3/25/76	Permit Issued
Multnomah	N. I. Industries 26-1866, Secondary Smelting, Chemical Mfg., (Existing)	3/11/76	Permit Issued
Multnomah	Herbert Malarkey Roofing 26-1894, Addendum	3/9/76	Addendum Issued
Multnomah	Wagstaff Battery Mfg. 26-2408, Battery Mfg. (Existing)	3/25/76	Permit Issued
Multnomah	General Battery Corp 26-2410, Battery Mfg. (Existing)	3/11/76	Permit Issued
Multnomah	Columbia Battery Mfg. 26-2416, Battery Mfg. (Existing)	3/11/76	Permit Issued
Multnomah	Portland Willamette 26-2435, Addendum	3/5/75	Addendum Issued
Multnomah	Palmco 26-2938, Addendum	3/9/76	Addendum Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (67 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Polk	S & C Lumber Co. 27-3006, Hardwood Mill (Existing)	3/25/76	Permit Issued
Washington	Western Foundry Co. 34-1879, Addendum	3/9/76	Addendum Issued
Washington	Western Batteries 34-2582, Battery Mfg. (Existing)	3/11/76	Permit Issued
Washington	Vaandering Crushed Rock 34-2621, Rock Crusher (Existing)	3/25/76	Permit Issued
Yamhill	Madsen Grain Co. 36-1001, Grain Elevator, Prepared Feed, Seed Cleaning (Existing)	3/11/76	Permit Issued
Yamhill	McDaniel Feed & Grain 36-5147, Feed Mill, Seed Cleaning (Renewal)	3/25/76	Permit Issued
Yamhill	O.C. Yocom Co. 36-5375, Rock Crusher (Renewal)	3/25/76	Permit Issued
Yamhill	Martin & Wright Paving 36-5377, Rock Crusher (Renewal)	3/25/76	Permit Issued
Yamhill	McDaniel Feed & Grain 36-6212, Grain Elevator (Renewal)	3/25/76	Permit Issued
Yamhill	McDaniel Feed & Grain 36-6214, Grain Elevator (Renewal)	3/25/76	Permit Issued
Portable	L. W. Vail 37-0025, Asphalt Plant (Renewal)	3/25/76	Permit Issued
Portable	Tidewater Crushing 37-0049, Rock Crusher	3/25/76	Permit Issued
Portable	S. D. Spencer 37-0052, Asphalt Plant (Existing)	3/25/76	Permit Issued
Portable	Burch Gravel Co. 37-0066, Rock Crusher (Existing)	3/25/65	Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (67 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Portable	L. W. Vail 37-0068, Asphalt Plant (Renewal)	3/25/76	Permit Issued
Portable	L. W. Vail 37-0076, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	Bullard Sand & Gravel 37-0091, Asphalt Plant (Renewal)	3/25/76	Permit Issued
Portable	Grant & Sharp 37-0099, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	Western Construction 37-0100, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	Cornell Excavation Contractors 37-0130, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	Capitol Crushing Co. 37-0131, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	C. C. Meisel Co. 37-0132, Rock Crusher (Existing)	3/25/76	Permit Issued
Portable	Acco Contractors 37-0135, Rock Crusher (Existing)	3/25/76	Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (67 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Indirect Sources (13)</u>			
Washington	Edwards Industries Apts. 218 space parking facility.	3/30/76	Indirect Source (IS) Permit not required for this facility under temporary IS Rule provisions. Applicant notified.
Clackamas	Clackamas Industrial Complex, 68+ space parking facility.	3/30/76	Same as above.
Multnomah	Culver Brown Apts., 63 space parking facility	3/30/76	Same as above.
Multnomah	West Portland Park & Ride Station, 300 space parking facility and exclusive bus lanes along Barbur Blvd.	3/30/76	Final permit issued 3/30/76
Washington	Center Square Apts. 96 space parking facility.	3/30/76	IS Permit not required for this facility under temporary IS Rule provisions. Applicant notified.
Washington	Thriftway Shopping Cntr. 112 space parking facility.	3/30/76	Same as above.
Marion	McDonalds Restaurant, 71 space parking facility	3/30/76	Same as above.
Multnomah	Chaney Shopping Center, 130 space parking facility	3/30/76	Same as above.
Washington	Killian Park Commercial Area, 56 space parking facility	3/30/76	Same as above.



DEPARTMENT OF ENVIRONMENTAL QUALITY  
 TECHNICAL PROGRAMS

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Air Quality Division  
 (Reporting Unit)

March 1976  
 (Month and Year)

PERMIT ACTIONS COMPLETED (67 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Indirect Sources</u> (continued)			
Washington	S.B.C. Office Building, 63 space parking facility	3/30/76	IS Permit not required for this facility under temporary IS rule provisions. Applicant notified.
Washington	Sylvan Heights 1005 space parking facility	3/30/76	Cancelled. Permit issued for this facility under a different name on 8/20/73.
Washington	Aloha Community Church 225 space parking facility	3/30/76	IS Permit not required for this facility under temporary IS rule provisions. Applicant notified.
Marion	Prigg Cottage, 74 space parking facility.	3/30/76	Same as above.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED (14)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Coos	Weyerhaeuser Company Horse Flats Disposal Site Existing Site Operational Plan	3/1/76	Provisional Approval
Wasco	Maupin Dump Existing Site Closure Plan	3/1/76	Provisional Approval
Lane	Central Receiving Station New Site Operational Plans and Bid Documents	3/2/76	Provisional Approval
Lane	Central Receiving Station New Site Bid Award	3/2/76	Approved
Curry	Huntley Park Disposal Site Existing Site Operational Plan	3/2/76	Approved
Marion	Landfill Compactor Bid Specifications	3/10/76	Approved
Multnomah	St. John's Landfill Existing Landfill Expansion Plans and Revised Conceptual Operational Plan	3/10/76	Review with Comments
Clackamas	Portland General Electric Oak Grove Power Plant Existing Site Operational Plan	3/11/76	Provisional Approval
Klamath	Klamath Falls Sanitary Landfill Proposed New Site	3/11/76	Review with Comments
Klamath	Diesel Truck & Trailer for Transfer System Bid Document & Bid Award	3/16/76	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PLAN ACTIONS COMPLETED (14 - con't)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Benton	Farm Home New Site Operational Plan	3/24/76	Letter of Authorization
Lane	Transfer System Equipment Bid Specifications	3/25/76	Approved
Columbia	DuBois Auto Service and Wrecking New Site Operational Plan	3/26/76	Letter of Authorization
Klamath	Malin Landfill Existing Site Operational Plan	3/29/76	Provisional Approval

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

SUMMARY OF SOLID AND HAZARDOUS WASTE PERMIT ACTIONS

	Permit Actions Received		Permit Actions Completed		Permit Actions Pending	Sites Under Permits	Sites Reqr'g Permits
	Month	Fis.Yr.	Month	Fis.Yr.			
<u>General Refuse</u>							
New	1	7		21	2		
Existing	1	3	1	33	66 (*)		
Renewals	2	22	2	27	2		
Modifications	1	9		10	1		
Total	5	41	3	91	71	194	198
<u>Demolition</u>							
New	2	6	2	6	1		
Existing				1	2 (*)		
Renewals	1	4		2	2		
Modifications							
Total	3	10	2	9	5	15	16
<u>Industrial</u>							
New		7		9	2		
Existing		7	1	25	16 (*) - 2 without permits)		
Renewals	1	5		9	1		
Modifications		1		3			
Total	1	20	1	46	19	91	95
<u>Sludge Disposal</u>							
New		1					
Existing				1	1		
Renewals		1		2			
Modifications							
Total		2		3	1	8	8
<u>Hazardous Waste</u>							
New			1	1			
Existing							
Renewals							
Modifications							
Total			1	1		1	1
<u>GRAND TOTALS</u>	9	73	7	150	96	309	318

(\*) Sites operating under temporary permit authorizations until regular permits are issued.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Land Quality Division  
(Reporting Unit)

March 1976  
(Month and Year)

PERMIT ACTIONS COMPLETED (7)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>General Refuse (Garbage) Facilities (3)</u>			
Marion	Brown's Island Landfill Existing Facility	3/18/76	Permit issued (renewal)
Clackamas	PGE Oak Grove Plant Existing Facility	3/30/76	Permit issued
Clackamas	Sandy Transfer Station Existing Facility	3/31/76	Permit issued (renewal)
<u>Demolition Solid Waste Facilities (2)</u>			
Benton	Farm Home Co. New Facility	3/24/76	Letter author- ization issued
Columbia	DuBois Auto Service New Facility	3/26/76	Letter author- ization issued
<u>Sludge Disposal Facilities (0)</u>			
<u>Industrial Solid Waste Facilities (1)</u>			
Polk	Boise Cascade, Independence Existing Facility	3/18/76	Permit issued
<u>Hazardous Waste Facilities (1)</u>			
Gilliam	Chem-Nuclear Systems, Inc. New Facility	3/2/76	License issued



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission  
From: Director  
Subject: Agenda Item C, April 30, 1976, EQC Meeting

#### Tax Credit Applications

Attached are review reports on 18 requests for Tax Credit Action. These reports and the recommendations of the Director are summarized on the attached table.

#### Director's Recommendation

It is recommended that the Commission act on the eighteen (18) tax credit requests as follows:

1. Issue Certificates for 12 applications (T-748, T-732, T-734, T-735, T-747, T-749, T-750, T-751, T-752, T-753, T-756, T-758).
2. Deny one application (T-746) for J. H. Baxter & Co. since no prior notice of construction was submitted as required by ORS 468.175.
3. Revoke Boise Cascade Tax Certificate #445 and reissue as a new certificate to Medford Corporation because of change of ownership (authorizing letters attached).
4. Revoke Olson-Lawyer Tax Certificate(s) #255 and #659 and reissue as new certificates to Georgia Pacific Corporation because of change of ownership (authorizing letters attached).
5. Revoke Olson-Lawyer Tax Certificate(s) #255 and #256 and reissue as new certificates to Boise Cascade Corporation because of change of ownership (authorizing letters attached).

LOREN KRAMER  
Director

#### Attachments

Tax Credit Summary  
Tax Credit Review Reports  
Letters authorizing transfer of tax credit because of change of ownership of pollution control facilities.



TAX CREDIT ACTIONS

<u>Applicant/Plant Location</u>	<u>Appl. No.</u>	<u>Facility</u>	<u>Claimed Cost</u>	<u>% Allocable to Pollution Control</u>	<u>Director's Recommendation</u>
Bellview Moulding Ashland	T-732	Wood waste handling facilities	\$ 8,584.21	80% or more	Issue
Hilton Fuel Central Point	T-734	Wood waste handling facilities	78,198.43	80% or more	Issue
Reynolds Metals Co. Troutdale	T-735	Pot hoods, ducts, shields, etc.	226,317.00	80% or more	Issue
SWF Plywood Corp. Albany	T-747	Plant #1, Carter Day Baghouse	52,675.00	80% or more	Issue
SWF Plywood Corp. Albany	T-748	Bag filter system	51,390.70	80% or more	Issue
SWF Plywood Corp. Grants Pass	T-749	Two baghouses	131,171.86	80% or more	Issue
SWF Plywood Corp. Grants Pass	T-750	Plant #4, two baghouses	138,049.97	80% or more	Issue
SWF Plywood Corp. White City Plant	T-751	Plant #5, 1 baghouse, fire sup- pression system.	66,903.00	80% or more	Issue
SWF Plywood Corp. White City	T-752	Plant #6, 1 baghouse, fire sup- pression system	66,903.94	80% or more	Issue
Libby, McNeill & Libby Salem Plant	T-753	3 vibrating screens, 2 pumps, waste solids hopper, etc.	55,000.00	80% or more	Issue
International Paper Co. Gardiner	T-756	Glue Recirculation system	17,539.00	80% or more	Issue
International Paper Co. Gardiner	T-758	2 baghouses, sprinkler system, etc.	73,703.00	80% or more	Issue

<u>A</u> <u>Applicant/Plant Location</u>	<u>Appl.</u> <u>No.</u>	<u>Facility</u>	<u>Claimed</u> <u>Cost</u>	<u>% Allocable to</u> <u>Pollution Control</u>	<u>Director's</u> <u>Recommendation</u>
J. H. Baxter Eugene Plant	T-746	Spill containment facilities	\$ 48,184.00		Deny
Georgia Pacific Corp. White City Plant	T-255	Hearth furnace, high pressure steam boiler	991,210.82		Previous Olson Lawyer certi- ficate revoked-change of ownership. Reissue
Boise Cascade Corp. White City Plant	T-255	Bark and wood waste handling Facilities	150,677.00	" "	" "
Boise Cascade Corp. White City Plant	T-256	Water recirculating system.	21,372.64	" "	" "
Georgia Pacific Corp. White City Plant	T-700	Wet scrubber used as secondary control device.	92,915.00	" "	" "
Medford Corporation Medford	T-499	Modification of wigwam burner	24,289.71		Previous Georgia Pacific Certi- ficate revoked-change of ownership. Reissue.



Proposed April 1976 Totals:

Air Quality	\$ 807,114.47
Water Quality	72,539.00
Land Quality	<u>86,782.64</u>
Total	\$ 966,436.11

Calendar Year Totals to date: (Excluding April totals)

Air Quality	\$ 3,508,968.00
Water Quality	4,329,573.85
Land Quality	<u>505,732.00</u>
Total	\$ 8,344,273.85

Total Certificates Awarded (monetary values)  
since inception of Program (excluding  
proposed April 1976 certificates)

Air Quality	\$ 98,451,129.75
Water Quality	84,736,730.63
Land Quality	<u>19,366,250.27</u>
Total	\$202,554,110.65

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

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Applicant

Bellview Moulding Mill  
930 Tolman Creek Road  
Ashland, Oregon 97520

The applicant owns and operates a wood molding manufacturing plant at Ashland in Jackson County.

Description of Claimed Facility

The claimed facility handles cedar, hemlock and douglas fir waste material generated during plant operations and consists of:

- a. Waste Grinder (Hog).
- b. Blow Pipe System.
- c. Conveyor.
- d. Used GMC Truck (1960).
- e. Electrical and Miscellaneous Installations.

The claimed facility was placed in operation in May 1975. Certification is claimed under ORS 468.165 (1)(b) as a facility the substantial purpose of which is to utilize by mechanical or chemical process material which would otherwise be solid waste and the final product is an item of real economic value. The company did not submit a Formal Notice of Construction, however the Air Quality Control Division of the Department was aware of the project (File: AQ 15-0070). On March 7, 1972 the Department requested the Bellview Moulding Mill to modernize or shut down its wigwam waste burner. Subsequent contact with the project is deemed sufficient to constitute Notice of Construction.

Facility Cost: \$8,584.21 (Accountant's Certification was attached to application.)

Evaluation of Application

Installation of the claimed facility was required by the DEQ. Prior to the installation of the facility, sawdust, scrap lumber and shavings were burned in a non-conforming wigwam burner. All the sawdust, shavings, and hogged chips (approximately 12-15 units/month), are now collected in the bin and transported by truck to local farmers for animal bedding.

T-732  
March 18, 1976  
Page 2

The annual income derived from the value of reclaimed material is said to be \$1,500. Annual operating expenses is said to be \$887.00, thus the annual profit before taxes is \$613.00.

The Department concludes that the claimed facility meets the requirements of ORS 468.165(1)(b) and is therefore eligible for certification.

Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be issued pursuant to ORS 468.165(1)(b) for the claimed facility in application T-732, such certificate to bear the actual cost of \$8,584.21.

MS:mm

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

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APPLICANT

Raymond G. Hilton  
Hilton Fuel  
3288 Old Military Road  
Central Point, Oregon 97501

The applicant owns and operates the Hilton Fuel Company, waste wood processing plant at 8087 Blackwell Road, Central Point, Oregon. The installed facility processes wood waste material into products with economic value.

DESCRIPTION OF CLAIMED FACILITY

The claimed facility is utilizing wood waste material to produce uniform dimension wood, firewood, sawdust for fuel or garden mulch and hogged fiberboard material.

The claimed facility consists of:

- a. Hauling equipment (4 used trucks).
- b. Conveying equipment.
  1. Pit and pit conveyor.
  2. Belt conveyor.
  3. Shaker conveyor.
- c. Hog equipment.
  1. Hog and motor.
  2. Blower (15 inch, 25 hp).
  3. Peerless bin (30 unit).
  4. Cyclone (6 foot diameter).
- d. Sawdust equipment.
  1. Small bin.
  2. Screen and blower.
  3. Cyclone (3-1/2 foot diameter).

Construction of claimed facility started in August 1973 and the facility was placed in operation in February 1975. Certification is claimed under ORS 468.165 (1)(b) as a facility which obtains useful material or energy resources from material that would otherwise be solid waste. Facility costs \$78,198.43 (Accountant's certification was attached to application).

T-734  
3/1/76  
Page 2

#### EVALUATION OF APPLICATION

Before the claimed facility was constructed, only selected wood waste material from one plant was utilized by dumping and sorting it by hand on the ground. After the construction of the facility, Hilton Fuel is able to utilize all wood waste material from four local plants. All raw materials imported to this plant were waste products generated by other plants that would otherwise require burning or landfilling. The facility is run and operated as a business venture.

The facility is processing annually approximately 3,000-4,000 units of scrap lumber or wood and 10,000-15,000 units of sawdust.

The Department concludes that the claimed facility meets the requirement of ORS 468.165 (1)(b) and is therefore eligible for certification.

#### DIRECTOR'S RECOMMENDATION

It is recommended that a Pollution Control Facility Certificate be issued pursuant to ORS 468.165 (1)(b) for the claimed facilities in Application T-734, such certificate to bear the actual cost of \$78,198.43.

MS:mm  
3/1/76

State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

Reynolds Metals Company  
Troutdale, Oregon 97060

The applicant owns and operates an aluminum reduction plant at Troutdale, Oregon.

2. Description of Facility

The facility claimed in this application consists of improved fume capturing equipment on the 140 pots of Potline 3. The pot hoods were lengthened, ducts added, and improved side shields were installed, material costing \$165,408. Installation labor amounted to \$60,909.

The facility was begun on November 5, 1973, completed on February 9, 1974, and placed into operation on February 16, 1974.

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

Facility costs: \$226,317 (accountant's certification was provided).

3. Evaluation of Application

When Reynolds Metals requested permission from the State to expand their plant in 1969, they also proposed to improve the fume collection system on their older pot lines. The Oregon State Sanitary Authority (predecessor to the Department) was presented with the program and approved it at their June 28, 1969 meeting. The facility claimed in this application was one of the phases of that improvement program, and is specifically mentioned in a April 16, 1969 letter describing the proposed improvements. Department personnel have observed the new pot hoods and side shields and have verified that they are an effective aid in capturing fumes. Reynolds Metals estimate an emission reduction from 448 to 371 lbs/day of Fluorine for these improvements on Potline 3.

Reynolds states that the additional Fluorine and other fumes captured have no value. The annual maintenance on the claimed facility is estimated at \$4,955.

It is concluded therefore that the claimed facility was installed solely for air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$226,317 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-735.

State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant in Albany, Oregon.

2. Description of Facility

The facility claimed in this application consists of a baghouse used to capture wood fines from the wood and sanderdust conveying system.

The baghouse includes: (Plant #1)

- a. Carter-Day model 144RJ120 baghouse.
- b. Fenwall fire detection and Halon deluge system.
- c. Modifications to ductwork, cyclones, and bin.
- d. Supports, foundation, electrical controls.
- e. Installation fabrication and labor.

The facility was begun in July 1973, completed in December 1973, and placed in operation in January 1974.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility costs: \$52,675 (accountant's certification was provided).

3. Evaluation of Application

The MWVAPA required SWF to control their cyclone emissions according to rules 15-050 and 15-070. SWF submitted the plan for this baghouse and received approval on 7/2/73 from MWVAPA. The baghouse is currently operating in compliance, and with another baghouse on the premises, allows the plant to meet the 9.6 lbs/hr particulate emission limit for the plant's wood waste handling system.

The wood waste is utilized as hog fuel. If the former cyclone emissions are estimated at 50 lbs/hr, and the fuel value as \$5 per unit, the baghouse collects an additional estimated \$700 worth of hog fuel. This value recovered is more than offset by the estimated \$4,100 annual operating expense of the baghouse.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$52,675 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-747.

State of Oregon  
Department of Environmental QualityTax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant, which also manufactures component wood parts, in Albany, Oregon.

2. Description of Facility

The facility claimed in this application consists of a bag filter system to control emissions from six cyclones handling waste materials from wood milling processes.

The bag filter system includes:

- a. One (1) model AV-114 Aero-Vac secondary collector.
- b. Two (2) model AV-129 Aero-Vac secondary collectors.
- c. Modifications to ductwork, and cyclones
- d. Water fire protection system.
- e. Supports, foundation, and electrical controls.
- f. Installation, fabrication, and labor.

The facility was begun February 1974, completed in August 1974, and placed in operation in January 1975.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility costs: \$51,390.70 (accountant's certification was provided).

3. Evaluation

The Mid-Willamette Valley Air Pollution Authority required SWF to control their cyclone emissions according to rules 15-050 and 15-070. SWF submitted the plans for this system and received approval on 2/6/74 from Mid-Willamette Valley Air Pollution Authority. The bag filter is currently operating in compliance. The estimated annual operating expense of \$4,550 more than offset any value recovered from the collected material as fuel.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$51,390.70 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-748.



State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant known as SWF #3 in Grants Pass, Oregon.

2. Description of Facility

The facility claimed in this application consists of two baghouses used to capture wood fines from the wood and sander dust conveying systems.

The baghouses include:

- a. Two (2) Carter-Day model 144RJ120 baghouses.
- b. Fenwall Halon fire suppression system.
- c. Modification to ductwork and cyclones.
- d. Supports, foundation, and electrical controls.
- e. Installation, fabrication, and labor.

The facility was begun in May 1973, completed in January 1975, and placed in operation by January 1975.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility cost: \$131,171.86 (accountant's certification was provided).

3. Evaluation of Application

The 10 cyclones previously used were not efficient enough to control fine particles such as sander dust and could not meet present emission standards. A Notice of Construction and application for approval was received for each baghouse and both were approved. The two baghouses are currently operating in compliance, and they are recognized as a most efficient collecting device. It is not known how much added material is collected to be used for fuel. However, any value recovered is more than offset by the estimated \$11,000 annual operating expense of the baghouses.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$131,171.86 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-749.

State of Oregon  
Department of Environmental QualityTax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant known as SWF #4 (formerly Carolina Pacific) in Grants Pass, Oregon.

2. Description of Facility

The facility claimed in this application consists of two baghouses used to capture wood fines from the wood and sander dust conveying systems.

The baghouses include:

- a. Two (2) Carter-Day model 144R0120 baghouses.
- b. Fenwall Halon fire suppression system.
- c. Modification to ductwork and cyclones.
- d. Supports, foundation, and electrical controls.
- e. Installation, fabrication, and labor.

The facility was begun in November 1974, completed in April 1975, and placed in operation by April 1975.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility costs: \$138,049.97 (accountant's certification was provided)

3. Evaluation of Application

Four cyclones previously used were not efficient enough to control fine particles such as sander dust and could not meet present emission standards. The Department granted approval of the Notice of Construction on 7/23/74. The two baghouses are currently operating in compliance, and they are recognized as a most efficient collecting device. Any value recovered from added collected material is more than offset by the estimated \$8,100 annual operating expense of the baghouses.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$138,049.97 with 80% or more allocated to air pollution control be issued for the facility claimed in Tax Credit Application No. T-750.

State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant known as SWF plant #5 in White City, Oregon.

2. Description of Facility

The facility claimed in this application consists of a baghouse used to capture wood fines from the wood waste disposal system.

The baghouse includes:

- a. One (1) Carter-Day model 144RJ120 baghouse.
- b. A Viking fire suppression system.
- c. Modification to ductwork and cyclone.
- d. Supports, foundation, and electrical controls.
- e. Installation, fabrication, and labor.

The facility was begun in December 1975, completed in January 1976, and placed in operation in January 1976.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility cost: \$66,903 (accountant's certification was provided).

3. Evaluation of Application

The two cyclones previously used were not efficient enough to control fine particles and could not meet present emission standards. A Notice of Construction was received by the Department and was granted approval on 5/21/75. The baghouse is currently operating in compliance. The baghouse is recognized as a most efficient collecting device. It is not known how much additional material is collected to be used for fuel. However, any value recovered is more than offset by the estimated \$4,100 annual operating expense of the baghouse.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$66,903 with 80% or more allocated to air pollution control be issued for the facility claimed in Tax Credit Application No. T-751.

State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

SWF Plywood Company  
P. O. Box 820  
Medford, Oregon 97501

The applicant owns and operates a plywood plant known as SWF #6 in White City, Oregon.

2. Description of Facility

The facility claimed in this application consists of a baghouse used to capture wood fines from the fuel handling system.

The baghouse includes:

- a. One (1) Carter Day model 144RJ120 baghouse.
- b. Fire suppression system.
- c. Modification to ductwork and cyclones.
- d. Supports, foundations, and electrical controls.
- e. Installation, fabrication, and labor.

The facility was begun in September 1974, completed in February 1975, and placed in operation in June 1975.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility costs: \$66,903.94 (accountants certification was provided).

3. Evaluation of Application

The three cyclones previously used were not efficient enough to control fine particles and could not meet the present emission standards. A Notice of Construction was received by the Department and was granted approval on 7/23/74. The baghouse is currently operating in compliance. The baghouse is recognized as a most efficient collecting device. Any recovered value from additional collected material is more than offset by the estimated \$4,000 annual operating expense of the baghouse.

It is concluded that the claimed facility's cost can be allocated 100% to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$66,903.94 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-752.

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

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1. Applicant

Libby, McNeill & Libby  
200 S. Michigan Avenue  
Chicago, Illinois 60604

The applicant owns and operates a vegetable (green beans, peas, and cabbage) processing and packing plant at 2325 Madrona Avenue in Salem, Oregon in Marion County.

The application was submitted March 29, 1976.

2. Description of Claimed Facility

The facility claimed in this application is a screening and pumping system for pretreating waste water from the company's plant prior to its disposal to the Salem Sewerage System. The system consists of three vibrating screens, two pumps, waste solids hopper, wet well, sampler and flow meter, and associated electrical controls, piping, valves, etc.

The facility was placed in operation in 1969. Consequently, the requirement as stated in ORS 468.175 for preliminary certification by the Department prior to construction does not apply.

Certification is requested under the 1967 act with 100% of the cost claimed for pollution control.

Facility costs: \$55,000. A detailed cost sheet was submitted, but an accountant's certification was not included. The staff believes the submitted data concerning costs to be accurate. The company has indicated they would choose the ad valorem option which would make the actual cost of the facility less significant since the tax credit for the ad valorem option is based on the assessed value of the facility (about \$77,000 as of July, 1975).

3. Evaluation of Application

The claimed facility was installed concurrently with the food processing plant. Had the claimed facility not been provided, the waste water discharged from the plant to the City would have contained a significant quantity of large solids. With the claimed facility, these solids are removed and disposed of as cattlefeed or as garbage at the local landfill.

Investigation of the claimed facility showed that it was well-designed and well-constructed and that it operates satisfactorily.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the costs of \$55,000 be issued for the facility claimed in Tax Application T-753. Certification is under the 1967 Act with the principle purpose of the claimed facility attributed to pollution control.

RJN:em

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

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1. Applicant

International Paper Company  
Long Bell Division  
Post Office Box 43  
Gardiner, Oregon 97441

The applicant owns and operates a plywood and dimension lumber mill in Gardiner, Oregon in Douglas County.

The application was submitted April 6, 1976.

2. Description of Claimed Facility

The claimed facility is a glue recirculation system consisting of 4 knot grinders, 6 pump units, 2 1000 gallon holding tanks, and related piping, valves and controls.

The claimed facility was completed and put into operation in May 1975.

Installation of the claimed facility was required by the NPDES Waste Discharge Permit for the applicant. Plans were submitted, but there is no record that they were approved by the Department.

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

Facility costs: \$17,539 (Accountant's certification was submitted).

3. Evaluation of Application

Prior to the installation of the claimed facility, glue leakage and washdown water was discharged directly to public waters. With the claimed facility, the leakage and washdown is collected and reused as make-up water in the glue mixing process, thus eliminating the discharge.

It is the staff's determination that the company fulfilled their obligation relative to the notice of construction requirements specified in ORS 468.175, though no preliminary certification for tax credit was issued by the Department for these facilities.

Appl. T-756  
4/15/76  
International Paper Company  
Gardiner, Oregon 97441  
Page 2

The applicant does derive a monetary savings as a result of the claimed facilities, but the operating costs and depreciation are such that the return on investment is only about 2% per year. It is the staff's determination that the facility should be considered as a pollution control facility with 80% or more allocated to pollution control.

Investigation of the facility shows that it operates satisfactorily.

---

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the costs of \$17,539 with 80% or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-756.

RJN:em



State of Oregon  
Department of Environmental Quality  
Tax Relief Application Review Report

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1. Applicant

International Paper Company  
P. O. Box 43  
Gardiner, Oregon 97441

The applicant owns and operates a plywood plant at its wood products complex in Gardiner, Douglas County, Oregon.

2. Description of Facility

The facility claimed in this application consists of two baghouses for collecting sanderdust being emitted formerly by cyclones 2 and 5 used on sanders at the plywood plant:

- a. one Aero-Vac model INV-104-17
- b. one Aero-Vac model INV-114
- c. sprinkler system for fire protection
- d. installation materials and associated expense.

The facility was begun in February 1975 and completed and placed in operation in May 1975.

Certification is claimed under current statutes and the percentage claimed for pollution control is 100%.

Facility costs: \$73,703 (Accountant's certification was provided.)

3. Evaluation of Application

Cyclones 2 and 5 were emitting sanderdust at about 24 lbs/hr, causing visible emission violations and making the plywood plant exceed its plant-wide emission limit of 46 lb/hr of particulate. International Paper Company submitted a Notice of Construction for this project to the Department on 1/31/75 and received approval on 2/27/75. The Department inspected the baghouses on 5/15/75 and noted that they were in visual compliance and that the plant-wide emissions were now at about 36 lb/hr.

The sanderdust collected by the claimed facility is worth about \$350 per year as fuel, but this value is more than offset by the \$1800 annual cost of operating the baghouses.

It is concluded that 100% of the baghouse cost can be allocated to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$73,703, with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-758.

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

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1. Applicant

J. H. Baxter & Company  
1700 South El Camino Real  
San Mateo, California 94402

The company owns and operates a wood preserving plant at 85 North Baxter Road in Eugene, Oregon in Lane County

The application was submitted March 10, 1976.

2. Description of Claimed Facility

The claimed facilities consist of containment walls constructed around various chemical and oil storage tanks and a catch basin and 20,000 underground storage tank which would contain and store any chemical which might be lost during railroad tank car unloading operations.

The claimed facility was completed and put in service in October 1975. Construction was started in October 1974. The facility was not constructed under a preliminary certificate of approval from the Department as required by ORS.175 nor was the facility a specific requirement of the Department.

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

Facility costs: \$48,184 (accountant's certification was submitted)

3. Evaluation of Application

Prior to the construction of the claimed facility, leaks and/or spills from storage tanks and rail car unloading operations were uncontrolled and would be discharged onto the ground where it would be discharged into public waters via storm runoff. With the claimed facility, spills and leaks are contained on site and can be reclaimed.

The company has not claimed any income from the claimed facility though it was obvious that the facility would save the company a significant amount of money should a full tank rupture. Without the facility, stored chemicals from ruptured tanks would be lost at a significant cost to the company. Ruptured tanks are rare occurrences however, and a calculation of the annual savings would be purely speculative.

The NPDES Waste Discharge Permit, first proposed in October 1974 and issued in March 1975, required that facilities be constructed to control and prevent the discharge to public waters of contaminated storm runoff. Though the claimed facilities would be necessary to meet this requirement, the applicant has stated that the facilities were constructed to comply with EPA's SPCC (Spill Prevention Control and Countermeasure) Plan requirements as promulgated in 40 CFR, part 112. The EPA SPCC program is not under the control of the State of Oregon.

It should be noted that at the time the claimed facility was inspected the inspector was told that any rain water collected inside the containment structures would be pumped out on the ground. This practice would lead to the conclusion that the purpose of the claimed facility was primarily to contain spills and not to minimize contaminated runoff as required by the NPDES permit.

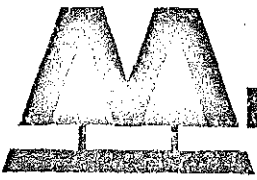
4. Conclusions

It is concluded that no notice of construction was submitted by the company for the claimed facilities nor were the plans approved by the Department. Further, it appears that the primary purpose of the facilities was to comply with Federal spill control regulations and that the construction of the facilities was not the result of any requirement by the Department. As a result, it is determined that the requirements of ORS 468.175 have not been met by the applicant and the application must be denied pursuant to ORS 468.180.

5. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate be denied for the facilities claimed in Tax Application No. T-746 on the basis of the conclusions stated above.

APR 14 1976



# MEDFORD CORPORATION

P O. BOX 550, MEDFORD, OREGON 97501 ★ TELEPHONE 503 - 773-7491

April 7, 1976

Department of Environmental Quality  
1234 S. W. Morrison  
Portland, OR 97205

Attention: Tax Credits Section

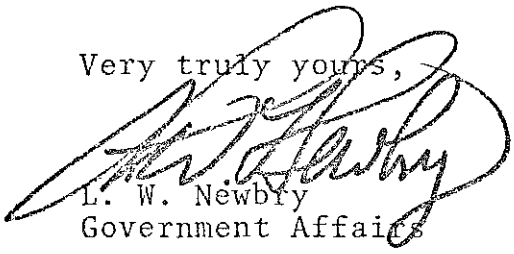
Dear Miss Everest:

The Medford Corporation acquired the property of the Georgia-Pacific Corporation in Rogue River, Oregon, on March 24, 1976.

The Department issued a Tax Credit Certificate (Certificate No. 445-1973) in connection with the Wigwam Burner at that location. In accordance with ORS 316.097 (10), we request that the Certificate issued to Georgia-Pacific be revoked and reissued to the Medford Corporation.

If there are questions or documentation relative to this request, please contact us.

Very truly yours,



L. W. Newbry  
Government Affairs

LWN/d1

Enclosure: Copy of letter from Georgia-Pacific

cc: Paul Steele  
Jack Hansen



Georgia-Pacific Corporation

APR 13 1976  
900 S.W. Fifth Avenue  
Portland, Oregon 97204  
Telephone (503) 222-5561

April 5, 1976

Medford Corporation  
P. O. Box 550  
Medford, Oregon 97501

Gentlemen:

It has been brought to our attention by Lou Bothwell, Controller of our Eugene/Springfield Division, that your Company purchased a pollution control facility from Georgia-Pacific Corporation on March 23, 1976.

We would like to notify you that you have the option to pick up the remaining tax relief on this item. The procedure to follow is to write a letter to the Tax Credit Section, Department of Environmental Quality, 1234 S.W. Morrison Street, Portland, Oregon 97205, indicating you are now the owner of the following facility:

Rogue River Wigwam Burner, Certificate 445-1973

If you elect to pick up the remaining tax credit, the DEQ will revoke our certificate and issue a new certificate to you.

Sincerely,

T. W. Mayberry  
Assistant Controller -  
Operations

RMC/mlb

cc: Ms. R. M. Crockford  
Mr. V. J. Tretter

# Georgia-Pacific Corporation



900 S.W. Fifth Avenue Portland, Oregon 97204 503/222 5561

FEB 27 1976

T 255

February 26, 1976

Department of Environmental Quality  
1234 S.W. Morrison Street  
Portland, Oregon 97205

ATTENTION: Mr. Pete Bosserman

*J.A.D. 2/27/76*

Dear Mr. Bosserman:

Pursuant to our telephone conversation of this morning, Georgia-Pacific Corporation hereby applies for tax credit on pollution control assets purchased from Olson Lawyer Timber Company on January 31, 1976. These assets were approved by the Department of Environmental Quality on Certificate Number 243 dated June 8, 1972 and Certificate Number 624 dated October 24, 1975. Included in Certificate Number 243 was a wood waste handling system, original cost of \$316,302.18, which was not purchased by Georgia-Pacific.

*TAB*

As outlined in Oregon Law, these certificates should be revoked and new certificates issued to Georgia-Pacific. This will enable Georgia-Pacific to properly apply the remaining allowable credits against future Oregon income taxes.

Sincerely,

*R. M. Crockford*

R. M. Crockford  
Controllers Department

RMC/mlb

*Had phone call from Boise-Cascade about 316,000 and they will send a letter asking for their part. J.A.B. 3/24/76*

# 1,307,513  
- 316,302.18  

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991,210.82

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED  
FEB 27 1976

AIR QUALITY CONTROL



Boise Cascade Corporation

General Offices

One Jefferson Square  
Boise, Idaho 83728  
(208) 384-6161  
Cable: BOCASCO

March 29, 1976

Department of Environmental Quality  
P. O. Box 231  
Portland, OR 97207

*PDD, 4/2/76*

Attention: Mr. Pete Bosserman, Tax Credits Section

Dear Mr. Bosserman:

Per our phone conversation, this letter is to confirm that Boise Cascade Corporation has acquired a portion of those assets covered by Certificate Number 267, originally issued to Olson-Lawyer Timber Company. The portion of the assets included under Certificate Number 267 transferred to Boise Cascade had an original cost of \$150,677. The amount of unclaimed Oregon corporate excise tax credits relating to this portion of the assets, as of January 31, 1976, totals \$47,086.50.

Boise Cascade Corporation, as of January 31, 1976, also acquired the assets covered by Certificate Number 268, issued to Olson-Lawyer Timber Company, on July 27, 1972. Certified costs covered totaled \$21,372.64. Total unclaimed Oregon corporate excise tax credits under this certificate total \$6,678.96 as of January 31, 1976.

In accordance with ORS 317.072 (10), I respectfully request that certificates covering the above amounts be reissued to Boise Cascade Corporation.

If there are any questions, or if more information is necessary, I may be reached in Boise, Idaho, at (208) 384-8290.

Sincerely,

Pete L. Wilson  
Western Property Tax Administrator

PLW:kb

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
**RECEIVED**  
MAR 31 1976  
AIR QUALITY CONTROL

316,302.18  
150,677.00  
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# OLSON-LAWYER Lumber, Inc.

Manufacturers of:

DOUGLAS FIR - WHITE FIR - PONDEROSA PINE - SUGAR PINE - IDAHO WHITE PINE

POST OFFICE BOX 847

MEDFORD, OREGON 97501

TELEPHONE (503) 826-2311

February 5, 1976

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FEB 11 1976

AIR QUALITY CONTROL

Department of Environmental Quality  
Terminal Sales Building  
1234 S.W. Morrison  
Portland, Oregon 97208

Gentlemen:

Olson-Lawyer Lumber, Inc., Olson-Lawyer Timber Company and Lawyer Veneer Co. have sold their veneer and lumber manufacturing business at White City, Oregon, including the veneer plant, sawmill, planing mill, log deck and decking areas, log pond and related facilities and the bark handling equipment to Boise Cascade Corporation. The sale was effective at the close of business December 31, 1975, and was closed February 2, 1976.

Olson-Lawyer Timber Company has also sold its Nichols-Herschhoff furnace, Wyatt-Kipper boiler and related facilities and its inventory of bark all located at White City, Oregon, to Georgia-Pacific Corporation. That sale was effective and was closed as of the close of business January 31, 1976.

As a result of these two transactions, none of the Olson-Lawyer companies have any further business activities at White City, Oregon. Your records will reflect that they each hold certain DEQ permits. Those permits concerning the veneer and lumber activities, the log deck and log pond relate to activities now being conducted by Boise Cascade Corporation. Those permits concerning the Nichols-Herschhoff furnace and Wyatt-Kipper boiler relate to the activities now being conducted by Georgia-Pacific Corporation.

The following is a list of the permits held by the above named companies. You will note that we also list with each permit, the successor company who has acquired the related facilities.

DESCRIPTION OF FACILITIES	LOCATION	BUSINESS NAME	PERMIT NO.	SUCCESSOR
Green Veneer Manufacturing	White City, OR	Lawyer Veneer Co.	15-0019	Boise Cascade
Sawmill and Planing Mill fuel burning equipment	White City, OR	Olson-Lawyer Lumber, Inc.	15-0046	Boise Cascade
Charcoal Manufacturing	White City, OR	Olson-Lawyer Timber Co.	15-0058	Georgia-Pacific*



February 5, 1976

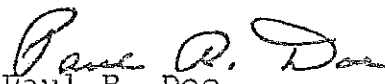
DESCRIPTION OF FACILITIES	LOCATION	BUSINESS NAME	PERMIT NO.	SUCCESSOR
Waste Discharge	White City, OR	Olson-Lawyer Lumber, Inc.	2174-J	Boise Cascade

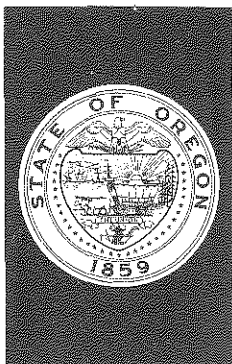
\*The log debarkers referred to in Paragraph 1 of the Revision Review Report of February 20, 1975, and the Cyclones handling wood waste referred to in Paragraph 3c of the Revision Review Report have been transferred to and are being operated by Boise Cascade Corporation. The balance of the facilities referred to in Permit #15-0058 have been transferred to and are being operated by Georgia-Pacific Corporation.

Any matters relating to Boise Cascade Corporation should be referred to its Region Manager, Southern Oregon, Mr. Richard Parrish at P.O. Box 100, Medford, Oregon. Matters relating to Georgia-Pacific Corporation should be referred to its Resident General Manager, Mr. Robert Carstens, at P.O. Box 2459, White City, Oregon.

Very truly yours,

OLSON-LAWYER LUMBER, INC.  
OLSON-LAWYER TIMBER COMPANY  
LAWYER VENEER CO.

  
By Paul R. Doe,  
General Manager



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

JOE B. RICHARDS  
Chairman, Eugene

GRACE S. PHINNEY  
Corvallis

JACKLYN L. HALLOCK  
Portland

MORRIS K. CROTHERS  
Salem

RONALD M. SOMERS  
The Dalles

### MEMORANDUM

To: Environmental Quality Commission  
From: Director  
Subject: Agenda Item D, April 30, 1976, EQC Meeting

Request for authorization to conduct a public hearing on proposed changes to OAR Chapter 340, Division 7, Subsurface and Alternative Sewage Disposal

### Background

The existing rules on subsurface and alternative sewage disposal were adopted by the Commission in August 1975 and became effective September 1, 1975. This version of the rules was the result of 18 months' work by a Citizens' Task Force.

### Discussion

After several months of use a number of minor deficiencies in the rules have come to light. These deficiencies indicate certain rule changes are necessary to make the rules more workable. In addition it is felt that a number of functions now requiring Department action or participation may logically be assigned to contract counties. Assignment of such functions to contract counties will free Department staff for other departmental duties.

A brief explanation of the proposed changes is as follows:

The following 33 changes are housekeeping in nature for clarity, uniformity, error correction, et cetera:

1, 3, 4, 5, 8, 9, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24,  
25, 26, 27, 29, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, and 44.



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The following changes delete references to systems determined to be under jurisdiction of Department of Commerce:

2, 32, and 39.

The following changes make the subsurface rules compatible with rules on surety bonds (OAR 340-15-015):

6 and 7.

Change 11 was inadvertently left out of the rules when they were acted on by the Commission in August; was in the old rules and should have been continued.

Change 10 allows the Department to approve pipe and pipe fitting materials without going to the Commission.

Change 45 repeals obsolete rules on Appeals Boards - The statute on Appeals Boards was repealed in the 1975 legislative session.

The following are the most substantive changes. Each has the potential of giving additional authority to contract counties:

Change 19 - Rural Areas. Allows counties that have rural areas agreements with the Department to approve permits in designated rural areas without Department concurrence, as presently required.

Changes 28, 30 and 31 would make it possible for the Department by letter to authorize counties, who have the resources and staff, to process and approve applications for sewage lagoons, land irrigation of sewage up to 5,000 gallons per day and holding tanks (Alternative Systems).

Change 6 in addition to its reference above would allow contract counties to approve standard subsurface systems up to 5,000 gallons per day sewage flow. (Now 1,200 gallons - maximum)

### Conclusion

Rules changes are necessary in order to make the rules more workable and to give additional responsibilities to contract counties.

One public hearing should be sufficient due to the nature of the proposed changes.

### Recommendation

It is the Director's recommendation that the Commission authorize a public hearing to be conducted at the earliest possible date by the Hearings Officer in the Portland area for the purpose of considering the adoption of the proposed changes to the rules pertaining to subsurface and alternative sewage disposal.



LOREN KRAMER  
Director



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission  
From: Director  
Subject: Supplemental Agenda Item, April 30, 1976, EQC Meeting

Consideration of Adoption of a Proposed Temporary Rule  
Changing Fee Schedule for Subsurface Sewage Disposal  
Permits and Site Evaluations in Jackson County

### Background

ORS 454.745 establishes maximum fees that may be charged for subsurface or alternative sewage disposal system permits and fees for site evaluations. By rule of the Commission counties may be allowed to charge fees less than the maximum.

### Discussion

When ORS 454.745 was amended in the 1975 legislative session establishing an increased fee structure, Jackson County chose not to increase its fees but to continue with the old fee schedule. The County now has budgetary constraints that necessitate increased fees to operate the program at an effective level.

### Conclusions

1. An increase in subsurface and alternative sewage systems permit fees and fees for site evaluations is necessary for Jackson County to continue to operate an efficient program.
2. Failure to act promptly in the adoption of the attached proposed amendment to OAR 340 72-015(4) will result in serious prejudice to the public interest and the interest of Jackson County for the specific reason that the revenue generated as a result of this rule amendment is needed to defray expenses of the program and that failure to obtain this additional revenue could result in a cutback in necessary program services.



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Materials

Recommendations

It is the Director's recommendation that the Commission:

- (1) Enter a finding that failure to act promptly in this matter will result in serious prejudice to the public interest and to the interest of Jackson County for the specific reason stated above.
- (2) Adopt as a temporary rule to be filed promptly with the Secretary of State to become effective upon filing the proposed amendment contained in Attachment A, and authorize the holding of a public hearing to be held as soon as possible for the purpose of adopting it as a permanent rule within 120 days thereafter.



LOREN KRAMER  
Director

TJO:md  
4/29/76

Attachment: Attachment A, April 30, 1976, Proposed Temporary Rule Amending Oregon Administrative Rules Chapter 340, Division 7.

April 30, 1976

ATTACHMENT A

Proposed Temporary Rule Amending Oregon Administrative Rules  
Chapter 340, Division 7

In subsection 72-015(4) Line 6 - delete "Jackson,".



PHONES EFFECTIVE 12-8-75

Commissioners Ofc. 776-7231  
Tam Moore 776-7235  
Jon Deason 776-7236  
Isabel Sickels 776-7234  
Maxine Jensen 776-7232

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

APR 28 1976

OFFICE OF THE DIRECTOR

# Jackson County Oregon

BOARD OF COUNTY COMMISSIONERS

~~(503) 776-8211, EXT. 311~~ • COUNTY COURTHOUSE • MEDFORD, OREGON • 97501

April 26, 1976

Mr. Loren Kramer  
Department of Environmental Quality  
1234 S. W. Morrison  
Portland, Oregon 97205

Dear Mr. Kramer:

We would appreciate having placed on the May agenda, or as soon as possible, a request by Jackson County for a rule change of OAR 72-015, Section 4, allowing Jackson County to raise fees assessed for site evaluations and permits to the maximum allowable amounts.

Kindly inform me as soon as possible if this request could be reviewed at the May meeting.

Sincerely,

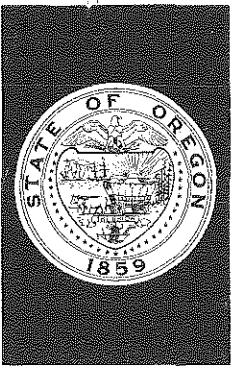
JACKSON COUNTY BOARD OF COMMISSIONERS

*Isabel H. Sickels*

Isabel H. Sickels, Commissioner

IHS:mj

cc: Planning and Development Dept.  
Medford



## 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. E, April 30, 1976, EQC Meeting

Proposed Rule Revisions to Agricultural Burning Rules  
OAR Chapter 340, Sections 26-005 through 26-030

### Background

Pursuant to Oregon Laws, Chapter 559, 1975 (Senate Bill 311) the Commission must promulgate rules regarding the extent, type and amount of open field burning to be allowed during the 1976 season. Prior to the adoption of these rules, the Commission must consult with the Oregon Field Sanitation Committee and Oregon State University (OSU) and hold a public hearing to determine:

1. The status and availability of alternative methods of field sanitation and straw utilization and disposal,
2. The total acreage registered to be open burned during 1976, and
3. In the event of the registration of more than the maximum allowable acres for open burning, the method of allocation.

In addition and as a result of experience gained during the 1975 summer burning season and requests from the Oregon Field Sanitation Committee, other administrative rule changes are proposed.

Rule changes are also proposed to provide an expedient method for identifying equipment eligible for Pollution Control Facility tax credit and issuing certification for such tax credit.

At the request of the Field Sanitation Committee, the Department has considered revisions to its rule to give the burning of straw stacks a higher priority than they have had previously.



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As specified in Oregon Law 559, 1975, in promulgating rules for open field burning it is the responsibility of the Commission to:

1. Hold public hearing to receive testimony on whether:
  - a. There are insufficient numbers of workable machines that can reasonably be made available to sanitize the acreage if an acreage reduction is ordered;
  - b. There are insufficient methods available for straw utilization and disposal, and
  - c. Reasonable efforts have been made to develop alternative methods of field sanitation and straw utilization and disposal, and such methods have been utilized to the maximum reasonable extent.

The Commission shall authorize issuance of permits during 1976 up to the statutorily set maximum acreage of 195,000 acres only if the Commission finds a, b, and c above, after hearing.

2. In the event of registration of more than 195,000 acres to be open burned in 1976, the Commission, after consultation with the Oregon Field Sanitation Committee, may allocate permits for acreage based on particular local air quality condition, soil characteristics, the type or amount of field burning or crops, the availability of alternative methods of field sanitation, the date of registration, proportional share, or any reasonable classification. Priority shall be given to use of available alternatives to open field burning in Lane County and priority areas.
3. When alternatives are certified and based on testimony received from appropriate agencies, the Commission shall adopt field burning rules for Multnomah, Washington, Clackamas, Marion, Polk, Yamhill, Linn, Benton and Lane Counties, which provide for a more rapid phased reduction by certain permit areas, depending on particular local air quality conditions and soil characteristics, the extent, type or amount of open field burning of perennial grass seed crops, annual grass seed crops, and grain crops and the availability of alternative methods of field sanitation and straw utilization and disposal.

The following items are attached for reference:

- Attachment I - Letter from Dr. Harold Youngberg, March 23, 1976
- Attachment II - Proposed Tax Credit Rule, OAR Chapter 340, Section 26-030
- Attachment III - Applications of Proposed Pollution Control Facility Tax Credit Rule
- Attachment IV - Proposed Amendments to OAR Chapter 340, Sections 26-005 through 26-025.
- Attachment V - Oregon Field Sanitation Committee Request
- Attachment VI - Proposed Amended OAR Chapter 340, Sections 26-005 through 26-025.

## Acreage Allocation

### Discussion

The proposed field burning rules (attached) include the maximum statutory allowable acreages to be open burned. Prior to the adoption of these rules, those acreages must be amended if a lower limitation is established, to coincide with the findings of the Commission.

On March 11, 1976, the Department's staff met with representatives of the following agencies to discuss their respective roles regarding allocations of acreages as specified in Section 4, Subsection (3) of Oregon Law 559, 1975 and to request that they participate in the public hearing.

Oregon State University  
Agricultural Extension Service  
Department of Crop Service

Oregon State University  
Department of Crop Science

Oregon State University  
School of Agriculture

Oregon State University  
Department of Botany  
and Plant Pathology

Oregon Field Sanitation Committee

Oregon Seed Council

Soil and Water Conservation Commission

Department of Agriculture

Soil Conservation Service

Agricultural Stabilization Commission

Verbal comments made at that time may be summarized briefly as follows:

1. OSU specialists indicated:
  - a. No chemical controls exist for disease control.
  - b. Weed control is necessary. Chemical control is of limited use in annuals but not for perennial grasses.

- c. There is no difference in the necessity of burning annuals and perennials.
  - d. There is no justification for reduction below the 195,000 acre limitation.
2. Oregon Seed Council representatives stated that burning should be maximized this year. They indicated an economic hardship will result if burning is decreased.
  3. A point made by most representatives was that since the planned reduction of open field burning by Oregon Law Chapter 559, 1975, was based on development of successful alternative methods (specifically mobile field sanitizers and chemical weed and disease controls) and since such alternatives are not capable of sanitizing those fields eliminated from open burning, no further reductions should be made for 1976.

Written comment has been received from Dr. Harold Youngberg of the OSU Crop Science Department and Extension Service summarizing the opinions of several OSU staff members. Briefly, Dr. Youngberg states that field sanitation is essential to both annual and perennial grass seed production for control of disease, weeds, and "above ground" dwelling insects. Principal points of the letter (Attachment I) are summarized as follows:

1. Plant disease control chemicals (Dr. John Hardison), which show promise in greenhouse tests for suppressing the spore-producing organs of blind seed and ergot diseases, would not be available commercially prior to 1978-1980. This is contingent on future testing and EPA acceptance. "This chemical would help seed production by control of other diseases, such as rusts, powdery mildew, and many other leaf and stem diseases; but it may or may not solve the ergot and blind seed disease problems." New chemical controls for grass diseases are being sought from chemical companies around the World.
2. Weed Control (Dr. Orvid Lee).
  - a. The unregistered chemical marketed as "Nortron" appears to be effective in control of annual weed grasses in annual rye-grass. Full registration could not be completed prior to 1977 or 1978 and estimated additional cost per acre is \$40 to \$60.
  - b. In perennial grasses, no herbicides tested give satisfactory weed control without some form of burning first being used to remove crop residues.

3. Insect control. Field burning is the only control for insects which cause "silver top," a condition resulting in sterile seed. Use registrations for insecticides, once effective for such bug control, have been canceled by the Environmental Protection Agency (EPA) based on environmental concerns.
4. Open field burning is the only feasible treatment for control of ergot, blind seed disease, seed nematode and "silver top" causing insects. It is also an integral and necessary part of current weed control technology.
5. Field sanitizer prototypes will not contribute a significant amount of field sanitation to the crop in 1976.
6. The EQC should not consider acreage reductions below 195,000 acres and should consider increases above 195,000 to avoid economic hardship to seed growers.
7. Reductions in acreage below the amount registered should be allocated equally to all grass seed growers.

In its March 16 meeting, the Oregon Field Sanitation Committee delayed until its April meeting its recommendation to the Commission.

#### Analysis

Should the Commission allocate the maximum of 195,000 acres for open field burning, rule revisions reflecting this allocation would be as follows:

Revise 26-013(1)(a) to read:

During 1976, not more than 195,000 acres.

Revise 26-013(5) as follows:

Change 234,000 to 195,000  
Change 1975 to 1976  
Change July 17, 1975 to June 1, 1976  
Change July 10, 1975 to April 1, 1976

#### Tax Credit Rules

##### Discussion

Section 15 of Oregon Laws Chapter 559, 1975 (Senate Bill 311) states:

"After alternative methods for field sanitation and straw utilization and disposal are approved by the committee and the Department, "pollution control facility," as defined in ORS 468.155, shall include such approved alternative methods and persons purchasing and utilizing such methods shall be eligible for the benefits allowed by ORS 468.155 to 468.190."

In response to a request by the Field Sanitation Committee, the Department developed a list of facilities or processes relative to which a grass seed grower might make application to the Commission. The Committee expressed the opinion that such a list, approved by the Commission would satisfy:

1. The intent of SB 311, Section 15,
2. The preliminary certification requirements of 468.175 and 468.180, and
3. Expedite applications and processing of applications.

On March 16, 1976, the Department and the Committee approved the list of alternative methods and associated equipment to be eligible for pollution control facility tax credit. The methods and equipment so approved cover a rather wide range of equipment and facilities of generally small investment compared to the typical air pollution control facilities certified by the Commission. Section 26-030 and the associated definitions, 26-005(21), (22), and (23) (Attachment II) were drawn to facilitate the rapid processing of applications for tax credit and to establish eligibility requirements and procedures for the applicants.

#### Analysis

It is recognized that the constraints of preliminary certification requirements are difficult to apply to the farm situation. ORS 468.180 states, in effect, that preliminary certification is required prior to the commencement of erection, construction or installation of the facility. In light of this statute and in order to promote to the fullest the utilization or disposal of waste straw, the attached rule is based on the interpretation that "installation" of previously purchased approved facilities occurs at the beginning of the first harvest season for which tax credit is to be taken. Therefore, preliminary certification must be obtained prior to that installation. The Department feels that this method of installation meets the requirements of ORS 468.155 through 468.190 and satisfies, to the extent possible, the intent of Section 15 of Oregon Law 559, 1975. Examples of applications of the proposed tax credit rule are located in Attachment III.

Applications made under this rule would be similar in requirements to those made for other air pollution control facilities. Tax credit, for any equipment designed to reduce total air pollution due to field burning and not covered by this rule, may be applied for in accordance with the provisions of ORS 468.155 through 468.190.

The following briefly outlines the steps required to obtain tax credit for pollution control equipment or facilities.

1. Before installation, complete and file with the Department a simple one-page form requesting preliminary certification.
2. After using it for the intended pollution control purpose, complete and file with the Department an application for tax credit certification.

3. Receive a Pollution Control Facility Tax Credit Certification from the Department.
4. File the Tax Credit Certificate with the county clerk or the personal Oregon income tax return.

### Smoke Management Rule Changes

#### Discussion

Certain features of the operational rules of the smoke management program proved to be inadequate as a result of 1975 season experience. Currently no information is available to the field inspectors relating the validation numbers and acreage authorized for burning by the local permit agent except by call to that agent. When an agent does not have a radio or when transfers of a grower's burning quota is made between fire districts, it is necessary to have the acreage information available at the field. It is proposed to revise the validation number to include the acreage for which it was issued.

Last season, the wet conditions caused many fires, which were lit at a legal time, to burn into the evening when dispersion conditions for the smoke are usually poor. To reduce burning during these poor ventilation periods, a rule revision is proposed which would limit lighting periods to one-half hour before sunset, and permit an evening fire to be allowed to burn no longer than one and one-half hours after sunset.

#### Analysis

Rule revisions reflecting these proposed changes are as follows:

1. Revise 26-005(13) to read:

"Validation Number" means a unique three-part number issued by a local fire permit issuing agency which validates a specific open field burning permit for a specific acreage on a specific day. The first part of the validation number shall indicate the number of the month and the day of issuance, the second part the hour of the authorized burning based on a 24 hour clock, and the third part shall indicate the size of acreage to be burned (e.g., a validation number issued August 26 at 2:30 p.m. for a 70 acre burn would be 0826-1430-070)."

2. Revise 26-015(3) to read:

"Burning hours may begin at 9:30 a.m. PDT, under marginal conditons but no open field burning may be started later than one-half hour before sunset nor be allowed to continue burning later than one and one-half hours after sunset. Burning hours may be reduced by the fire chief or his deputy when necessary to protect from danger by fire."

## Straw Stack Burning Rule Request

### Discussion

In an effort to allow easier disposal of straw removed from fields in preparation for mobile field sanitizers, the Field Sanitation Committee requested the Commission (Attachment V) to consider straw stack burning as a method to accomplish such disposal and to give such burning a higher priority than it has currently. The basis for such a request is that a stack in good condition tends to burn cleaner than the equivalent amount of spread straw and that more opportunity to burn waste straw stacks would promote the straw's removal and use of alternative methods to open field burning.

### Analysis

The Department is, in general, opposed to revising the rules for this purpose for the following reasons:

1. Current interpretation of the law requires stack burning to have a priority below that of grass and cereal stubble.
2. The impact on total smoke emissions would be very minor at the present time.
3. Growers are not likely to burn stacks until they know the stacks cannot be sold or the stacks are ruined by rain. This will push burning back to the end of the season (as is done currently anyway) and ruined (wet) stacks burn with generally more smoke impact than stubble fields.
4. Such a rule revision would be contrary to present policy of airshed reservation separating burning periods for fields and fourth priority burning.
5. Fourth priority burning including stack burning is currently not allowed from July 15 until September 15.

### Director's Recommendation

It is the Director's recommendation that the Commission, subject to any changes found appropriate in light of recommendations made to the Commission, or findings reached after this (April 30, 1976) hearing, take the following action:

1. Acknowledge as of record the consultation with and recommendations as received, of the Oregon Field Sanitation Committee, Oregon State University and any other parties consulted pursuant to Section 5(3) of Oregon Law, Chapter 559, 1975.

2. Enter specific findings as to whether:
  - a. There are insufficient numbers of workable machines that can reasonably be made available to sanitize the acreage if an acreage reduction is ordered,
  - b. There are insufficient methods available for straw utilization and disposal, and
  - c. Reasonable efforts have been made to develop alternative methods of field sanitation and straw utilization and disposal, and such methods have been utilized to the maximum reasonable extent.
3. If findings with regard to the above three issues are all positive allocate the statutory limit of 195,000 acres to be burned during 1976 or such other allocation as is deemed appropriate.
4. If any of the above-mentioned findings are negative, allocate such reduced acreage to be burned in 1976 as is found appropriate.
5. Adopt the proposed amendments to OAR Chapter 340, Sections 26-005 through 26-025 (Attachment VI) as rules.
6. Adopt the proposed rules for "Tax Credits for Approved Alternative Methods, Approved Interim Alternative Methods or Approved Alternative Facilities," OAR Chapter 340, Section 26-030 with associated definitions given as 26-005 (21), (22) and (23) (Attachment II) as rules.
7. Maintain straw stack burning in a fourth priority category.

  
LOREN KRAMER

RLV:cs  
4/1/76

#### Attachments

- I - Letter from Dr. Harold Youngberg, March 23, 1976
- II - Proposed Tax Credit Rule, OAR Chapter 340, Section 26-030
- III - Applications of Proposed Pollution Control Facility Tax Credit Rule
- IV - Proposed Amendments to OAR Chapter 340, Sections 26-005 through 26-025
- V - Oregon Field Sanitation Committee Request
- VI - Proposed Amended OAR Chapter 340, Sections 26-005 through 26-030



Crop Science Dept.  
EXTENSION SERVICE



Oregon  
State  
University

(503) 754-2771  
Corvallis, Oregon 97331

March 23, 1976

Scott A. Freeburn, Manager  
Field Burning Program  
Department of Environmental Quality  
16 Oakway Mall  
Eugene, OR 97401

Dear Mr. Freeburn:

The following is in response to your letter of March 1, 1976, requesting information that will be helpful to the Environmental Quality Commission in assessing the current situation and distributing the allowable open burning acreages in the Willamette Valley in 1976. This statement summarizes the opinion of several of the staff members of Oregon State University in regard to this question.

Dr. Hardison has provided considerable background information relating to the pressing need for disease and weed control to avoid severe losses in seed production and to maintain market quality, and to the effectiveness of field burning for control of major diseases has been described in detail on several occasions. It is our impression that Oregon Law 599 was passed with the expectation that two main alternatives to burning, namely mobile field sanitizers and chemicals, would soon be available for disease control. Unfortunately, neither alternative is available for the 1976 season. The 1975 tests demonstrated that no mobile field sanitizer is yet operational or reliable. Even when a field sanitizer of some design does become operational, the question still remains as to whether the sanitizer is economically feasible. Sanitizers cannot be considered available to growers for 1976.

Regarding the assumption on the second alternative, chemical control for major diseases, especially ergot and blind seed disease that are now controlled only by burning, last spring Dr. Hardison described a new chemical that has shown strong activity in greenhouse tests in suppressing the spore-producing organs of both blind seed and ergot. He further testified that the best information we had was that the experimental chemical BAY MEB 6447 would not be available for three to five years. This time frame still holds true, so it would be 1978 or 1980 before the chemical might become available to Oregon grass seed farmers, if all goes well with EPA registration and a use label is obtained. This chemical would help seed production by control of other diseases, such as rusts, powdery mildew, and many other leaf and stem diseases; but it may or may not solve the ergot and blind seed disease problems. We have not learned how to get control of ergot from late spring applications, but apparently we will have several more years to experiment with the chemical in field plots before it could be available commercially. Neither the availability nor field effectiveness of the chemical can be assured at the moment. In addition, we



do not know the cost from which to determine economic feasibility. Some other chemical may be found to give control of blind seed and ergot, as Dr. Hardison is constantly looking for additional candidates. A reminder of the urgent need in Oregon for candidate chemicals for testing against grass diseases was recently sent to chemical companies around the world.

Dr. Orvid Lee reports that field burning, initiated in grass seed fields in western Oregon to control plant diseases, also proved effective in controlling other plant pests. While it has not been recommended specifically for weed control, satisfactory weed control in grass seed fields in western Oregon so important in meeting market quality standards depends on burning.

Field burning is currently the principal means of controlling winter annual grass weeds in annual ryegrass seed fields. Burning destroys the weed seed source. Research has shown that burning destroys 95% or more of the weed seeds in a field. Without burning, all weed seeds on the field will be returned to the soil and will result in an explosive weed population.

Dr. Orvid Lee's research shows that NC-8438 (2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulphonate), marketed by the Fisons Corporation under the name "Nortron," has potential for selective control of winter annual grass weeds in annual ryegrass. When it is applied preemergence or early postemergence, annual ryegrass is not injured at rates that are very effective in controlling troublesome weeds, particularly rattail fescue (Festuca myuros L.), annual bluegrass (Poa annua L.), and wild oats (Avena fatua L.).

NC-8438 is not registered for general use at this time. A temporary permit was issued by EPA in the fall of 1975 to allow field scale testing. This temporary use permit may be extended into 1976, but we have no assurance that it will at this time. The earliest that a full registration can be obtained is 1977 or 1978.

While NC-8438 looks promising for selective weed control in annual ryegrass, it will be expensive to use. Cost of the herbicide will range from \$25.00 to \$35.00 per acre, depending on the weed problem. In addition, the crop residue will have to be removed and the field plowed and worked before application. This will add an additional cost of \$25.00 to \$30.00 per acre. Thus, if NC-8438 were available, cost to the grower for weed control to replace open burning would be \$40.00 to \$60.00 per acre.

In perennial grass seed fields, open burning not only destroys most of the weed seeds on the field but also removes crop residues which interfere with the action of soil-applied herbicides that are used to selectively control winter annual grass weeds. All herbicides now registered for selective control of winter annual grass weeds in established perennial grass seed fields are adsorbed and inactivated by crop residues. Since 1965, a number of experiments comparing the effect of different methods of crop residue management on herbicidal activity have been conducted. Results show that without burning in some form, none of the herbicides gave satisfactory weed control. Weed control has been satisfactory where fields were burned with the mobile sanitizers being tested. There are no herbicides being evaluated with potential for selective grass weed control in perennial grass seed fields that are not adversely affected by crop residues.

Insects that use leaves, seed culms, and stems of grasses as overwintering sites are affected by field burning, while those pests that feed in the roots or crowns of grasses are not affected by burning. Seven species of plant bugs occur in grasses grown for seed in the Willamette Valley. These do, or potentially could, cause a condition in grasses called "silver top" in which part or all of the inflorescence prematurely turns white, resulting in sterile seed.

Insecticides that once effectively controlled plant bugs have been canceled by the EPA because of real or potential environmental concerns.

Research studies indicate that any reduction in field burning is likely to result in an increase in "silver top" and a subsequent need for insecticides to control plant bugs. These insecticides must be registered with tolerances permitted in grass and straw for forage and feed, if present practices are to continue.

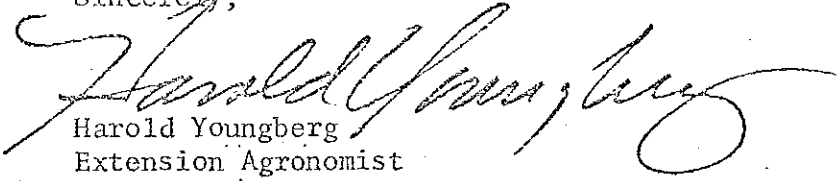
Considering the performance of the various models of sanitizers placed in the field in 1975, it becomes clear that no particular design of machine has evolved past the experimental stage and become an operational commercial prototype. Several of the different models tested have displayed desirable features such as reduced initial cost, maneuverability, fire control, fuel economy, adequate field capacity under certain conditions, ability to handle an adequate spectrum of moisture conditions, etc., but these features have not been integrated into a single design with the necessary compromises. Until such design attempts result in a machine which can demonstrate its performance over a major part of the broad range of necessary operating conditions throughout the burning season, it would not appear to be a sound use of resources to build more than two or three prototype machines of any one design for testing. If an apparently successful machine emerges in 1976, then consideration should be given to its breadth of adaptation over the wide range of crops, terrain, load, and moisture conditions to see whether a single design can serve the full spectrum of needs. The first commercial models may well be adapted to only a portion of the acreage requiring thermal sanitation and continued development work may be necessary to broaden their use into the more difficult areas.

In summary, there is no feasible chemical or substitute heat treatment available to control ergot, blind seed disease, or seed nematode other than open field burning during the 1976 season. Further, field burning is the only available technique for control of insects that cause "silver top." Without field burning for weed control in both annual and perennial grasses grown for seed, it will be difficult if not impossible to produce grass seeds that meet the high quality standards for purity demanded by the consumer. As a consequence, many farmers, especially those farming on land with poor drainage, excessive slope, or other physical limitations will be forced out of seed production; and they have few, if any, economically viable alternatives.

The field sanitizer prototype is still in the test phase and will be unable to contribute a significant amount of field sanitation to the crop in 1976. The EQC should not consider any acreage reduction in 1976 and should consider increases above 195,000 to avoid economic hardship to seed growers.

Since field sanitation is essential to grass seed production of both annual and perennial crops, any reduction in acreage below registered acres should be allocated equally to all grass seed growers. Cereal straw burning in preparation for establishment of grass or small seeded legume crops is an essential step in seed production and should be continued in 1976.

Sincerely,



Harold Youngberg  
Extension Agronomist

HY/11v

cc J. R. Hardison  
D. Kirk  
J. Capizzi  
D. Chilcote

26-030 TAX CREDITS FOR APPROVED ALTERNATIVE METHODS, APPROVED INTERIM ALTERNATIVE METHODS OR APPROVED ALTERNATIVE FACILITIES.

(1) As provided in Oregon Laws 1975 Chapter 559, approved alternative methods, approved interim alternative methods or approved alternative facilities are eligible for tax credit as pollution control facilities as described in ORS 468.155 through 468.190.

(2) Approved alternative facilities eligible for pollution control facility tax credit shall include:

(a) Mobile equipment including but not limited to:

(A) Straw gathering, densifying and handling equipment.

(B) Tractors and other sources of motive power.

(C) Trucks, trailers, and other transportation equipment.

(D) Mobile field sanitizers (approved models and approved pilot models) and associated fire control equipment.

(E) Equipment for handling all forms of processed straw.

(F) Special straw incorporation equipment.

(b) Stationary equipment and structures including but not limited to:

(A) Straw loading and unloading facilities.

(B) Straw storage structures.

(C) Straw processing and in plant transport equipment.

(D) Land associated with stationary straw processing facilities.

(E) Drainage tile installations which will result in a reduction of acreage burned.

PROPOSED RULES FOR TAX CREDITS FOR  
APPROVED ALTERNATIVE METHODS  
APPROVED INTERIM ALTERNATIVE METHODS OR  
APPROVED ALTERNATIVE FACILITIES

26-005 Definitions.

(21) "Approved Alternative Method" means any method approved by the Committee and the Department to be a satisfactory alternative method to open field burning.

(22) "Approved Interim Alternative Method" means any interim method approved by the Committee and the Department as an effective method to reduce or otherwise minimize the impact of smoke from open field burning.

(23) "Approved Alternative Facilities" means any land, structure, building, installation, excavation, machinery, equipment or device approved by the Committee and the Department for use in conjunction with an Approved Alternative Method or an Approved Interim Alternative Method for field sanitation.

(3) Equipment and facilities included in an application for certification for tax credit under this rule will be considered at their current depreciated value and in proportion to their actual use to reduce open field burning as compared to their total farm or other use.

(4) Procedures for application and certification of approved alternative facilities for pollution control facility tax credit.

(a) Preliminary certification for pollution control facility tax credit.

(A) A written application for preliminary certification shall be made to the Department prior to installation or use of approved alternative facilities in the first harvest season for which an application for tax credit certification is to be made. Such application shall be made on a form provided by the Department and shall include but not be limited to:

(i) Name, address and nature of business of the applicant.

(ii) Name of person authorized to receive Department requests for additional information.

(iii) Description of alternative method to be used.

(iv) A complete listing of mobile equipment and stationary facilities to be used in carrying out the alternative methods and for each item listed include:

(a) Date or estimated future date of purchase.

(b) Percentage of use allocated to approved alternative methods and approved interim alternative methods as compared to their total farm or other use.

(v) Such other information as the Department may require to determine compliance with state air, water, solid waste, and noise laws and regulations and to determine eligibility for tax credit.

(B) If, upon receipt of a properly completed application for preliminary certification for tax credit for approved alternative facilities the Department finds the proposed use of the approved alternative facilities are in accordance with the provisions of ORS 468.175, it shall, within 60 days, issue a preliminary certification of approval. If the proposed use of the approved alternative facilities are not in accordance with provisions of ORS 468.175, the Commission shall, within 60 days, issue an order denying certification.

(b) Certification for pollution control facility tax credit.

(A) A written application for certification shall be made to the Department on a form provided by the Department and shall include but not be limited to the following:

(i) Name, address and nature of business of the applicant.

(ii) Name of person authorized to receive Department requests for additional information.

(iii) Description of the alternative method to be used.

(iv) For each piece of mobile equipment and/or for each stationary facility, a complete description including the following information as applicable:

(a) Type and general description of each piece of mobile equipment.

(b) Complete description and copy of proposed plans or drawings of stationary facilities including buildings and contents used for straw storage, handling or processing of straw and straw products or used for storage of mobile field sanitizers and legal description of real property involved.



- (c) Date of purchase or initial operation.
- (d) Cost when purchased or constructed and current value.
- (e) General use as applied to approved alternative methods and approved interim alternative methods.

(f) Percentage of use allocated to approved alternative methods and approved interim alternative methods as compared to their farm or other use.

(B) Upon receipt of a properly completed application for certification for tax credit for approved alternative facilities or any subsequently requested additions to the application, the Department shall return within 120 days the decision of the Commission and certification as necessary indicating the portion of the cost of each facility allocable to pollution control.

(5) Certification for tax credits of equipment or facilities not covered in OAR Chapter 340, Section 26-020(1) through 26-030(3) shall be processed pursuant to the provisions of ORS 468.165 through 468.185.

(6) Election of type of tax credit pursuant to ORS 468.170(5).

(a) As provided in ORS 468.170(5), a person receiving the certification provided for in OAR Chapter 340, Section 26-030(4)(b) shall make an irrevocable election to take the tax credit relief under ORS 316.097 or the ad valorem tax relief under ORS 307.405 and shall inform the Department of his election within 60 days of receipt of certification documents on the form supplied by the Department with the certification documents.

(b) As provided in ORS 468.170(5) failure to notify the Department of the election of the type of tax credit relief within 60 days shall render the certification ineffective for any tax relief under ORS 307.405, 316.097 and 317.072.

APPLICATIONS OF PROPOSED POLLUTION CONTROL FACILITY  
TAX CREDIT RULE

A. To obtain tax credit for pollution control equipment or facilities, a farmer must do the following:

1. Before use, complete and file with the Department a simple one-page form, Request for Preliminary Certification for Pollution Control Tax Credit. This form must be filed before the equipment or facility is used in the first harvest season for which tax credit is to be taken.
2. After using the equipment or facility for the intended pollution control purpose, and 60 days before the end of the tax year, complete and file with the Department an Application for Pollution Control Tax Credit.
3. Receive (within 60 days after submitting the application) a Pollution Control Facility Tax Credit Certificate. The amount allocable to pollution control will be based on the current depreciated value, prorated on the basis of its use for pollution control compared to its overall use.
4. File the tax credit certificate with either the county, to receive property tax credit, or with the Oregon personal income tax return to receive income tax credit for each year filed for 10 consecutive years beginning with the year the facility is certified.

B. Eligible Equipment and Facilities

1. A farmer has a baler which has a current depreciated value in 1976 of 50% of the original value and he uses it 50% of the time to bale straw which would otherwise be burned on the field.

He wishes to apply for pollution credit beginning in 1976.

After applying as outlined in A above, he would be eligible to receive a tax credit certificate beginning in 1976 for an amount equal to 25% of the original value of the baler. Based on the Table in ORS 468.190, he would receive tax credit equal to 40% of the original value of the baler.

2. A farmer purchases a tractor in 1977 and plans to use it 80% of the time to pull a mobile field sanitizer.

He wishes to apply for pollution tax credit beginning in 1977.

After applying as outlined in A above, he would be eligible to receive a tax credit certificate beginning in 1977 for an amount equal to 80% of the cost of the tractor. Based on the Table in ORS 468.190, he would receive tax credit equal to 100% of the original value of the tractor.

3. A farmer purchases a building in 1976 and uses it 100% for storage of straw that was previously burned.

In 1979 he wishes to apply for pollution tax credit beginning in 1979.

After applying as outlined in A above, he would be eligible to receive a tax credit certificate beginning in 1979 for an amount equal to 100% of the 1979 depreciated value of the building.

4. A farmer installs tile in a field in 1977 which previously was only suited to growing grass seed and intends to grow only crops which do not require burning.

He wishes to apply for pollution tax credit in 1977.

After applying as outlined in A above he would be eligible to receive a tax credit certificate beginning in 1977 for an amount equal to 100% of the cost of installation of the tile.

C. Modifications to Stated Use.

In each case above, the equipment or facility certification will be applicable as long as the farmer uses it in a manner consistent with his original application. Modification of usage or purpose of usage will require a modification by the Department to the certificate to reflect those modifications. Discontinued uses of the equipment or facility for the purposes stated in the application will result in revocation of the certification.

Proposed Amendments to OAR Chapter 340  
Section 26-005 through 26-025

1. Revise 340-26-005(13) to read:

"Validation Number" means a unique [two] three-part number issued by a local fire permit issuing agency which validates a specific open field burning permit for a specific [field] acreage on a specific day. The first part of the validation number shall indicate the number of the month and the day of issuance, [and) the second part the hour of authorized burning based on a 24 hour clock and the third part shall indicate the size of acreage to be burned (e.g., a validation number issued August 26 at 2:30 p.m. for a 70 acre burn would be 826-1430-070).

2. Revise 340-26-013(1)(a) to read:

During [1975] 1976, not more than [234,000] 195,000 acres.

3. Revise 340-26-013(5) to read:

In the event that more than [234,000] 195,000 acres are registered to be open burned in [1975] 1976, the Department shall make an effort to obtain voluntary reductions in the acres registered. If by [July 17, 1975] June 1, 1976, sufficient voluntary reductions are not realized, the Department shall sub-allocate the total acreage allocation established by the Commission to the respective fire permit issuing agencies on the basis of the acreage registered within each fire permit issuing agency jurisdiction as of [July 10, 1975] April 1, 1976, to the total acreage registered as of [July 10, 1975] April 1, 1976.

4. Revise 340-26-015(3) to read:

Burning hours may begin at 9:30 a.m. PDT, under marginal conditions but no open field burning may be started later than one-half hour before sunset nor be allowed to continue burning later than one and one-half hour after sunset. Burning hours may be reduced by the fire chief or his deputy when necessary to protect from danger by fire.



STATE OF OREGON

INTEROFFICE MEMO

Attachment V FEB 10 1976

TO: LOREN KRAMER

DATE: FEBRUARY 5, 1976

FROM: JANET McLENNAN *Janet*

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
**RECEIVED**  
FEB 9 1976

SUBJECT: FIELD SANITATION COMMITTEE

OFFICE OF THE DIRECTOR

At the January 13, 1976 meeting of the Field Sanitation Committee, a resolution was adopted requesting the Environmental Quality Commission to re-examine the air quality rules with respect to the burning of stacked straw.

The members of the committee were concerned that no prohibition exist to the burning of stacked straw even during periods where open field burning of straw is undertaken to the maximum extent allowed by the regulations of the Environmental Quality Commission.

JMc/jh

Lester E. Anderson  
January 13, 1976

MOTIONS FOR PROPOSAL TO THE OREGON FIELD SANITATION COMMITTEE

1. That the Committee authorize the purchase and operation of an additional five burning machines for use during the summer of 1976. Financing shall, if possible, be accomplished through the existing budget, recognizing that some funds will have to be withdrawn from existing or projected straw utilization programs.
2. That the Field Burning Committee direct the staff to prepare a coordinated field experiment plan prior to the 1976 burning season to assure that 1) maximum use of the machines is attained, 2) provision is made for contingencies such as breakdowns, weather, etc., and 3) that maximum grower exposure is assured. The engineers shall also provide the Committee, immediately at the close of the burning season, an evaluation of the performance of each unit.
3. That the Committee request the Environmental Quality Commission to establish straw-stack burning standards and to give stack burning a higher priority.
4. That the Committee request Governor Straub to develop with the State Department of Agriculture a plan whereby the five agricultural commissions representing the grass seed industry will be assigned responsibility for promoting markets for straw.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Chapter 340

Subdivision 6  
Agricultural Operations  
AGRICULTURAL BURNING

26-005 DEFINITIONS. As used in this general order, regulation and schedule, unless otherwise required by context:

(1) Burning seasons:

(a) "Summer Burning Season" means the four month period from July 1 through October 31.

(b) "Winter Burning Season" means the eight month period from November 1 through June 30.

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

(3) "Marginal Conditions" means conditions defined in ORS 468.450(1) under which permits for agricultural open burning may be issued in accordance with this regulation and schedule.

(4) "Northerly Winds" means winds coming from directions in the north half of the compass, at the surface and aloft.

(5) "Priority Areas" means the following areas of the Willamette Valley:

(a) Areas in or within 3 miles of the city limits of incorporated cities having populations of 10,000 or greater.

(b) Areas within 1 mile of airports serving regularly scheduled airline flights.

(c) Areas in Lane County south of the line formed by U.S. Highway 126 and Oregon Highway 126.



(d) Areas in or within 3 miles of the city limits of the City of Lebanon.

(e) Areas on the west side of and within 1/4 mile of these highways; U.S. Interstate 5, 99, 99E and 99W. Areas on the south side of and within 1/4 mile of U.S. Highway 20 between Albany and Lebanon, Oregon Highway 34 between Lebanon and Corvallis, and Oregon Highway 228 from its junction south of Brownsville to its rail crossing at the community of Tulsa.

(6) "Prohibition Conditions" means atmospheric conditions under which all agricultural open burning is prohibited (except where an auxiliary fuel is used such that combustion is nearly complete, or an approved sanitizer is used).

(7) "Southerly Winds" means winds coming from directions in the south half of the compass, at the surface and aloft.

(8) "Willamette Valley" means the areas of Benton, Clackamas, Lane, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties lying between the crest of the Coast Range and the crest of the Cascade Mountains, and includes the following:

(a) "South Valley," the areas of jurisdiction of all fire permit issuing agents or agencies in the Willamette Valley portions of the Counties of Benton, Lane or Linn.

(b) "North Valley," the areas of jurisdiction of all other fire permit issuing agents or agencies in the Willamette Valley.

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

(10) "Local Fire Permit Issuing Agency" means the County Court or Board of County Commissioners or Fire Chief of a Rural Fire Protection District or other person authorized to issue fire permits pursuant to ORS 477.515, 477.530, 476.380 or 478.960.

(11) "Open Field Burning Permit" means a permit issued by the Department pursuant to Section 2 of SB 311.

(12) "Fire Permit" means a permit issued by a local fire permit issuing agency pursuant to ORS 477.515, 477.530, 476.380 or 478.960.

(13) "Validation Number" means a unique [two]~~three~~-part number issued by a local fire permit issuing agency which validates a specific open field burning permit for a specific [field] acreage on a specific day. The first part of the validation number shall indicate the number of the month and the day of issuance, [and] the second part the hour of authorized burning based on a 24 hour clock and the third part shall indicate the size of acreage to be burned (e.g., a validation number issued August 26 at 2:30 p.m. for a 70 acre burn would be 826-1430-070).

(14) "Open Field Burning" means burning of any perennial grass seed field, annual grass seed field or cereal grain field in such manner that combustion air and combustion products are not effectively controlled. Field burning utilizing a device other than an approved field sanitizer shall constitute open field burning.

(15) "Approved Field Sanitizer" means any field burning device that has been approved by the Field Sanitation Committee and the Department as a feasible alternative to open field burning.

(16) "Approved Experimental Field Sanitizer" means any field burning device that has been approved by the Field Sanitation Committee and the Department for trial as a potentially feasible alternative to open field burning or as a source of information useful to further development of field sanitizers.

(17) "After-Smoke" means persistent smoke resulting from the burning of a grass seed or cereal grain field with a field sanitizer, and emanating from the grass seed or cereal grain stubble or accumulated straw residue at a point ten (10) feet or more behind a field sanitizer.

(18) "leakage" means any smoke which is not vented through a stack and is not classified as after-smoke, and is produced as a result of using a field sanitizer.

(19) "Committee" means Oregon Field Sanitation Committee.

(20) "Approved Pilot Field Sanitizer" means any field burning device that has been observed and endorsed by the Committee and the Department as an acceptable but improvable alternative to open field burning, the operation of which is expected to contribute information useful to further development and improved performance of field sanitizers.

26-010 GENERAL PROVISIONS. The following provisions apply during both summer and winter burning seasons in the Willamette Valley unless otherwise specifically noted.

(1) Priority for Burning. On any marginal day, priorities for agricultural open burning shall follow those set forth in ORS 468.450 which give perennial grass seed field used for grass seed production first priority, annual grass seed fields used for grass seed production second priority, grain fields third priority and all other burning fourth priority.

(2) Permits required.

(a) No person shall conduct open field burning within the Willamette Valley without first obtaining a valid open field burning permit from the Department and a fire permit and validation number from the local fire permit issuing agency for any given field for the day that the field is to be burned.

(b) Applications for open field burning permits shall be filed on Registration/Application forms provided by the Department.

(c) Open field burning permits issued by the Department are not valid until acreage fees are paid pursuant to ORS 468.480(1)(b) and a validation number is obtained from the appropriate local fire permit issuing agency for each field on the day that the field is to be burned.

(d) As provided in ORS 468.465(1), permits for open field burning of cereal grain crops shall be issued only if the person seeking the permit submits to the issuing authority a signed statement under oath or affirmation that the acreage to be burned will be planted to seed crops (other than cereal grains, hairy vetch, or field pea crops) which require flame sanitation for proper cultivation.

(e) Any person granted an open field burning permit under these rules shall maintain a copy of said permit at the burn site at all times during the burning operation and said permit shall be made available for at least one year after issuance for inspection upon request by appropriate authorities.

(f) At all times proper and accurate records of permit transactions and copies of all permits shall be maintained by each agency or person involved in the issuance of permits, for inspection by the proper authority.

(g) Permit agencies or persons authorized to participate in the issuance of permits shall submit to the Department, on forms provided, weekly summaries of field burning permit data, during the period July 1 to October 15.

(h) All debris, cutting and prunings shall be dry, cleanly stacked and free of dirt and green material prior to being burned, to insure as nearly complete combustion as possible.

(i) No substance or material which normally emits dense smoke or obnoxious odors may be used for auxiliary fuel in the igniting of debris, cutting or prunings.

(j) Use of approved field sanitizers shall require a fire permit, and permit agencies or agents shall keep up-to-date records of all acreages burned by such sanitizers.

26-011 CERTIFIED ALTERNATIVE TO OPEN FIELD BURNING

(1) Approved pilot field sanitizers, approved experimental field sanitizers, or propane flammers may be used as alternatives to open field burning subject to the provisions of this section.

(2) Approved Pilot Field Sanitizers

(a) Procedures for submitting application for approval of pilot field sanitizers.

Applications shall be submitted in writing to the Department and shall include, but not be limited to, the following:

- (i) Design plans and specifications;
- (ii) Acreage and emission performance data and rated capacities;
- (iii) Details regarding availability of repair service and replacement parts;
- (iv) Operational instructions;
- (v) Letter of approval from the Field Sanitation Committee.

(b) Emission Standards for Approved Pilot Field Sanitizers.

(A) Approved pilot field sanitizers shall be required to demonstrate the capability of sanitizing a representative and harvested grass field or cereal grain stubble with an accumulative straw and stubble fuel load of not less than 1.0 tons/acre, dry weight basis, and which has an average moisture content not less than 10%, at a rate of not less than 85% of rated maximum capacity for a period of 30 continuous minutes without exceeding emission standards as follows:

- (i) 20% average opacity out of main stack;
- (ii) Leakage not to exceed 20% of the total emissions;
- (iii) No significant after-smoke originating more than 25 yards behind the operating machine.

(B) The Department shall certify in writing to the Field Sanitation Committee and the manufacturer, the approval of the pilot field sanitizer within thirty (30) days of the receipt of a complete application and successful compliance demonstration with the emission standards of 2(b)(A). Such approval shall apply to all machines built to the specifications of the Department certified field sanitation machine.

(C) In the event of the development of significantly superior field sanitizers, the Department may decertify approved pilot field sanitizers previously approved, except that any unit built prior to this decertification in accordance with specifications of previously approved pilot field sanitizers shall be allowed to operate for a period not to exceed seven years from the date of delivery provided that the unit is adequately maintained as per (2)(c)(A).

(c) Operation and/or modification of approved pilot field sanitizers.

(A) Operating approved pilot field sanitizers shall be maintained design specifications (normal wear expected) i.e., skirts, shrouds, shields, air bars, ducts, fans, motors, etc., shall be in place, intact and operational.

(B) Modifications to the structure or operating procedures which will knowingly increase emissions shall not be made.

(C) Any modifications to the structure or operating procedures which result in increased emissions shall be further modified or returned to manufacturer's specifications to reduce emissions to original levels or below as rapidly as practicable.

(D) Open fires away from the sanitizers shall be extinguished as rapidly as practicable.

(3) Experimental field sanitizers identified in writing as experimental units by the Committee and not meeting the emission criteria specified in 2(b)(A) above, may receive Department authorization for experimental use for not more than one season at a time, provided:

(a) The Committee shall report to the Department field burning manager the locations of operation of experimental field sanitizers.

(b) The Committee shall provide the Department an end-of-season report of experimental field sanitizer operations.

(c) Open fires away from the machines shall be extinguished as rapidly as practicable.

(4) Propane Flamers. Open propane flaming is an approved alternative to open field burning provided that all of the following conditions are met:

(a) Field sanitizers are not available or otherwise cannot accomplish the burning.

(b) The field stubble will not sustain an open fire.

(c) One of the following conditions exist:

(A) The field has been previously open burned and appropriate fees paid.

(B) The field has been flail-chopped, mowed, or otherwise cut close to the ground and loose straw has been removed to reduce the straw fuel load as much as practicable.

26-012 REGISTRATION AND AUTHORIZATION OF ACREAGE TO BE OPEN BURNED.

(1) On or before July 1, 1975 and on or before April 1 of each subsequent year, all acreages to be open burned under this rule shall be registered with the local fire permit issuing agency or its authorized representative.

(2) Registration of acreage after July 1, 1975 and after April 1 of each subsequent year shall require:

(a) Approval of the Department.

(b) An additional late registration fee of \$1 per acre if the late registration is determined by the Department to be the fault of the late registrant.

straw fuel load as much as practicable.

(3) Copies of all Registration/Application forms shall be forwarded to the Department promptly by the local fire permit issuing agency.

(4) The local fire permitting agency shall maintain a record of all registered acreage by assigned field number, location, type of crop, number of acres to be burned and status of fee payment for each field.



(5) Burn authorizations shall be issued by the local fire permit issuing agency up to daily quota limitations established by the Department and shall be based on registered fee-paid acres and shall be issued in accordance with the priorities established by sub-section 26-010(1) of these rules, except that fourth priority burning shall not be permitted from July 15 to September 15 of any year unless specifically authorized by the Department.

(6) No local fire permit issuing agency shall authorize open field burning of more acreage than may be sub-allocated annually to the District by the Department pursuant to Section 26-013(5) of these rules.

26-013 LIMITATION AND ALLOCATION OF ACREAGE TO BE OPEN BURNED.

(1) Maximum acreage to be open burned under these rules each year shall not exceed the following:

(a) During [1975] 1976, not more than [234,000] 195,000 acres.

(b) In 1978 and each year thereafter, the Commission, after taking into consideration the factors listed in sub-section (2) or ORS 468.460, may by order issue permits for the burning of not more than 50,000 acres.

(2) On or before May 1 of any year, the Commission shall seek certification from the Field Sanitation Committee of the numbers of acres that can be sanitized by feasible alternative methods and the Committee's recommendations as to the general location and types of fields to be sanitized utilizing feasible alternative methods.

(3) On or before July 10, 1975 and June 1 of each subsequent year, the Commission shall, after public hearing, establish an allocation of

registered acres that can be open burned that year. In establishing said acreage allocation, the Commission shall consult with OSU and the Oregon Field Sanitation Committee and may consult with other interested agencies and shall, pursuant to ORS 468.460(2) and ORS 468.475(4) consider means of more rapid reduction of acres burned each year than provided by ORS 468.475(2).

(4) Acres burned on any day by approved field sanitizers shall not be applied to open field burning acreage allocations or quotas, and such sanitizers may be operated under either marginal or prohibition conditions.

(5) In the event that more than [234,000] 195,000 acres are registered to be open burned in [1975] 1976, the Department shall make an effort to obtain voluntary reductions in the acres registered. If by [July 17, 1975] June 1, 1976, sufficient voluntary reductions are not realized, the Department shall sub-allocate the total acreage allocation established by the Commission to the respective fire permit issuing agencies on the basis of the acreage registered within each fire permit issuing agency jurisdiction as of [July 10, 1975] April 1, 1976, to the total acreage registered as of [July 10, 1975] April 1, 1976.

(6) The Department may authorize burning on an experimental basis, and may also, on a fire district by fire district basis, issue limitations more restrictive than those contained in these regulations when in their judgment it is necessary to attain air quality.

26-015 WILLAMETTE VALLEY SUMMER BURNING SEASON REGULATIONS.

(1) Classification of Atmospheric Conditions. All days will be classified as marginal or prohibition days under the following criteria:

(a) Marginal Class N conditions: Forecast northerly winds and maximum mixing depth greater than 3500 feet.

(b) Marginal Class S conditions: Forecast southerly winds.

(c) Prohibition conditions: Forecast northerly winds and maximum mixing depth 3500 feet or less.

(2) Quotas.

(a) Except as provided in this subsection, the total acreage of permits for open field burning shall not exceed the amount authorized by the Department for each marginal day. Daily authorizations of acreages shall be issued in terms of basic quotas or priority area quotas as listed in Table 1, attached as Exhibit A and incorporated by reference into this regulation and schedule, and defined as follows:

(A) The basic quota represents the number of acres to be allowed throughout a permit jurisdiction, including fields located in priority areas, on a marginal day on which general burning is allowed in that jurisdiction.

(B) The priority area quota represents the number of acres allowed within the priority areas of a permit jurisdiction on a marginal day when only priority area burning is allowed in that jurisdiction.

(b) Willamette Valley permit agencies or agents not specifically named in Table 1 shall have a basic quota and priority area quota of 50 acres only if they have registered acreage to be burned within their jurisdiction.

(c) In no instance shall the total acreage of permits issued by any permit issuing agency or agent exceed that allowed by the Department for the marginal day, except as provided for 50 acre quotas as follows:

When the established daily acreage quota is 50 acres or less, a permit may be issued to include all the acreage in one field providing that field does not exceed 100 acres and provided further that no other permit is issued for that day. For those districts with a 50 acre quota, permits for more than 50 acres shall not be issued on two consecutive days.

(d) The Department may designate additional areas as Priority Areas, and may adjust the basic acreage quotas or priority area quotas of any permit jurisdiction, where conditions in their judgment warrant such action.

(3) Burning Hours may begin at 9:30 a.m. PDT, under marginal conditions but no open field burning may be started later than one-half hour before sunset nor be allowed to continue burning later than one and one-half hour after sunset. Burning hours may be reduced by the fire chief or his deputy when necessary to protect from danger by fire.

(4) Extent and Type of Burning.

(a) Prohibition. Under prohibition conditions, no fire permits or validation numbers for agricultural open burning shall be issued and no burning shall be conducted, except where an auxiliary liquid or gaseous fuel is used such that combustion is essentially complete, or an approved field sanitizer is used.

(b) Marginal Class N Conditions. Unless specifically authorized by the Department, on days classified as Marginal Class N burning may be limited to the following:

(A) North Valley: one basic quota may be issued in accordance with Table 1.

(B) South Valley: one priority area quota for priority area burning may be issued in accordance with Table 1.

(c) Marginal Class S Conditions. Unless specifically authorized by the Department on days classified as Marginal Class S conditions, burning shall be limited to the following:

(A) North Valley: One basic quota may be issued in accordance with Table 1 in the following permit jurisdictions: Aumsville, Drakes Crossing, Marion County District 1, Silverton, Stayton, Sublimity, and the Marion County portion of the Clackamas-Marion Forest Protection District. One priority area quota may be issued in accordance with Table 1 for priority area burning in all other North Valley jurisdictions.

(B) South Valley: One basic quota may be issued in accordance with Table 1.

(d) Special Restrictions on Priority Area Burning. No field may be burned on the upwind side of any city, airport, or highway within a priority area.

TABLE 1  
FIELD BURNING ACREAGE QUOTAS  
NORTH VALLEY AREAS

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Clackamas County</u>		
Canby RFPD	50	50
Clackamas County #54	50	0
Clackamas - Marion FPA	50	0
Estacada RFPD	75	0
Molalla RFPD	59	0
Monitor RFPD	50	0
Scotts Mills RFPD	<u>50</u>	<u>0</u>
Total	<u>375</u>	<u>50</u>
 <u>Marion County</u>		
Aumsville RFPD	50	0
Aurora-Donald RFPD	50	50
Drakes Crossing RFPD	50	0
Hubbard RFPD	50	0
Jefferson RFPD	225	50
Marion County #1	100	50
Marion County Unprotected	50	50
Mt. Angel RFPD	50	0

TABLE 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Marion County (continued)</u>		
St. Paul RFPD	125	0
Salem City	50	50
Silverton RFPD	300	0
Stayton RFPD	150	0
Sublimity RFPD	250	0
Turner RFPD	50	50
Woodburn RFPD	<u>125</u>	<u>50</u>
Total	<u>1675</u>	<u>350</u>
 <u>Polk County</u>		
Polk County Non-District	50	0
Southeast Rural Polk	400	50
Southwest Rural Polk	<u>125</u>	50
Total	<u>575</u>	<u>100</u>
 <u>Washington County</u>		
Cornelius RFPD	50	50
Forest Grove RFPD	50	0
Forest Grove, State Forestry	50	0
Hillsboro	50	50
Washington County FPD #1	50	50
Washington County FPD #1	<u>50</u>	<u>50</u>
Total	<u>300</u>	<u>200</u>

TABLE 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Yamhill County</u>		
Amity RFPD	125	50
Carlton RFPD	50	50
Dayton RFPD	50	50
Dundee RFPD	50	0
McMinnville RFPD	150	75
Newberg RFPD	50	0
Sheridan RFPD	75	50
Yamhill RFPD	<u>50</u>	<u>0</u>
Total	<u>600</u>	<u>275</u>
<u>North Valley Total</u>	<u>3575</u>	<u>975</u>



Table 1  
(continued)  
SOUTH VALLEY AREAS

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>South Valley Counties</u>		
<u>Benton County</u>		
County Non-District & Adair	350	175
Corvallis RFPD	175	125
Monroe RFPD	325	50
Philomath RFPD	125	100
Western Oregon FPD	<u>100</u>	<u>50</u>
Total	<u>1075</u>	<u>500</u>
<u>Lane County</u>		
Coburg RFPD	175	50
Creswell RFPD	75	100
Eugene RFPD		
(Zumwalt RFPD)	50	50
Junction City RFPD	325	50
Lane County Non-District	100	50
Lane County RFPD #1	350	50
Santa Clara RFPD	50	50
Thurston-Walterville	50	50
West Lane FPD	<u>50</u>	<u>0</u>
Total	<u>1225</u>	<u>450</u>
<u>Linn County</u>		
Albany RFPD (inc. N. Albany, Palestine, Co. Unprotected Areas)	625	125
Brownsville RFPD	750	50

Table 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>South Valley Counties</u>		
<u>Linn County (continued)</u>		
Halsey-Shedd RFPD	2050	200
Harrisburg RFPD	1350	50
Lebanon RFPD	325	325
Lyons RFPD	50	0
Scio RFPD	175	0
Tangent RFPD	<u>925</u>	<u>325</u>
Total	<u>6250</u>	<u>1075</u>
<u>South Valley Total</u>	<u>8550</u>	<u>2025</u>

26-020 WINTER BURNING SEASON REGULATIONS.

(1) Classification of atmospheric conditions:

(a) Atmospheric conditions resulting in computer air pollution index values in the high range, values of 90 or greater, shall constitute prohibition conditions.

(b) Atmospheric conditions resulting in computed air pollution index values in the low and moderate ranges, values less than 90, shall constitute marginal conditions.

(2) Extent and Type of Burning.

(a) Burning Hours. Burning hours for all types of burning shall be from 9:00 a.m. until 4:00 p.m., but may be reduced when deemed necessary by the fire chief or his deputy. Burning hours for stumps may be increased if found necessary to do so by the permit issuing agency. All materials for burning shall be prepared and the operation conducted, subject to local fire protection regulations, to insure that it will be completed during the allotted time.

(b) Certain Burning Allowed Under Prohibition Conditions. Under prohibition conditions no permits for agricultural open burning may be issued and no burning may be conducted, except where an auxiliary liquid or gaseous fuel is used such that combustion is essentially complete, or an approved field sanitizer is used.

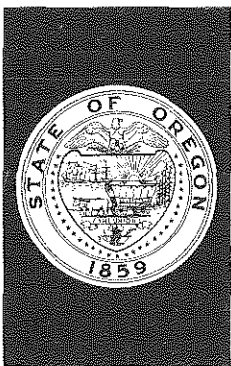
(c) Priority for Burning on Marginal Days. Permits for agricultural open burning may be issued on each marginal day in each permit jurisdiction in the Willamette Valley, following the priorities set forth in ORS 468.450 which gives perennial grass seed fields used for grass seed production first priority, annual grass seed fields used for grass seed production second priority, grain fields third priority and all other burning fourth priority.

26-025 CIVIL PENALTIES. In addition to any other penalty provided by law:

(1) Any person who intentionally or negligently causes or permits open field burning contrary to the provisions of ORS 468.450, 468.455 to 468.485, 476.380 and 478.960 shall be assessed by the Department a civil penalty of at least \$20, but not more than \$40 for each acre so burned.

(2) Any person planting contrary to the restrictions of subsection (1) of ORS 468.465 shall be assessed by the Department a civil penalty of \$25 for each acre planted contrary to the restrictions.

(3) Any person who violates any requirements of these rules shall be assessed a civil penalty pursuant to OAR Chapter 340, Division 1, Subdivision 2, CIVIL PENALTIES.



## 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: Addendum to Agenda Item No. E, April 30, 1976, EQC Meeting  
Proposed Rule Revisions to Agricultural Burning Rules  
OAR Chapter 340, Sections 26-005 through 26-030

### Background

Pursuant to ORS Section 468.475(3), the Environmental Quality Commission "after consultation with the Committee, by rule or order may allocate permits for acreage based on particular local air quality conditions, soil characteristics, the type or amount of field burning of crops, the availability of alternative methods of field sanitation, the date of registration, proportional share, or any reasonable classification."

### Discussion

On April 20, 1976 the Oregon Field Sanitation Committee passed six resolutions relating to acreage allocations and burning priorities as recommendations to the Environmental Quality Commission (Attachment I as received from Mayor Les Anderson's office). The minutes of this meeting are included as Attachment II.

Governor Straub expressed his concurrence with the Field Sanitation Committee's recommendations in a letter dated April 22, 1976 from Janet McLennan, Assistant to the Governor, Natural Resources, to Joe Richards, Chairman, Environmental Quality Commission (Attachment III).

The resolutions with comment regarding administrative procedures required to implement each resolution follow:



Contains  
Recycled  
Materials

1. Consideration be given for incentives to those growers participating with the Oregon Field Sanitation Committee to use the Committee's field sanitizer.

Incentives suggested by the Field Sanitation Committee to use the Field Sanitation Committee field sanitizer would be in the form of a first priority status given to an individual to open burn acreage proportional to his acres mechanically sanitized.

The Department foresees difficulties in implementing Resolution 1. Specifically, practical implementation would require rapid turn-around of data regarding machine sanitized acres and subsequent first priority awards if the grower is to be able to utilize the awarded open burn acres. Such a system would require the reservation of a large block of acreage (7,000 to 10,000 acres) for such first priority allocations thereby diminishing, for an undetermined period, the total open burning allocation. Final allocation of any unused reserved acreage presents significant problems in achieving equitable distribution and full utilization of the allowed open burning acreage.

Awarded first priority burning on the basis of field sanitizer use, may conflict with those priorities prescribed by ORS 468.450(2) as [1] perennial, [2] annual, [3] cereal grains, and [4] all other burning. Such a case may result if an awarded first priority is given to a grower having only cereal left to burn when others in the same fire district still have grass fields unburned.

2. Consideration be given for incentives to those growers who use sanitizers other than those of the Oregon Field Sanitation Committee.

Administrative problems identical to those under 1 above apply in this case.

3. Consideration be given to acreage that cannot be burned by field sanitizers due to excessively steep terrain.

Operationally speaking assembling data regarding this steeply sloped terrain would be a major cooperative effort of the growers affected, the fire districts, the USDA Soil Conservation Service, and the Department and would require some type of secondary registration and certification of field, slope, soil and crop conditions. As permits are to be issued by June 1, implementation of such a program may not be possible.

4. Consideration be given to acreage that was not burned in 1975.

The Department is better prepared from an administrative standpoint to determine which individuals did not burn rather than to specify individual fields. Computer tracking of field histories was not attempted by the Department for 1975. Such data would only be available after institution of a computer file for that purpose which is available for 1976.

The data currently available to the Department would allow consideration be given to growers registering in 1975 and 1976 but not achieving any burning in 1975. Consideration on individual field basis would be extremely difficult.

5. Consideration be given to the first 100 acres registered by each grower.

This resolution could be implemented for 1976 with minimum effort, and if adopted would solve many of the problems which led to resolution number 4 above. However, it is conceivable that such a rule would lead to increased numbers of registrations in 1977 to take advantage of the guaranteed 100 acres in each case. Inspection and documentation of registrations under such circumstance would become an administrative nightmare.

6. After consideration has been given to categories 1 - 5, that a percentage reduction take place.

If the incentives in 1 through 5 are provided in the form of first priority awarded for open burning, blocks of acreage must be reserved for this purpose. Otherwise, this final resolution of percentage allocation parallels closely the allocation system used last season and is one which the Department can most easily accommodate with present personnel and computer software.

### Conclusions

1. Resolutions 1 and 2 would be administratively very difficult if not impossible to implement.
2. Resolution 3 could in concept be implemented but would require significant time, probably more than available, to prepare for the 1976 burning season.
3. Resolution 4 is within the Department's capability to implement for growers who registered but did not accomplish any burning in 1975.
4. Resolution 5 is within the Department's capability.
5. Resolution 6 is in effect the allocation strategy proposed by the Department.

Director's Recommendation

It is the Director's recommendation that the Commission consider the recommendations from the Field Sanitation Committee, subject to any changes found appropriate in light of testimony received, or findings reached after this (April 30, 1976) hearing, take the following action:

Adopt all or any part of the Field Sanitation Committee resolutions, amendments to OAR Chapter 340, Section 26-013(5) (Attachment IV), as Rules.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

LOREN KRAMER

RLV:cs  
4/28/76  
Attachments



## ATTACHMENT I

RESOLUTION PASSED BY OREGON FIELD SANITATION COMMITTEE APRIL 20, 1976,  
RECOMMENDING FIELD BURNING PRIORITIES TO THE EQC  
FOR THE 1976 BURNING SEASON

1. Consideration be given for incentives to those growers participating with the Oregon Field Sanitation Committee to use the Committee's field sanitizer.
2. Consideration be given for incentives to those growers who use sanitizers other than those of the Oregon Field Sanitation Committee.
3. Consideration be given to acreage that cannot be burned by field sanitizers due to excessively steep terrain.
4. Consideration be given to acreage that was not burned in 1975.
5. Consideration be given to the first 100 acres registered by each grower.
6. After consideration has been given to categories 1 - 5, that a percentage reduction take place.

RECEIVED  
APR 21 1976  
Oregon Field Sanitation Committee

AIR QUALITY CONTROL

Committee Meeting

April 20, 1976  
Swept Wing Restaurant  
Albany, Noon

Present:

All Committee Members, and  
Russ Bonlie, Straw Center  
Clyde Doctor, T & E Comm.  
Donald W. Robinson, SCORE  
Don Blades, Grower  
James Drew, Grower  
Jerry Burke, Grower  
Jack Cochran, Grower  
Ed Williams, Grower  
Jupe Holm, Grower  
Don Fisher, Grower  
Marvin Ringsdorf, Grower & EPI  
Everett Hunton, Grower  
Howard Pope, AFA & Grower  
Darrel Glaser, Grower  
Alan Hick, Seed Dealer  
Scott Freeburn, DEQ  
Doug Brannock, DEQ  
Jay Killeen, Dept. of Agri.  
Rollie Haag, Agri. Equip. Dealer  
Dr. John Hardison, OSU - USDA-ARS  
Dr. David Chilcote, OSU  
Bill Lynch, Eugene Register-Guard  
John Burt, AFA & Extension  
Bernard Brady, T. Miles & L-BCC  
Tom Miles, Consulting Engineer

Senator John Powell  
Jim Rear, Rears Mfg. Co.  
Martin Strome, Grower  
Scott Lamb, Oregon Seed Council  
Dave Nelson, Oregon Seed Council  
Walt McElhaney, Grower  
Donald Mader, Grower  
Roger B. Blades, Grower  
Wally Blades, Grower  
Keith Scott, Straw Handler  
Guy Scott, Straw Handler  
Bruce R. Meland, Straw Handler  
Robert Simon, Executive Dept.  
Greg Page, Tech. Coord., Eugene  
Charles L. Hoar, Seton, Johnson, Odell  
Curtis Wilder, Consulting Engineer  
Bert Harrison, Grower & Golden 'B'  
Terry McElhaney, Grower  
Art Hughes, Consulting Engineer  
Dan Jones, Albany Democrat-Herald  
M. W. Lau, U of O  
Prof. Ben S. Bryant, U of W  
Michael R. Best, Reichhold Chem.  
Claude Steusloff, Capital Press

Hearings, Actions and Other Matters

Minutes approved.

Financial Status approved.

Senator Powell welcomed.

Registered acreage record received from Mrs. McLennan (289,996 Acres @ 4/2) (120,608 Perennial, 111,343 Annual, 58,045 Cereal), Scott Freeburn.

Allocation of Permits: Statement from Jack Cochran amending March statement that he now represents desire of 140,000 acreage ownership - that any cutback be done on an equally distributed percentage basis.

Statements of Oregon Seed Council read by Alan Hick in absence of President Bob Lorence: (1) Regarding burning allocations; first, that Committee recommend to EQC to recommend to Governor Straub that he, by order, increase the acreage allowed to be burned; second, that Committee recommend to EQC a. insufficient workable machines available to sanitize acreage, b. insufficient methods of straw utilization and disposal, and c. reasonable efforts have been made to develop alternatives and utilization and disposal; third, if reduction below registered acreage is ordered, that it be made in same manner as 1975, an equal across-the-board reduction for each grower.

Bill Rose  
Route 1, Box 269  
Woodburn, OR 97071  
503/981-1028  
Chairman

Paul Pugh  
Route 1, Box 93  
Shedd, OR 97377  
503/491-3824

Janet McLennan  
103 Public Service Bldg.  
Salem, OR 97310  
503/378-3109  
(Assistant to Governor  
for Natural Resources)

Honorable Les Anderson  
Mayor, City of Eugene  
Eugene, OR 97401  
503/686-9925

Dr. Glenn Gordon  
536 Medical Center Bldg.  
Eugene, OR 97401  
503/485-1511

# Oregon Field Sanitation Committee

In Brief - Committee Meeting - April 20, 1976, Noon  
Swept Wing Restaurant

Committee members and approximately 50 others in attendance.  
Minutes and financial status approved.

Registered acreage 4/2/76 - 289,996 registered including 120,608  
perennial grasses, 111,343 annual grasses, 58,045 cereals.

Allocation of Permits: Statement from Jack Cochran representing owners  
of 140,000 acres desiring cutback on equal percentage distribution.

Statement of Seed Council recommending increasing burning acreage,  
or, in event of reduction, an equal across-the-board reduction.

Statement of Oregon Seed Council supporting Golden B so long as the  
management is based on a profitable and realistic operation.

Recognizing Tom Ferschweiler as Newspaper Farm Editor of the Year.

Committee projects reviewed: Fuel - farm-industrial furnace.

Fiber - Professor Ben Bryant of U of W, Michael Best of Reichhold.

Sanitizers - Charles Hoar of Seton, Johnson & Odell to direct summer  
program. Retired County Agents involved. Written outline due May 11.

Feeds - New cuber due. Golden B Products and general business advice  
by Curtis Wilder, Consultant and Donald W. Robinson, director of SCORE,  
latter explained 5 necessary ingredients to sound business through  
subordinating debts, Letter of Credit or firm contract, raw material  
supply, management agreement, sound capital structure.

Budget - \$624,500 maximum from burning fees from 195,000 acres is net  
available to Committee use, with current 1975-76 year of \$531,000 totals  
to \$1,155,500 for 1975-77 biennium. Discussion of allocating funds  
to projects included motion passed to send letter to USDA-ARS in  
support of continuing their agronomic work through USDA-ARS funding.  
(Note: it is understood that this funding is not being made.)

Budget approved. Letter reflecting approved budget will be sent  
to Emergency Board requesting approval of use of budgeted funds, by  
unanimous motion.

Allocation of permits discussed in regard to recommendations to EQC.

Motion unanimously passed to recommend not to reduce acreage below  
195,000. Motion as amended passed with Mr. Rose and Mr. Pugh opposed,  
recommending to EQC a set of priority burning provisions reviewed  
briefly by Dr. Gordon as follows: First two points have to do with  
providing incentives to use machines - consideration be given for  
incentives to those growers who work with Committee machines is Item 1,  
2) would have to do with private burners, 3) that consideration be  
given for acreages that cannot be practically burned by field  
sanitation burners, 4) that grass seed acreage that could not be burned  
in 1975 be given consideration, 5) that the first 100 acres of all  
growers be allowed burning, 6) after these priorities, the remaining  
acres be based on a percentage reduction.

Tax Credit Rules recommended by DEQ were adopted by the Committee as a  
recommendation to EQC.

Next meeting will be May 11, 1976. NOTE the change of date.

Bill Rose  
Route 1, Box 269  
Woodburn, OR 97071  
503 / 981-1028  
Chairman

Paul Pugh  
Route 1, Box 93  
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Eugene, OR 97401  
503 / 686-9925

Dr. Glenn Gordon  
536 Medical Center Bldg.  
Eugene, OR 97401  
503 / 485-1511

Statement by Oregon Seed Council not pertaining to allocation of permits, read by Alan Hick (2): "Golden B Products should be supported to fill contracts to Japan so long as the management is based on a profitable and realistic operation."

Recognition was made of the National Farm Reporter Award to Tom Ferschweiler of the Oregon Journal. He is named Newspaper Farm Editor of the Year.

Committee Projects were reviewed by T. R. Miles:

Fuel: Farm furnace being tried at Straw Center. Ash useful on fields, contains calcium, potassium, sodium, trace elements, 20% soluble.

Fibre: Introduced Professor Ben Bryant of University of Washington who described fibre mat process and potential, then Michael Best of Reichhold Chemical Co. who described market potential of grass straw mats in assistance to forest products industry.

Sanitizers: Bid invitations on revisions being issued through General Services. Introduced Charles Hoar of Odell's firm of Seton, Johnson & Odell, who is specifically in charge of the summer burning program, meeting with retired County Agents April 23 to work out detailed plans which will be presented at next meeting, as a written outline.

Feeds: New cuber due, will try whey, other ration materials, can be used also with hydroxide cubes to make ration for local and national uses. Golden B Products Co. finances and organization structure discussed. Mr. Curtis Wilder reported current cost/ton figures he had worked out. Mr. Donald Robinson, SCORE/ACE of SBA reviewed management and organization structure and normal business recommendations for a healthy company: (1) Subordinate indebtedness, (2) Letter of Credit as firm assurance of contract at profitable price, (3) assurance of a supply of raw material, and complete and total cooperation on the part of the growers, by (4) a Management Agreement, and (5) a sound capital structure obtained through preferred stock or similar equity capital protection. Discussion by Committee members and by affected individuals followed. The Constitution does not permit the Committee to give or lend money to private persons, pointed out by Mr. Rose. The overall interest in achieving success for the company and product resulted in appointment by the Chairman of Bruce Meland to set up a Creditors Committee to investigate conversion to subordinate debts, following Mr. Robinson's plan and suggestions from Mr. Haag, Mr. Brady, Mr. Meland and others.

Budget was discussed. It was also explained that the funds expended since 1973 toward solution of alternatives to open field burning had been audited within the past week, with the auditors satisfied. The Budget for the year 1976-1977 would increase total biennium funding to a maximum \$1,155,500 with \$531,000 for year 1975-76, and \$624,500 for year 1976-77. The latter is based upon the maximum acreage burned, adjusted arithmetically to the registered acreage figures presented earlier at the current meeting. Mr. Miles explained the budget had been developed with the aid of the Executive Department and in accord with the goals determined by the Committee at its March meeting, for which they were commended by Mayor Anderson. During the discussion the amount of funds assigned for agronomic work were explained by Dr. Hardison and Dr. Chilcote. Their USDA-ARS funding expires June 30, 1976, and if not renewed, the work on test plots throughout the Valley would need to be continued as vital to the Committee's assignment.

Motion by Mr. Pugh that the Committee send a letter to Agricultural Research Service of the U. S. Department of Agriculture in support of the agronomic work was passed unanimously. (USDA-ARS was not renewed.) In further discussion of the budget, the Committee was reminded that State Department of Agriculture's report offered by Jay Glatt would be presented by Jay Killeen at the May meeting. In addition, Glen Odell would have a report from his visit to Japan, especially any findings related to the use of Golden B cublocks by Zenrakuren Dairy industry.

ROBERT W. STRAUB  
GOVERNOR

April 22, 1976

Joe B. Richards, Chairman  
Environmental Quality Commission  
P. O. Box 10747  
Eugene, Oregon 97401

Dear Joe:

The Governor concurs with the Field Sanitation Committee's recommendation to the Environmental Quality Commission with respect to allocation of the 1976 acreage limitation. The Committee recommended that the EQC consider the following criteria in allocating acreage:

1. That some incentive or extra acreage bonus be accorded growers who cooperate with the Committee in testing our mechanical field burners;
2. That some incentive or bonus be given to growers who contract privately for field burning machines;
3. That special consideration be given to allocating extra acreage for fields which never practically can be burned by mechanical burners due to steep terrain;
4. That some special consideration be given to acreage which was not permitted to be burned in 1975;
5. That in the name of administrative convenience and simpler enforcement, the entire first 100 acres of any grower's application be allowed to be burned; and finally,
6. That the remaining acreage be allocated on a strict percentage basis.

In support of this proposal, the following facts

should be noted:

Not more than 7,000-10,000 acres are likely to be awarded as bonuses for farmers who utilize machines.

Not more than 60,000-62,500 acres will be awarded on the basis of giving every grower 100 acres. (About 20,000 of the 60,000-62,500 acres might not have been awarded on a strict percentage reduction.) There is no practical means of enforcing a percentage reduction on very small acreages. As you know, the Governor doesn't believe in over-regulation that amounts to undue interference. To be fair, we suggest no reduction on the first 100 acres of all growers.

Not more than 3,000-5,000 acres in addition to the percentage allocation might be awarded on the basis of steep terrain.

An indeterminate small amount could be reserved for hardship cases reflecting inability to burn last year. One hundred and sixty-three growers who registered only about 10,000 acres did not burn at all.

Roughly, 75,000 acres might be utilized to satisfy these criteria. The balance of 120,000 acres should be awarded to the approximately 400 growers of the remaining 215,000 acres registered, on the basis of allocating 60% of the registered acreage to each registrant.

Although this equals a sum slightly more than the legal maximum, experience has shown that registrations have always exceeded burning for a variety of reasons.

Should it become apparent that the total allocation would be exhausted before the end of the season, the Governor could easily respond to hardship applications from the few growers unable to burn 60% of the acreage they had registered.

Sincerely,



Janet McLennan  
Assistant to the Governor  
Natural Resources

JMc/jh  
encl.

FIELD BURNING STATISTICS

	1975 Registered	1975 Burned	1976 Registered
<u>L ACRES</u>	<u>280,238</u>	<u>184,902</u>	<u>289,996</u>
Perennial	138,452 ) figures compiled		120,608
Annual	114,036 ) before end of		111,343
Real	26,097 ) season		58,045

<u>STATION SIZE</u>	<u>1975</u>		<u>1976</u>		
	By Acres	Individuals	By Acres	Individuals	#Acres
1-100 Acres		477	1-100 Acres	318	15,194
101-300 Acres		249	101-300 Acres	205	37,592
301-600 Acres		140	301-600 Acres	127	54,626
601-1,000 Acres		51	601-1,000 Acres	74	57,005
1,001-2,000 Acres		41	1,001-2,000 Acres	51	68,978
over 2,000 Acres		<u>13</u>	over 2,000 Acres	17	<u>56,488</u>
		971		<u>792</u>	

<u>STATION SIZE</u>	<u>1975</u>	
	By Acres	Individuals
1-100 Acres		406
101-300 Acres		240
301-600 Acres		129
601-1,000 Acres		54
1,001-2,000 Acres		27
over 2,000 Acres		<u>3</u>
		859

ATTACHMENT IV

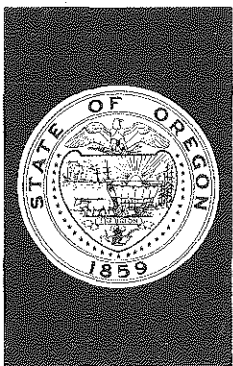
Proposed Amendment to OAR Chapter 340 Section 26-013(5)

Add to 26-013(5)

"Prior to said proportional allocations within the respective fire districts, the Department may make special suballocations to individual applicants based on the following:

- (a) Use of approved, approved pilot, and experimental field sanitizers in cooperation with the Oregon Field Sanitation Committee.
- (b) Inability to use mobile field sanitizers due to steep terrain.
- (c) Inability to burn allocations during previous burning season.
- (d) The first 100 acres registered by each grower and available to burn.





## ENVIRONMENTAL QUALITY COMMISSION

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ROBERT W. STRAUB  
GOVERNOR

To: Environmental Quality Commission

From: Director

Subject: Addendum No. 2 to Agenda Item No. E, April 30, 1976, EQC Meeting

Proposed Rule Revisions to Agricultural Burning Rules  
OAR Chapter 340, Sections 26-005 through 26-030

### Background

On April 30, 1976, the Environmental Quality Commission held a public hearing to receive testimony regarding the allocation of acreage to be open burned during 1976 as specified in Oregon Law 559, 1975. The Commission found that:

1. There are insufficient numbers of workable machines that can reasonably be made available to sanitize the acreage if an acreage reduction is ordered;
2. There are insufficient methods available for straw utilization; and
3. Reasonable efforts have been made to develop alternative methods of field sanitation and straw utilization and disposal, and such methods have been utilized to the maximum reasonable extent.

Consequently, the Commission found no justification to reduce open burning below the statutory limit of 195,000 acres in the Willamette Valley during 1976.

Since more than 195,000 acres were registered with the Department for open field burning, the Commission consulted with the Oregon Field Sanitation Committee and took testimony at the hearing regarding permit allocation. In compliance with Oregon Law 559, 1975, the testimony received addressed the following points:

1. Local air quality conditions;
2. Local soil characteristics;
3. The type or amount of field burning or crops;
4. The availability of alternative methods of field sanitation;
5. The date of registration, proportional share, or any reasonable classification.



Contains  
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Materials

As a result of this public hearing and testimony, the Commission adopted a proposal based on the following points:

1. The desirability of eliminating red tape to the small growers, thereby eliminating enforcement requirements on these same individuals and associated costs.
2. The desirability of an experimental wide area open burn as a potential alternative to normal open burning.
3. The desirability of initiating plans whereby future acreage allocations could be made on those criteria stipulated--specifically air quality, soil characteristics, amount of burning crops, availability of alternatives, etc.
4. The desirability of actually burning all the acreage authorized by the EQC when historical records indicate a consistent discrepancy between the acreage registered and permitted and the acreage subsequently burned.
5. Should 195,000 acres be burned without all growers being allowed at least 100 acres plus 65 percent of the remaining acres desired to burn, the Commission could request the Governor to give favorable consideration to applications from such growers to permit hardship allotments in those instances.

With these points in mind, the motion was made and adopted that the Commission issue permits to individual growers for an amount exceeding the limitation by ten (10) percent or 214,500 acres, the limitation of 195,000 acres still being in effect for open field burning. From the 214,500 acres, the Department could reserve and allocate, up to 10,000 acres for a wide area open burn and could also reserve and allocate an amount necessary to allow burning each grower's first 100 acres registered. The Commission also directed the Department to initiate studies into those criteria already mentioned regarding soil and slope types in an effort to have such fields as are affected categorized for Commission use prior to the 1977 burning season. Finally, the Department was directed by the Commission to keep records of individuals who cooperate in using or extending the use of alternatives to open field burning.

### Discussion

In order that the Commission's program be carried out, rule changes must be implemented. New implementation and administration programs which will need to be instituted are discussed below.

### Acreage Allocations

Acreage allocations must be revised as in the proposed rule OAR Chapter 340, Section 26-013 (Attachment I).

### First or "100 Acre" Allocation

A direct 100 acre allocation shall be made to those individuals registering that amount or more. Individuals registering less than 100 acres will receive an allocation to burn all they have registered. Approximately 62,500 acres will be allocated in this manner.

### Second or Percentage Reduction Allocation

For individuals registering more than 100 acres, a percentage reduction will be applied to those acres in excess of 100 acres.

After considering the 62,500 acres allocated above and 7,000 acres for wide area experimental open burning, a 65 percent reduction is applied to the remaining registered acreage to achieve permitting for 214,500 acres.

Implementing both the allocations above, the allocation made to an individual registering more than 100 acres can be calculated by the following formula:

$$100 \text{ acres} + (\text{total registered acreage} - 100) 0.65 = \text{allocated acreage}$$

An individual registering 750 acres would thus be issued permits to burn:

$$100 + (750 - 100) 0.65 = 522.5 \text{ acres}$$

### Wide Area Experimental Open Burning Allocations

After consultation with Oregon Seed Council representatives and the consulting engineer to the Oregon Field Sanitation Committee, the Department estimates that 7,000 acres is a realistic total acreage for commitment to wide area burning. It is expected that this acreage will be covered in two or three burns of different sizes. The Department is currently prepared to manage the organization of these experimental burns within the 195,000 acre limitation.

The 195,000 acre limitation poses an obstacle to organizing the large contiguous blocks of acreage necessary for the experimentation to be successful. In the interest of successful completion of experimental wide area burning, the Commission could support an exemption of these relatively small acreages from the 195,000 acre limitation by recommending to the governor that such acreages be given favorable consideration for hardship status. In general, acreage blocks will be selected on the basis of crop types, location, and size. Some acreages may exist within the proposed blocks which are not registered for burning and, if not burned, would destroy the integrity of the acreage block. It is estimated that such unregistered acreages might sum to an estimated maximum of several hundred acres.

Fire District Allocations

To apprise the local fire districts of the amount of acreage to be burned within their jurisdiction, the Department will supply to them computer printouts of this data. This total district allocation plus allocations to individuals within that district will be supplied to the permit issuing agent. Many seed growers register in several fire districts and may have individual preferences as to where their 100 acre first allocation is located, personal communication will have to be employed to establish this preference. Hand calculation of an individual's allocations in each of several fire districts is necessary under our established computer system.

The allocation to the fire districts will be based on a 188,000 (195,000 - 7,000) acre limitation.

In review, permits for 214,500 acres will be issued to individuals in the following manner:

- For the DEQ supervised wide area experimental burns . . . . . 7,000 A
- For the allocation of up to 100 acres to individual growers . . . . . 62,500 A
- For allocating 65 percent of the remaining registered acreage not allocated above . . . . . 145,000 A

Issuance of Permits

Permits, based on the above calculated allocations, would be issued for 214,500 acres during 1976. The Department intends to issue permits to individuals with delivery of permits provided by fire district permit agents.

Limitation of Burning

As individual permits will be issued in excess of the 195,000 acre statutory limit, the Department will limit open burning by issuing allocations to fire districts based on 188,000 (195,000 - 7,000) acres. The allocation will function as a failsafe to prevent burning in excess of 195,000 acres. It is expected that fire districts will burn at different rates and will accomplish varying amounts of their burning depending on crop types, weather, and efficiency of organization. To accommodate this unbalanced burning, the Department will monitor burning and retain the capability of shifting district allocations to areas of greatest need. Such flexibility, provided by shifting allocations, will maximize utilization.

Hardship Hearings

It is the Department's understanding that it may issue permits for 214,500 acres and, that normal acreage losses due to agronomic considerations, and restrictive features of the smoke management program will limit the acreage

open burned to 195,000 acres or less. Evidence for such statement is the historical precedent consistently demonstrated in the past. However, as with any statistic, variable conditions will affect the final totals. It may be possible, therefore, that early season use of individual permits based on 214,500 acres could cause the 195,000 acre limitation to be used up prior to the harvest of some late ripening crops. Individuals who still have not burned an appropriate percentage of their fields after the 195,000 acre limitation has been met, will have two alternative courses of action:

1. Not burn, or
2. Seek a special "hardship" allocation of acreage from the Governor.

If Department weekly burning reports indicate that an overrun of the 195,000 acres may be imminent prior to the end of the burning season, requests for hardship would be accepted and special hearings called in accordance with procedures agreed upon by the Department and the Governor's office. Such hearings procedures would be designed to expedite processing of hardship applications thereby insuring maximum usability of additional acreage allocations if such allocations are issued.

#### Director's Recommendation

It is the Director's recommendation that the Commission, subject to any changes found appropriate in light of recommendations made to the Commission, and in view of previously published sections of this staff report, take the following action:

1. Adopt the proposed amendments and revisions to OAR Chapter 340, Sections 26-005 through 26-025 (Attachment I) as rules reflecting revisions to allocation procedure and smoke management operations.
2. Adopt the proposed rules for "Tax Credits for Approved Alternative Methods, Approved Interim Alternative Methods or Approved Alternative Facilities," OAR Chapter 340, Section 26-030 with associated definitions given as 26-005 (21), (22) and (23), (Attachment II) as rules.
3. Maintain straw stack burning in a fourth priority category.
4. Direct the staff to prepare, in cooperation with the Oregon Field Sanitation Committee, a record of growers who cooperate with the Committee in development of alternatives to open field burning in order that special consideration may be given to such growers during the 1977 burning season.
5. Direct the staff in cooperation with the Oregon Field Sanitation Committee and the Soil Conservation Service of the USDA, immediately begin to develop a list of fields where, due to slope, soil, rainfall or other factors only perennial grass crops can be profitably grown on a continuing basis and mobile field sanitizing machines are not an actual or potential alternative to open field burning.



LOREN KRAMER

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Chapter 340

Subdivision 6  
Agricultural Operations  
AGRICULTURAL BURNING

26-005 DEFINITIONS. As used in this general order, regulation and schedule, unless otherwise required by context:

(1) Burning seasons:

(a) "Summer Burning Season" means the four month period from July 1 through October 31.

(b) "Winter Burning Season" means the eight month period from November 1 through June 30.

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

(3) "Marginal Conditions" means conditions defined in ORS 468.450(1) under which permits for agricultural open burning may be issued in accordance with this regulation and schedule.

(4) "Northerly Winds" means winds coming from directions in the north half of the compass, at the surface and aloft.

(5) "Priority Areas" means the following areas of the Willamette Valley:

(a) Areas in or within 3 miles of the city limits of incorporated cities having populations of 10,000 or greater.

(b) Areas within 1 mile of airports serving regularly scheduled airline flights.

(c) Areas in Lane County south of the line formed by U.S. Highway 126 and Oregon Highway 126.

(d) Areas in or within 3 miles of the city limits of the City of Lebanon.

(e) Areas on the west side of and within 1/4 mile of these highways; U.S. Interstate 5, 99, 99E and 99W. Areas on the south side of and within 1/4 mile of U.S. Highway 20 between Albany and Lebanon, Oregon Highway 34 between Lebanon and Corvallis, and Oregon Highway 228 from its junction south of Brownsville to its rail crossing at the community of Tulsa.

(6) "Prohibition Conditions" means atmospheric conditions under which all agricultural open burning is prohibited (except where an auxiliary fuel is used such that combustion is nearly complete, or an approved sanitizer is used).

(7) "Southerly Winds" means winds coming from directions in the south half of the compass, at the surface and aloft.

(8) "Willamette Valley" means the areas of Benton, Clackamas, Lane, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties lying between the crest of the Coast Range and the crest of the Cascade Mountains, and includes the following:

(a) "South Valley," the areas of jurisdiction of all fire permit issuing agents or agencies in the Willamette Valley portions of the Counties of Benton, Lane or Linn.

(b) "North Valley," the areas of jurisdiction of all other fire permit issuing agents or agencies in the Willamette Valley.

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

(10) "Local Fire Permit Issuing Agency" means the County Court or Board of County Commissioners or Fire Chief of a Rural Fire Protection District or other person authorized to issue fire permits pursuant to ORS 477.515, 477.530, 476.380 or 478.960.

(11) "Open Field Burning Permit" means a permit issued by the Department pursuant to Section 2 of SB 311.

(12) "Fire Permit" means a permit issued by a local fire permit issuing agency pursuant to ORS 477.515, 477.530, 476.380 or 478.960.

(13) "Validation Number" means a unique ~~two~~three-part number issued by a local fire permit issuing agency which validates a specific open field burning permit for a specific ~~[field]~~ acreage on a specific day. The first part of the validation number shall indicate the number of the month and the day of issuance, ~~[and]~~ the second part the hour of authorized burning based on a 24 hour clock and the third part shall indicate the size of acreage to be burned (e.g., a validation number issued August 26 at 2:30 p.m. for a 70 acre burn would be 826-1430-070).

(14) "Open Field Burning" means burning of any perennial grass seed field, annual grass seed field or cereal grain field in such manner that combustion air and combustion products are not effectively controlled. Field burning utilizing a device other than an approved field sanitizer shall constitute open field burning.

(15) "Approved Field Sanitizer" means any field burning device that has been approved by the Field Sanitation Committee and the Department as a feasible alternative to open field burning.

(16) "Approved Experimental Field Sanitizer" means any field burning device that has been approved by the Field Sanitation Committee and the Department for trial as a potentially feasible alternative to open field burning or as a source of information useful to further development of field sanitizers.



(17) "After-Smoke" means persistent smoke resulting from the burning of a grass seed or cereal grain field with a field sanitizer, and emanating from the grass seed or cereal grain stubble or accumulated straw residue at a point ten (10) feet or more behind a field sanitizer.

(18) "leakage" means any smoke which is not vented through a stack and is not classified as after-smoke, and is produced as a result of using a field sanitizer.

(19) "Committee" means Oregon Field Sanitation Committee.

(20) "Approved Pilot Field Sanitizer" means any field burning device that has been observed and endorsed by the Committee and the Department as an acceptable but improvable alternative to open field burning, the operation of which is expected to contribute information useful to further development and improved performance of field sanitizers.

26-010 GENERAL PROVISIONS. The following provisions apply during both summer and winter burning seasons in the Willamette Valley unless otherwise specifically noted.

(1) Priority for Burning. On any marginal day, priorities for agricultural open burning shall follow those set forth in ORS 468.450 which give perennial grass seed field used for grass seed production first priority, annual grass seed fields used for grass seed production second priority, grain fields third priority and all other burning fourth priority.

(2) Permits required.

(a) No person shall conduct open field burning within the Willamette Valley without first obtaining a valid open field burning permit from the Department and a fire permit and validation number from the local fire permit issuing agency for any given field for the day that the field is to be burned.

(b) Applications for open field burning permits shall be filed on Registration/Application forms provided by the Department.

(c) Open field burning permits issued by the Department are not valid until acreage fees are paid pursuant to ORS 468.480(1)(b) and a validation number is obtained from the appropriate local fire permit issuing agency for each field on the day that the field is to be burned.

(d) As provided in ORS 468.465(1), permits for open field burning of cereal grain crops shall be issued only if the person seeking the permit submits to the issuing authority a signed statement under oath or affirmation that the acreage to be burned will be planted to seed crops (other than cereal grains, hairy vetch, or field pea crops) which require flame sanitation for proper cultivation.

(e) Any person granted an open field burning permit under these rules shall maintain a copy of said permit at the burn site at all times during the burning operation and said permit shall be made available for at least one year after issuance for inspection upon request by appropriate authorities.

(f) At all times proper and accurate records of permit transactions and copies of all permits shall be maintained by each agency or person involved in the issuance of permits, for inspection by the proper authority.

(g) Permit agencies or persons authorized to participate in the issuance of permits shall submit to the Department, on forms provided, weekly summaries of field burning permit data, during the period July 1 to October 15.

(h) All debris, cutting and prunings shall be dry, cleanly stacked and free of dirt and green material prior to being burned, to insure as nearly complete combustion as possible.

(i) No substance or material which normally emits dense smoke or obnoxious odors may be used for auxiliary fuel in the igniting of debris, cutting or prunings.

(j) Use of approved field sanitizers shall require a fire permit, and permit agencies or agents shall keep up-to-date records of all acreages burned by such sanitizers.

26-011 CERTIFIED ALTERNATIVE TO OPEN FIELD BURNING

(1) Approved pilot field sanitizers, approved experimental field sanitizers, or propane flammers may be used as alternatives to open field burning subject to the provisions of this section.

(2) Approved Pilot Field Sanitizers

(a) Procedures for submitting application for approval of pilot field sanitizers.

Applications shall be submitted in writing to the Department and shall include, but not be limited to, the following:

- (i) Design plans and specifications;
- (ii) Acreage and emission performance data and rated capacities;
- (iii) Details regarding availability of repair service and replacement parts;
- (iv) Operational instructions;
- (v) Letter of approval from the Field Sanitation Committee.

(b) Emission Standards for Approved Pilot Field Sanitizers.

(A) Approved pilot field sanitizers shall be required to demonstrate the capability of sanitizing a representative and harvested grass field or cereal grain stubble with an accumulative straw and stubble fuel load of not less than 1.0 tons/acre, dry weight basis, and which has an average moisture content not less than 10%, at a rate of not less than 85% of rated maximum capacity for a period of 30 continuous minutes without exceeding emission standards as follows:

- (i) 20% average opacity out of main stack;
- (ii) Leakage not to exceed 20% of the total emissions;
- (iii) No significant after-smoke originating more than 25 yards behind the operating machine.

(B) The Department shall certify in writing to the Field Sanitation Committee and the manufacturer, the approval of the pilot field sanitizer within thirty (30) days of the receipt of a complete application and successful compliance demonstration with the emission standards of 2(b)(A). Such approval shall apply to all machines built to the specifications of the Department certified field sanitation machine.

(C) In the event of the development of significantly superior field sanitizers, the Department may decertify approved pilot field sanitizers previously approved, except that any unit built prior to this decertification in accordance with specifications of previously approved pilot field sanitizers shall be allowed to operate for a period not to exceed seven years from the date of delivery provided that the unit is adequately maintained as per (2)(c)(A).

(c) Operation and/or modification of approved pilot field sanitizers.

(A) Operating approved pilot field sanitizers shall be maintained to design specifications (normal wear expected) i.e., skirts, shrouds, shields, air bars, ducts, fans, motors, etc., shall be in place, intact and operational.

(B) Modifications to the structure or operating procedures which will knowingly increase emissions shall not be made.

(C) Any modifications to the structure or operating procedures which result in increased emissions shall be further modified or returned to manufacturer's specifications to reduce emissions to original levels or below as rapidly as practicable.

(D) Open fires away from the sanitizers shall be extinguished as rapidly as practicable.

(3) Experimental field sanitizers identified in writing as experimental units by the Committee and not meeting the emission criteria specified in 2(b)(A) above, may receive Department authorization for experimental use for not more than one season at a time, provided:

(a) The Committee shall report to the Department field burning manager the locations of operation of experimental field sanitizers.

(b) The Committee shall provide the Department an end-of-season report of experimental field sanitizer operations.

(c) Open fires away from the machines shall be extinguished as rapidly as practicable.

(4) Propane Flamers. Open propane flaming is an approved alternative to open field burning provided that all of the following conditions are met:

(a) Field sanitizers are not available or otherwise cannot accomplish the burning.

(b) The field stubble will not sustain an open fire.

(c) One of the following conditions exist:

(A) The field has been previously open burned and appropriate fees paid.

(B) The field has been flail-chopped, mowed, or otherwise cut close to the ground and loose straw has been removed to reduce the straw fuel load as much as practicable.

26-012 REGISTRATION AND AUTHORIZATION OF ACREAGE TO BE OPEN BURNED.

(1) On or before July 1, 1975 and on or before April 1 of each subsequent year, all acreages to be open burned under this rule shall be registered with the local fire permit issuing agency or its authorized representative.

(2) Registration of acreage after July 1, 1975 and after April 1 of each subsequent year shall require:

(a) Approval of the Department.

(b) An additional late registration fee of \$1 per acre if the late registration is determined by the Department to be the fault of the late registrant.

(3) Copies of all Registration/Application forms shall be forwarded to the Department promptly by the local fire permit issuing agency.

(4) The local fire permitting agency shall maintain a record of all registered acreage by assigned field number, location, type of crop, number of acres to be burned and status of fee payment for each field.

(5) Burn authorizations shall be issued by the local fire permit issuing agency up to daily quota limitations established by the Department and shall be based on registered fee-paid acres and shall be issued in accordance with the priorities established by sub-section 26-010(1) of these rules, except that fourth priority burning shall not be permitted from July 15 to September 15 of any year unless specifically authorized by the Department.

(6) No local fire permit issuing agency shall authorize open field burning of more acreage than may be sub-allocated annually to the District by the Department pursuant to Section 26-013(5) of these rules.

26-013 LIMITATION AND ALLOCATION OF ACREAGE TO BE OPEN BURNED.

(1) Maximum acreage to be open burned under these rules each year shall not exceed the following:

(a) During [1975] 1976, not more than [234,000] 195,000 acres.

(b) In 1978 and each year thereafter, the Commission, after taking into consideration the factors listed in sub-section (2) or ORS 468.460, may by order issue permits for the burning of not more than 50,000 acres.

(2) On or before May 1 of any year, the Commission shall seek certification from the Field Sanitation Committee of the numbers of acres that can be sanitized by feasible alternative methods and the Committee's recommendations as to the general location and types of fields to be sanitized utilizing feasible alternative methods.

(3) On or before July 10, 1975 and June 1 of each subsequent year, the Commission shall, after public hearing, establish an allocation of

registered acres that can be open burned that year. In establishing said acreage allocation, the Commission shall consult with OSU and the Oregon Field Sanitation Committee and may consult with other interested agencies and shall, pursuant to ORS 468.460(2) and ORS 468.475(4) consider means of more rapid reduction of acres burned each year than provided by ORS 468.475(2).

(4) Acres burned on any day by approved field sanitizers shall not be applied to open field burning acreage allocations or quotas, and such sanitizers may be operated under either marginal or prohibition conditions.

(5) For the 1976 burning season, in the event that more than 195,000 acres are registered to be burned, the Department may issue acreage allocations to growers totaling not more than 195,000 acres plus ten (10) percent or 214,500 acres. The Department shall monitor burning and shall cease to issue burning quotas when a total of 195,000 acres have been reported burned.

(a) Allocations to growers will be made by applying a first and second allocation procedure:

(A) A first allocation will be made to each grower based on all of his registered acreage up to and including 100 acres.

(B) A second allocation will be made to each grower having more than 100 registered acres based on the grower's proportional share of the unallocated remainder of the total 214,500 acre grower allocation.

(b) The fire district allocation shall be the sum of all first allocations applied to growers within the district plus the proportionate district share of the unallocated portion of the 195,000 total burnable acres.

(c) In an effort to insure that permits are available in areas of greatest need, to coordinate completion of burning, and to achieve the greatest possible permit utilization, the Department may adjust, in cooperation with the fire district, allocations of the 195,000 burnable acres made to those fire district.



(d) Transfer of allocations for farm management purposes may be made within and between fire districts on a one-in/one-out basis under the supervision of the Department. Transfer of allocations between growers are not permitted after 195,000 acres have been burned within the Valley.

(e) Except for additional acreage allowed to be burned by the Governor pursuant to ORS 468.475(5), no fire district shall allow acreage to be burned in excess of their allocations assigned pursuant to (b), (c) and (d) above.

(f) In the event a total of 195,000 acres are burned under this system before a grower has been able to burn his total individual allocation, the Commission recommends to the Governor that favorable consideration should be given to allotting additional acreage pursuant to ORS 468.475(5) to allow each grower to burn up to his individual allocation.

(g) In 1975 the Department may supervise "wide area energy concentrated convective ventilation experiments" to investigate the possible use of the techniques as an alternative to open burning. The total acreage involved with such experimentation shall not exceed that amount specifically authorized in writing by the Department and shall not exceed 10,000 acres.

(6) The Department may authorize burning on an experimental basis, and may also, on a fire district by fire district basis, issue limitations more restrictive than those contained in these regulations when in their judgment it is necessary to attain air quality.

26-015 WILLAMETTE VALLEY SUMMER BURNING SEASON REGULATIONS

(1) Classification of Atmospheric Conditions. All days will be classified as marginal or prohibition days under the following criteria:

(a) Marginal Class N conditions: Forecast northerly winds and maximum mixing depth greater than 3500 feet.

(b) Marginal Class S conditions: Forecast southerly winds.

(c) Prohibition conditions: Forecast northerly winds and maximum mixing depth 3500 feet or less.

(2) Quotas.

(a) Except as provided in this subsection, the total acreage of permits for open field burning shall not exceed the amount authorized by the Department for each marginal day. Daily authorizations of acreages shall be issued in terms of basic quotas or priority area quotas as listed in Table 1, attached as Exhibit A and incorporated by reference into this regulation and schedule, and defined as follows:

(A) The basic quota represents the number of acres to be allowed throughout a permit jurisdiction, including fields located in priority areas, on a marginal day on which general burning is allowed in that jurisdiction.

(B) The priority area quota represents the number of acres allowed within the priority areas of a permit jurisdiction on a marginal day when only priority area burning is allowed in that jurisdiction.

(b) Willamette Valley permit agencies or agents not specifically named in Table 1 shall have a basic quota and priority area quota of 50 acres only if they have registered acreage to be burned within their jurisdiction.

(c) In no instance shall the total acreage of permits issued by any permit issuing agency or agent exceed that allowed by the Department for the marginal day, except as provided for 50 acre quotas as follows:

When the established daily acreage quota is 50 acres or less, a permit may be issued to include all the acreage in one field providing that field does not exceed 100 acres and provided further that no other permit is issued for that day. For those districts with a 50 acre quota, permits for more than 50 acres shall not be issued on two consecutive days.

(d) The Department may designate additional areas as Priority Areas, and may adjust the basic acreage quotas or priority area quotas of any permit jurisdiction, where conditions in their judgment warrant such action.

(3) Burning Hours may begin at 9:30 a.m. PDT, under marginal conditions but no open field burning may be started later than one-half hour before sunset nor be allowed to continue burning later than one and one-half hour after sunset. Burning hours may be reduced by the fire chief or his deputy when necessary to protect from danger by fire.

(4) Extent and Type of Burning.

(a) Prohibition. Under prohibition conditions, no fire permits or validation numbers for agricultural open burning shall be issued and no burning shall be conducted, except where an auxiliary liquid or gaseous fuel is used such that combustion is essentially complete, or an approved field sanitizer is used.

(b) Marginal Class N Conditions. Unless specifically authorized by the Department, on days classified as Marginal Class N burning may be limited to the following:

(A) North Valley: one basic quota may be issued in accordance with Table 1.

(B) South Valley: one priority area quota for priority area burning may be issued in accordance with Table 1.

(c) Marginal Class S Conditions. Unless specifically authorized by the Department on days classified as Marginal Class S conditons, burning shall be limited to the following:

(A) North Valley: One basic quota may be issued in accordance with Table 1 in the following permit jurisdictions: Aumsville, Drakes Crossing, Marion County District 1, Silverton, Stayton, Sublimity, and the Marion County portion of the Clackamas-Marion Forest Protection District. One priority area quota may be issued in accordance with Table 1 for priority area burning in all other North Valley jurisdictions.

(B) South Valley: One basic quota may be issued in accordance with Table 1.

(d) Special Restrictions on Priority Area Burning. No field may be burned on the upwind side of any city, airport, or highway within a priority area.

TABLE 1  
FIELD BURNING ACREAGE QUOTAS  
NORTH VALLEY AREAS

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Clackamas County</u>		
Canby RFPD	50	50
Clackamas County #54	50	0
Clackamas - Marion FPA	50	0
Estacada RFPD	75	0
Molalla RFPD	59	0
Monitor RFPD	50	0
Scotts Mills RFPD	<u>50</u>	<u>0</u>
Total	<u>375</u>	<u>50</u>
 <u>Marion County</u>		
Aumsville RFPD	50	0
Aurora-Donald RFPD	50	50
Drakes Crossing RFPD	50	0
Hubbard RFPD	50	0
Jefferson RFPD	225	50
Marion County #1	100	50
Marion County Unprotected	50	50
Mt. Angel RFPD	50	0

TABLE 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Marion County (continued)</u>		
St. Paul RFPD	125	0
Salem City	50	50
Silverton RFPD	300	0
Stayton RFPD	150	0
Sublimity RFPD	250	0
Turner RFPD	50	50
Woodburn RFPD	<u>125</u>	<u>50</u>
Total	<u>1675</u>	<u>350</u>
<u>Polk County</u>		
Polk County Non-District	50	0
Southeast Rural Polk	400	50
Southwest Rural Polk	<u>125</u>	50
Total	<u>575</u>	<u>100</u>
<u>Washington County</u>		
Cornelius RFPD	50	50
Forest Grove RFPD	50	0
Forest Grove, State Forestry	50	0
Hillsboro	50	50
Washington County FPD #1	50	50
Washington County FPD #1	<u>50</u>	<u>50</u>
Total	<u>300</u>	<u>200</u>

TABLE 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>North Valley Counties</u>		
<u>Yamhill County</u>		
Amity RFPD	125	50
Carlton RFPD	50	50
Dayton RFPD	50	50
Dundee RFPD	50	0
McMinnville RFPD	150	75
Newberg RFPD	50	0
Sheridan RFPD	75	50
Yamhill RFPD	<u>50</u>	<u>0</u>
Total	<u>600</u>	<u>275</u>
<u>North Valley Total</u>	<u>3575</u>	<u>975</u>

Table 1  
(continued)  
SOUTH VALLEY AREAS

<u>County/Fire District</u>	<u>Quota</u>	
	<u>Basic</u>	<u>Priority</u>
<u>South Valley Counties</u>		
<u>Benton County</u>		
County Non-District & Adair	350	175
Corvallis RFPD	175	125
Monroe RFPD	325	50
Philomath RFPD	125	100
Western Oregon FPD	<u>100</u>	<u>50</u>
Total	<u>1075</u>	<u>500</u>
<u>Lane County</u>		
Coburg RFPD	175	50
Creswell RFPD	75	100
Eugene RFPD		
(Zumwalt RFPD)	50	50
Junction City RFPD	325	50
Lane County Non-District	100	50
Lane County RFPD #1	350	50
Santa Clara RFPD	50	50
Thurston-Walterville	50	50
West Lane FPD	<u>50</u>	<u>0</u>
Total	<u>1225</u>	<u>450</u>
<u>Linn County</u>		
Albany RFPD (inc. N. Albany, Palestine, Co. Unprotected Areas)	625	125
Brownsville RFPD	750	50



Table 1  
(continued)

<u>County/Fire District</u>	<u>Quota</u>	
<u>South Valley Counties</u>	<u>Basic</u>	<u>Priority</u>
<u>Linn County</u> (continued)		
Halsey-Shedd RFPD	2050	200
Harrisburg RFPD	1350	50
Lebanon RFPD	325	325
Lyons RFPD	50	0
Scio RFPD	175	0
Tangent RFPD	<u>925</u>	<u>325</u>
Total	<u>6250</u>	<u>1075</u>
 <u>South Valley Total</u>	 <u>8550</u>	 <u>2025</u>

26-020 WINTER BURNING SEASON REGULATIONS.

(1) Classification of atmospheric conditions:

(a) Atmospheric conditions resulting in computer air pollution index values in the high range, values of 90 or greater, shall constitute prohibition conditions.

(b) Atmospheric conditions resulting in computed air pollution index values in the low and moderate ranges, values less than 90, shall constitute marginal conditions.

(2) Extent and Type of Burning.

(a) Burning Hours. Burning hours for all types of burning shall be from 9:00 a.m. until 4:00 p.m., but may be reduced when deemed necessary by the fire chief or his deputy. Burning hours for stumps may be increased if found necessary to do so by the permit issuing agency. All materials for burning shall be prepared and the operation conducted, subject to local fire protection regulations, to insure that it will be completed during the allotted time.

(b) Certain Burning Allowed Under Prohibition Conditions. Under prohibition conditions no permits for agricultural open burning may be issued and no burning may be conducted, except where an auxiliary liquid or gaseous fuel is used such that combustion is essentially complete, or an approved field sanitizer is used.

(c) Priority for Burning on Marginal Days. Permits for agricultural open burning may be issued on each marginal day in each permit jurisdiction in the Willamette Valley, following the priorities set forth in ORS 468.450 which gives perennial grass seed fields used for grass seed production first priority, annual grass seed fields used for grass seed production second priority, grain fields third priority and all other burning fourth priority.

26-025 CIVIL PENALTIES. In addition to any other penalty provided by law:

(1) Any person who intentionally or negligently causes or permits open field burning contrary to the provisions of ORS 468.450, 468.455 to 468.485, 476.380 and 478.960 shall be assessed by the Department a civil penalty of at least \$20, but not more than \$40 for each acre so burned.

(2) Any person planting contrary to the restrictions of subsection (1) of ORS 468.465 shall be assessed by the Department a civil penalty of \$25 for each acre planted contrary to the restrictions.

(3) Any person who violates any requirements of these rules shall be assessed a civil penalty pursuant to OAR Chapter 340, Division 1, Subdivision 2, CIVIL PENALTIES.

PROPOSED RULES FOR TAX CREDITS FOR  
APPROVED ALTERNATIVE METHODS  
APPROVED INTERIM ALTERNATIVE METHODS OR  
APPROVED ALTERNATIVE FACILITIES

26-005 Definitions.

(21) "Approved Alternative Method" means any method approved by the Committee and the Department to be a satisfactory alternative method to open field burning.

(22) "Approved Interim Alternative Method" means any interim method approved by the Committee and the Department as an effective method to reduce or otherwise minimize the impact of smoke from open field burning.

(23) "Approved Alternative Facilities" means any land, structure, building, installation, excavation, machinery, equipment or device approved by the Committee and the Department for use in conjunction with an Approved Alternative Method or an Approved Interim Alternative Method for field sanitation.

26-030 TAX CREDITS FOR APPROVED ALTERNATIVE METHODS, APPROVED INTERIM ALTERNATIVE METHODS OR APPROVED ALTERNATIVE FACILITIES.

559 + 468

(1) As provided in Oregon Laws ~~1975 Chapter 559~~, approved alternative methods, approved interim alternative methods or approved alternative facilities are eligible for tax credit as pollution control facilities as described in ORS 468.155 through 468.190.

(2) Approved alternative facilities eligible for pollution control facility tax credit shall include:

(a) Mobile equipment including but not limited to:

(A) Straw gathering, densifying and handling equipment.

(B) Tractors and other sources of motive power.

(C) Trucks, trailers, and other transportation equipment.

(D) Mobile field sanitizers (approved models and approved pilot models) and associated fire control equipment.

(E) Equipment for handling all forms of processed straw.

(F) Special straw incorporation equipment.

(b) Stationary equipment and structures including but not limited to:

(A) Straw loading and unloading facilities.

(B) Straw storage structures.

(C) Straw processing and in plant transport equipment.

(D) Land associated with stationary straw processing facilities.

(E) Drainage tile installations which will result in a reduction of acreage burned.

(3) Equipment and facilities included in an application for certification for tax credit under this rule will be considered at their current depreciated value and in proportion to their actual use to reduce open field burning as compared to their total farm or other use.

(4) Procedures for application and certification of approved alternative facilities for pollution control facility tax credit.

(a) Preliminary certification for pollution control facility tax credit.

(A) A written application for preliminary certification shall be made to the Department prior to installation or use of approved alternative facilities in the first harvest season for which an application for tax credit certification is to be made. Such application shall be made on a form provided by the Department and shall include but not be limited to:

(i) Name, address and nature of business of the applicant.

(ii) Name of person authorized to receive Department requests for additional information.

(iii) Description of alternative method to be used.

(iv) A complete listing of mobile equipment and stationary facilities to be used in carrying out the alternative methods and for each item listed include:

(a) Date or estimated future date of purchase.

(b) Percentage of use allocated to approved alternative methods and approved interim alternative methods as compared to their total farm or other use.

(v) Such other information as the Department may require to determine compliance with state air, water, solid waste, and noise laws and regulations and to determine eligibility for tax credit.

(B) If, upon receipt of a properly completed application for preliminary certification for tax credit for approved alternative facilities the Department finds the proposed use of the approved alternative facilities are in accordance with the provisions of ORS 468.175, it shall, within 60 days, issue a preliminary certification of approval. If the proposed use of the approved alternative facilities are not in accordance with provisions of ORS 468.175, the Commission shall, within 60 days, issue an order denying certification.

(b) Certification for pollution control facility tax credit.

(A) A written application for certification shall be made to the Department on a form provided by the Department and shall include but not be limited to the following:

(i) Name, address and nature of business of the applicant.

(ii) Name of person authorized to receive Department requests for additional information.

(iii) Description of the alternative method to be used.

(iv) For each piece of mobile equipment and/or for each stationary facility, a complete description including the following information as applicable:

(a) Type and general description of each piece of mobile equipment.

(b) Complete description and copy of proposed plans or drawings of stationary facilities including buildings and contents used for straw storage, handling or processing of straw and straw products or used for storage of mobile field sanitizers and legal description of real property involved.

- (c) Date of purchase or initial operation.
- (d) Cost when purchased or constructed and current value.
- (e) General use as applied to approved alternative methods and approved interim alternative methods.

(f) Percentage of use allocated to approved alternative methods and approved interim alternative methods as compared to their farm or other use.

(B) Upon receipt of a properly completed application for certification for tax credit for approved alternative facilities or any subsequently requested additions to the application, the Department shall return within 120 days the decision of the Commission and certification as necessary indicating the portion of the cost of each facility allocable to pollution control.

(5) Certification for tax credits of equipment or facilities not covered in OAR Chapter 340, Section 26-<sup>030</sup>~~020~~(1) through 26-030<sup>4</sup>(~~3~~) shall be processed pursuant to the provisions of ORS 468.165 through 468.185.

(6) Election of type of tax credit pursuant to ORS 468.170(5).

(a) As provided in ORS 468.170(5), a person receiving the certification provided for in OAR Chapter 340, Section 26-030(4)(b) shall make an irrevocable election to take the tax credit relief under ORS 316.097 or the ad valorem tax relief under ORS 307.405 and shall inform the Department of his election within 60 days of receipt of certification documents on the form supplied by the Department with the certification documents.



(b) As provided in ORS 468.170(5) failure to notify the Department of the election of the type of tax credit relief within 60 days shall render the certification ineffective for any tax relief under ORS 307.405, 316.097 and 317.072.



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: SAF, HMP, LDB  
From: RLV  
Subject: Agenda Item E, April 30, 1976 EQC Meeting

Date: April 29, 1976

This item was received by the EQC early and is in their notebooks.

1. Staff Report on Agenda Item E.

This item was received by the EQC 4/29/76 and is in their notebooks.

1. Addendum to Staff Report Agenda Item E, including attachments.
  - I Resolutions passed by the FSC as received from Mayor Les Anderson's Office.
  - II FSC meeting minutes April 20, 1976.
  - III Letter from Janet McLennan to Joe Richards, April 22, 1976.
  - IV Proposed rule Section 26-013(5).

These items are in the notebooks but have not been previously received.

1. 1970 registration totals.
2. Letter dated April 28, 1976 officially transmitting the FSC action.

This item is to be passed out.

1. Summary of number of growers and acreage by size category.

/cs

# Oregon Field Sanitation Committee

Mr. JOE RICHARDS  
CHAIRMAN  
ENVIRONMENTAL QUALITY COMMISSION  
1234 S. W. MORRISON STREET  
PORTLAND, OREGON 97205

State of Oregon  
APR 28 1976  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED  
APR 29 1976

AIR QUALITY CONTROL

DEAR MR. RICHARDS:

THE OREGON FIELD SANITATION COMMITTEE AT ITS MEETING APRIL 20, 1976 VOTED TO MAKE THE FOLLOWING RECOMMENDATION IN FULFILLING ITS DUTIES AS AN ADVISORY COMMITTEE TO THE ENVIRONMENTAL QUALITY COMMISSION:

THE OREGON FIELD SANITATION COMMITTEE UNANIMOUSLY FAVORS THE RECOMMENDATION TO THE ENVIRONMENTAL QUALITY COMMISSION THAT ACREAGE TO BE OPEN BURNED IN 1976 NOT BE REDUCED BELOW THE FULL 195,000 ACRES PERMITTED BY SENATE BILL 311.

QUESTIONS TO THE COMMITTEE'S CONSULTANTS REVEALED THAT MACHINE BURNING BY ALL MACHINES, BOTH PUBLIC AND PRIVATE, WOULD BE LESS THAN 2,000 ACRES, AND WOULD DEPEND ON WEATHER, MACHINE CONDITION AND AVAILABILITY AT TIMES AND PLACES NEEDED FOLLOWING SEED HARVEST.

THE COMMITTEE RECEIVED COMMENTS FROM GROWERS AND OTHERS REGARDING ALLOCATION OF PERMITS, AS IT HAD ADVERTISED AT ITS MARCH MEETING. THE OREGON SEED COUNCIL RECOMMENDED INCREASING BURNING ACREAGE DUE TO THE INSUFFICIENT NUMBER OF MACHINES AND OTHER REASONS, OR, IN THE EVENT OF ACREAGE REDUCTION, IT RECOMMENDED EQUAL ACROSS-  
THE-BOARD REDUCTION. MR. JACK COCHRAN, WHO HAD REPRESENTED GROWERS OF 45,000 ACRES IN HIS STATEMENT TO THE COMMITTEE IN MARCH, AMENDED HIS REPRESENTATION TO 140,000 ACRES WHOSE GROWERS ADVOCATED THE STRAIGHT PERCENTAGE REDUCTION THAT PROVED WORKABLE IN 1975.

THE COMMITTEE ALSO RECEIVED STATEMENTS OF PRIORITIES RECOMMENDED BY MEMBERS OF THE COMMITTEE. FOLLOWING DELIBERATION AND VOTING, THE MAJORITY OF THE COMMITTEE, WITH MR. ROSE AND MR. PUGH DISSENTING, RECOMMENDS TO THE ENVIRONMENTAL QUALITY COMMISSION:

- 1) THAT CONSIDERATION BE GIVEN TO GROWERS IN A WAY WHICH WOULD CAUSE THEM TO WORK WITH FIELD SANITATION COMMITTEE BURNERS, THAT INCENTIVES BE OFFERED IN A PRACTICAL MANNER, SO THAT THOSE WHO WORK WITH THE FIELD SANITATION COMMITTEE BURNING PROGRAM BE OFFERED SOME INCENTIVES;
- 2) THAT THE SAME APPLIES TO THOSE THAT USE THEIR OWN BURNERS;

Bill Rose  
Route 1, Box 269  
Woodburn, OR 97071  
503 / 981-1028  
Chairman

Paul Pugh  
Route 1, Box 93  
Shedd, OR 97377  
503 / 491-3824

Janet McLennan  
103 Public Service Bldg.  
Salem, OR 97310  
503 / 378-3109  
(Assistant to Governor  
for Natural Resources)

Honorable Les Anderson  
Mayor, City of Eugene  
Eugene, OR 97401  
503 / 686-9925

Dr. Glenn Gordon  
536 Medical Center Bldg.  
Eugene, OR 97401  
503 / 485-1511

- 3) THAT WE ARE CONCERNED ABOUT ACREAGE THAT CANNOT BE MECHANICALLY BURNED AND THAT SOME SPECIAL ATTENTION BE GIVEN TO THAT; (STEEP TERRAIN WAS CITED)
- 4) THAT GRASS SEED ACRES THAT COULD NOT BE BURNED LAST YEAR (1975) RECEIVE SOME CONSIDERATION;
- 5) THAT EVERYONE BE GIVEN CONSIDERATION TO BURN 100% OF THE FIRST 100 ACRES THEY HAVE REGISTERED; AND
- 6) THAT ANY PERCENTAGE REDUCTION OF ACREAGE BE CONSIDERED AFTER THESE OTHER POINTS HAVE BEEN CONSIDERED.

IN FURTHER PURSUIT OF ITS DUTIES TO ADVISE THE ENVIRONMENTAL QUALITY COMMISSION, THE COMMITTEE ALSO RECORDED:

THE OREGON FIELD SANITATION COMMITTEE UNANIMOUSLY ADOPTS THE TAX CREDITS RULES AS SUBMITTED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY AS ITS RECOMMENDATION TO THE ENVIRONMENTAL QUALITY COMMISSION.

THESE TAX CREDIT RULES PERTAIN TO THE FACILITIES, PROCESSES, METHODS, EQUIPMENT AND ACTIVITIES THAT ENABLE THE GRASS SEED GROWER TO APPLY FOR POLLUTION ABATEMENT FACILITIES CREDITS.

AT ITS MARCH MEETING, THE COMMITTEE ADOPTED A POLICY ON INCENTIVE PAYMENTS FOR PRIVATELY OWNED AND OPERATED FIELD SANITIZERS, ALLOWING FOR PAYMENTS FROM THE COMMITTEE'S BUDGET AMOUNTING TO \$15 FOR EACH QUALIFYING ACRE THAT IS PROPERLY MACHINE-SANITIZED, TO A TOTAL AMOUNT PAID OUT NOT TO EXCEED \$20,000. QUALIFICATION IS DEFINED AS SATISFYING REQUIREMENTS OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY, AMONG OTHER DETERMINATIONS. COPY OF THIS ADOPTED POLICY IS ENCLOSED. IT APPLIES TO THE THREE OR FOUR PRIVATELY OWNED UNITS. THE COMMITTEE EXPECTS TO OPERATE SIX UNITS. DETAILS OF THESE ABOVE ACTIONS ARE RECORDED IN THE MINUTES OF THE OREGON FIELD SANITATION COMMITTEE.

SINCERELY,



BILL ROSE  
CHAIRMAN  
FIELD SANITATION COMMITTEE

# Oregon Field Sanitation Committee

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## FIELD SANITATION COMMITTEE POLICY ON INCENTIVE PAYMENTS FOR PRIVATELY OWNED AND OPERATED FIELD SANITIZERS

ADOPTED MARCH 16, 1976

AS AN INCENTIVE TO INDUCE THE USE OF MORE PRIVATELY-OWNED BURNERS AND TO AID THOSE GROWERS WHO HAVE ALREADY INVESTED THEIR OWN MONEY IN BURNERS, THE OREGON FIELD SANITATION COMMITTEE AGREES TO PAY \$15 FOR EACH QUALIFYING ACRE THAT IS PROPERLY MACHINE-SANITIZED WITH A PRIVATELY-OWNED BURNER DURING THE 1976 SEASON. THIS IS TO AID IN PART OF THE COST OF INVESTMENT, OPERATION, MAINTENANCE AND IMPROVEMENT OF THESE MACHINES AND TO STIMULATE GREATER USE AND TESTING OF THEM.

IN NO CASE MAY THE COMMITTEE PAY TO ANY GROWER IN SUM MORE THAN THE TOTAL COST OF THE MACHINE OR MACHINES USED IN BURNING BY THAT GROWER. IT IS THE POLICY OF THE COMMITTEE THAT THE MEDIA SHALL BE ALLOWED TO OBSERVE AT REASONABLE HOURS DURING THE BURNING OF ANY COMMITTEE-SPONSORED ACREAGE FOR WHICH THE FARMER APPLIES FOR CREDITS.

GROWERS WOULD QUALIFY FOR PAYMENT ON ANY QUALIFYING ACREAGE THAT IS MACHINE-BURNED AND PROPERLY REGISTERED WITH THE DEQ THROUGH THE LOCAL FIRE DISTRICTS ON WHICH:

1. THE BURNER USED MEETS MINIMUM STANDARDS SET UP BY THE DEQ.
2. THE AREA SANITIZED IS CHECKED BY AN AUTHORIZED AGENT OF THE OFS COMMITTEE.
3. THERE IS AN ADEQUATE JOB OF SANITATION OVER THE AREA CERTIFIED AS BURNED.
4. THE GROWER REQUESTS INSPECTION OF EACH FIELD WITHIN ONE WEEK AFTER BURNING WAS COMPLETED. IF THE GROWER AND INSPECTING OFFICIAL DO NOT AGREE, EACH IS TO PROVIDE PHOTOGRAPHS AND OTHER PERTINENT INFORMATION TO THE OFS COMMITTEE FOR ARBITRATION.
5. DATA IS TO BE KEPT ON A DAILY BASIS FOR USE OF THE COMMITTEE.
  - A. DATE
  - B. CROP
  - C. WEATHER (TEMPERATURE, WIND, RAIN)
  - D. CONDITION OF STUBBLE
  - E. HOURS BURNED AND ACRES COVERED
  - F. SUCH OTHER PERTINENT INFORMATION THAT THE COMMITTEE REQUESTS.
6. TOTAL AMOUNT PAID OUT WILL NOT EXCEED \$20,000.

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Woodburn, OR 97071  
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Chairman

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Janet McLennan  
103 Public Service Bldg.  
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(Assistant to Governor  
for Natural Resources)

Honorable Les Anderson  
Mayor, City of Eugene  
Eugene, OR 97401  
503 / 686-9925

Dr. Glenn Gordon  
536 Medical Center Bldg.  
Eugene, OR 97401  
503 / 485-1511

OPEN FIELD BURNING REGISTRATION ACREAGE

COUNTY/VALLEY SUMMARY - April 29, 1976

PRIOR ACRES	REGULR ACRES	REGIS ACRES	ALLOC ACRES	BRNED ACRES	PERN FLDS	PRNIAL ACRES	ANNL FLDS	ANNUAL ACRES	CERL FLDS	CEREAL ACRES	TOT FLDS	TOTL RGIS
SUMMARY FOR CLACKAMAS COUNTY												
00	4582	4582	00	00	113	4063	1	50	13	469	127	47
SUMMARY FOR MARION COUNTY												
2492	43751	46243	00	00	881	31364	47	3279	289	11600	1217	431
SUMMARY FOR POLK COUNTY												
2535	14147	16682	00	00	133	5509	168	6951	73	4222	374	82
SUMMARY FOR WASHINGTON COUNTY												
1424	1734	3158	00	00	4	140	0	00	88	3018	92	36
SUMMARY FOR YAMHILL COUNTY												
1748	8809	10557	00	00	85	3062	29	1329	129	6166	243	134
SUMMARY FOR NORTH VALLEY												
8199	73023	81222	00	00	1216	44136	245	11609	592	25475	2053	730
SUMMARY FOR BENTON COUNTY												
9744	11004	20748	00	00	145	8070	121	10510	53	2168	319	91
SUMMARY FOR LANE COUNTY												
7367	23062	30429	00	00	223	15640	125	7862	111	6727	455	124
SUMMARY FOR LINN COUNTY												
27258	132494	159752	00	00	878	53231	1271	81692	600	24828	2749	676
SUMMARY FOR SOUTH VALLEY												
44369	166560	210929	00	00	1248	77141	1517	100065	764	33723	3527	891
SUMMARY FOR ENTIRE VALLEY												
52568	234583	292151	00	00	2462	121274	1762	111674	1356	59198	5580	1621

DISTRIBUTION OF GROWERS BY REGISTERED ACREAGE SIZE CLASS  
April 1976

Class Range of Acres Per Grower	Number of Growers in Class	Total Number of Acres in Class	Cumulative Acreage Total (1)
1- 100	323	16,098	16,098
101- 200	127 <i>446</i>	18,794	34,892
201- 300	70 <i>516</i>	17,525	52,417
301- 400	51 <i>567</i>	17,772	70,189
401- 500	37 <i>609</i>	16,607	89,796
501- 600	36 <i>640</i>	19,588	106,384
601- 700	25 <i>665</i>	16,178	122,562
701- 800	21 <i>686</i>	14,821	137,383
801- 900	13	11,146	148,529
901-1000	15	14,235	162,764
1001-1500	36	44,108	206,782
1501-2000	16	27,624	234,406
2001-3000	10	23,662	258,068
3000 up	7	32,770	290,838 (2)
	Total 787 <i>1/2 = 393 1/2</i>		

(1) Hand tabulated 4/29/76.

(2) Total of registered acreage by computer printout - 292,151 acres.

Environmental Quality Commission

April 26, 1976

S. A. Freeburn, Field Burning Program

Agenda Item No. E, April 30, 1976 EQC Meeting.

Additional Testimony Relating to Proposed  
Rule Revisions to Agricultural Burning  
Rules OAR Chapter 340, Sections 26-005  
through 26-030

As a result of the Department's meeting with the various agricultural advisory groups mentioned in the previously mailed staff report, further written testimony has been received. The Soil Conservation Service of the U.S. Department of Agriculture has submitted a report (Attachment I) concerning soil types and their suitability for growing various crops. Briefly, the report states:

1. About 400,000 acres of flat, heavy soils exist in the Willamette Valley. Without extensive irrigation and drainage, these soils are restricted to a few alternative crops. Some of these soils (most of the IVw classification) are too heavy for drainage to be effective. Irrigation would generally require about twelve (12) inches of water. Investments in irrigation and drainage would require high cash return crops.
2. Some 43,000 acres in the Silverton hills are classified as IIIe and IVe, having erosion control as a major limiting factor in their use. Erosion problems are minor if these sloping soils are in permanent cover. For annually tilled soils, erosion can only be controlled by reducing the effective slope length or providing a cover crop at least 50% of the time.
3. Neither bottomland nor upland soils suffer serious erosion problems when in [perennial] grass seed production. Upland soils will suffer moderate to severe erosion when in winter wheat production.
4. The Soil Conservation Service makes its resources regarding soil types and slope available to landowners, operators, state and federal agencies.

The Oregon Field Sanitation Committee met on April 20, 1976 and discussed the allocation of acreage to be open burned during 1976. Committee proposals are as shown in Attachment II. The staff is currently studying these proposals in preparation for the April 30th Commission meeting.

SAF:ts

cc: Loren Kramer, Director

✓ cc: R. L. Vogt, Air Quality Division



UNITED STATES DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

16th Floor, 1220 S. W. 3rd Avenue, Portland, Oregon 97204

April 13, 1976

Mr. Scott A. Freeburn  
Department of Environmental Quality  
16 Oakway Mall  
Eugene, Oregon 97401

APR 16 1976

Dear Mr. Freeburn:

LANE REGIONAL AIR POLLUTION AUTHORITY

The following report is submitted to the State Department of Environmental Quality for consideration by the Oregon Environmental Council as requested. It is hoped that this basic resource data will be of value to the council in arriving at an equitable acreage figure for field burning for the coming season.

The enclosed material presents information and resource data for selected Willamette Valley soils suitable for growing various crops.

The Land Capability Classification system used by the Soil Conservation Service is used to rate soils for agricultural uses. Class I is best and Class VIII least desirable. Soils that can be used for cultivated crops are rated in Classes I through IV. Subclasses are used to indicate major limiting factors. They are e, s, w, and c where e indicates erosion, s for soil, w for water, and c indicates a climatic limitation.

Soils in the Willamette Valley in Capability Subclass IIIw and IVw are used primarily for grass seed crops and pasture or hayland, but they may be used for some other crops, particularly those in IIIw.

Table I shows the acreage distribution of selected IIIw and IVw soils by counties. The data does not specify the soil type or the number of acres of each series used for seed production in each county.

There are more than 400,000 acres of wet, heavy soils on the flat valley floor. Use of these soils is restricted to only a few alternative crops unless intensive measures of soil drainage and irrigation are applied. Some soils are too heavy to be drained effectively. These are most of the IVw soils. Sparse summer precipitation dictates the need for irrigation on full season annual crops that can be grown after drainage is applied. Generally, about 12 inches of irrigation water is needed.

These factors, because of the expenses involved, dictate the necessity of high cash return crops. Specialty crops are limited by the market demand for the particular crop.



TABLE I  
Acreages of Class IIIw & IVw Soils      Counties (Willamette Valley, Oregon)

Series or Variant Name	Land Cap. Sub-Class	Benton <sup>1/</sup>	Clackamas <sup>2/</sup>	Lane <sup>3/</sup>	Linn <sup>2/</sup>	Marion <sup>1/</sup>	Multnomah <sup>2/</sup>	Polk <sup>2/</sup>	Washington <sup>3/</sup>	Yamhill <sup>1/</sup>	Total by Soils
Awbrig	IVw			10,200	12,700						22,900
Bashaw	IVw	6,095		9,100	26,300	4,830		9,900			56,225
Clackamas	IIIw		5,000	2,600	15,850	10,430					33,880
Concord	IIIw	1,198	7,700		1,300	14,980		11,800			36,978
Conser	IIIw			3,900	25,100						29,000
Courtney	IVw			2,500	5,700	4,850					13,050
Cove	IVw		900		1,400			4,000	5,010	8,040	19,350
Cove, thick surf.	IVw		1,850								1,850
Dayton	IVw	15,362	1,000	4,200	59,350	10,440		9,500	1,665	2,940	104,457
Dayton, thick surf.	IIIw		1,700							1,480	3,180
Holcomb	IIIw			1,400	22,550	2,430		3,800			30,180
Huberly	IIIw		1,000						2,865		3,865
Natroy	IVw			14,100							14,100
Nosi	IVw			3,600							3,600
Pengra	IIIw			4,700							4,700
Verboort	IIIw								6,755		6,755
Waldo	IIIw	8,406		4,800	3,400	3,380		11,500			31,486
Wapato	IIIw		5,000	1,700	1,200	11,008	3,500	3,100	11,550	9,670	46,728
Totals (acres)		31,061	24,150	62,800	174,850	62,348	3,500	53,600	27,845	22,130	462,284
Total	IIIw	9,604	22,250	19,100	69,400	42,228	3,500	30,200	21,170	11,150	226,602
Total	IVw	21,457	1,900	43,700	105,450	20,120	0	23,400	6,675	10,980	233,682
Total IIIw, w/o Wapato		9,604	17,250	17,400	68,200	31,220	0	27,100	9,620	1,480	181,274
Total, w/o Wapato		31,061	19,150	61,100	173,650	51,340	0	50,500	16,295	12,460	415,556

<sup>1/</sup> From published survey report.

<sup>2/</sup> From general soil map tables.

<sup>3/</sup> From detailed soil map measurements.

Other soils used for grass seed production are like those in the Silverton hills east of Salem. The soils in Marion County chosen for this inventory are in Capability Subclass IIIe and IVe. They are listed in Table II. The erosion hazard of these soils is moderate and severe. Soil interpretations for most of these soils are on the SOILS-OR-1 forms in the appendix.

The allowable soil loss (T factor) is the amount of soil that can be lost without measurably reducing the future productivity of the soil. It is determined by consideration of the depth and parent materials of the individual soils. The T factor ranges from one to five tons per acre/year.

The quality standards for allowable soil loss (T factor) are established in terms of maintaining land quality (crop productivity), not in terms of water quality. It is recognized that erosion is one of the contributing factors to water quality. Water quality, however, will not be considered at this time.

There are two methods available to use as predictive processes regarding maintenance of soil productivity. They are the soil conditioning rating indices and the universal soil loss equation (USLE). The analyses that follow illustrate treatment needs for:

1. Poorly drained soils with a seasonal high water table; and for
2. Upland soils with moderate erosion hazard, and a moderate level of allowable soil loss.

Because there is very little erosion, if any, from the level soils of the valley floor, the soil conditioning rating has been used for analyses of these soils. This rating documents the value of sod crops in maintaining the tilth of the soil. Residue management is usually not required to maintain a positive rating when sod crops are grown.

The soil conditioning rating is given only as a positive or negative number and has no units such as tons, dollars, or bushels. It is used to give a relative value for cropping, tillage, and additions of organic matter. When used in conservation planning, the cropping system is balanced to give a positive rating, where possible. The following list illustrates comparable ratings for any soil, regardless of slope:

Soil Conditioning Ratings for Selected Crops

<u>I. Dryland Crop</u>	<u>Rating</u>
A. Grass Seed Production <u>1/</u>	
Seeded in stubble (establishment)	- .50
1st year seed production	+1.50
2nd year	+2.00
3rd year	+2.50
Cumulative	+5.50

TABLE II  
Hills Soils Near Silverton, Marion County

Series Name	Slope	Cap. Sub-Class	Acreage	Erosion Factors	
				K	T
Hazelair	2-6%	IIIe	859	.32	2
Hazelair	6-20%	IVe	750	"	"
Hullt	2-20%	IIIe	280	.28	5
Hullt	7-20%	IIIe	420	"	"
Hullt	20-30%	IVe	1,629	"	"
Jory	12-20%	IIIe	3,709	.20	5
Jory	20-30%	IVe	995	"	"
McCully	12-20%	IIIe	3,610	.17	4
McCully	20-30%	IVe	2,565	.17	4
McCully	2-20%	IIIe	545	"	"
McCully	2-30%	IVe	6,950	"	"
Nekia	12-20%	IIIe	13,648	.24	3
Nekia	20-30%	IVe	7,210	"	"
Total in county			43,170		
Total of IIIe			23,071		
Total IVe			20,099		

	<u>Rating</u>
B. Green Field Peas <u>1/</u> - all residues removed	-1.50
C. Green Beans <u>1/</u> - all residues removed	-1.50
D. Soil Treatment (operations)	
Moldboard plowing	-0.50
Disc plowing	-0.60
Rotary subsoiling, 8 to 10 inches deep	-0.35
Light drag springtooth	-0.25
Fertilizing (spreader)	-0.05
Drilling	-0.10

Note: When all residues are burned, reduce to zero. (For grass or small grain, nonirrigated.)

## II. Irrigated Crops

A. Forage Crops (annual) all tops removed	
1. small grain	-1.00
2. sudan grass	-1.00
3. annual grass-legume	-0.50
4. sorghum	-1.50
B. Beans and Peas	-1.50
C. Corn	-1.50
D. Peas-green (drilled residue removed)	-1.25
E. Strawberries, rows, cultivated	
1. first year of establishment	-1.50
2. established stand	-1.00
F. Grass for Seed Production	
First year of establishment	-1.00
1st year seed production	+1.00
2nd year	+2.50
3rd year	<u>+3.00</u>
	+5.50

1/ Add +0.60 for each ton of residue, dry weight returned to or left in the field.

The universal soil loss equation (USLE) is  $A = RKLSCP$ . The A value can be compared to the T value of a given soil series in order to decide how the future productivity of the soil will be affected under a given crop or cropping sequence (C factor).

The Soil Loss Equation is  $A = RKLSCP$  where

R = Erosion Index Factor for Rainfall

K = Erodibility of the Soil

\*L = Length of Slope

\*S = Steepness of the Slope

C = Vegetative Cover on the Soil

P = Conservation Practice of Contouring on Strip Crop

A = Soil Loss in Tons Per Acre

T = Allowable Soil Loss for Maintaining Productivity

---

\* L and S values are assumed in the attached examples.

Application of the soil loss equation for the Dayton soil results in a very slight potential soil loss of 0.14 ton per acre/year when in grass seed production. Similar values are obtained for the other soils of the valley floor, where slopes are mostly less than 3 percent.

The upland soils are much more susceptible to erosion. Nekia silty clay loam, 12 to 20 percent slopes has a moderate soil erosion hazard. This soil has a K factor of .24 and a T factor of 3.

Predicted soil losses are in the appendix. A slope of 12% was assumed for the Nekia soil. From the examples shown in the appendix, these conclusions are evident:

1. Even with a long slope (12%), there is little soil loss when the land is in permanent cover.
2. When the soil is tilled annually there is a large soil loss unless:
  - a. The effective slope length is reduced; or
  - b. The cropping system is such that the land is in a cover crop at least 50% of the time.
3. For steeper slopes, slope length and ground cover (protection) become more critical.

The soil productivity rating and the USLE can be used to measure effects on soils and soil loss on the basis of kind of crop and treatment or slope length and steepness of slope. Taken into account with economic conditions, these factors can be used by regulatory agencies in determining programs on a regional basis.

Where sufficient information is available, SCS field offices can provide basic resource data that can be used by landowners and operators and state and federal agencies to make decisions that will be beneficial to the environment and the economic stability of the Willamette Valley.

If we can provide additional information which would be of help, please contact us.

Sincerely,

  
Guy Nutt Acting  
State Conservationist

Attachments

cc: Paul H. Calverley, SCS, Albany  
Stan Christensen, Yamhill SWCD  
L.D. Booker, SCS, Portland  
John Allen, SCS, Portland  
Bill Billings, SCS, Portland  
Ron Hendricks, SCS, Hillsboro

## References

Soil Survey of Benton County Area, Oregon; Soil Conservation Service,  
July 1975.

Soil Survey of Marion County Area, Oregon; Soil Conservation Service,  
September 1972.

Soil Survey of Yamhill Area, Oregon; Soil Conservation Service,  
January 1974.

Technical Note No. 29 (Revised); December 1972; Universal Soil Loss  
Equation for Predicting Sheet and Rill Water Erosion; USDA, Soil  
Conservation Service, Portland, Oregon.

Technical Note No. 33; February 1976; Soil Conditioning Rating Indices  
for Major Irrigated and Nonirrigated Crops Grown in the Western  
United States; USDA, Soil Conservation Service, Portland, Oregon.



Appendix

Predicted Soil Loss (USLE) Examples

OR-SOILS-1 Forms

Awbrig (Awbrey)  
Bashaw  
Clackamas  
Concord  
Conser  
Courtney  
Cove  
Dayton  
Hazelair  
Holcomb  
Huberly  
Hullt  
McCully  
Matroy  
Nekia  
Noti  
Pengra  
Verboort  
Waldo  
Wapato

EXAMPLES  
PREDICTED SOIL LOSS (USLE)

EXAMPLE 1 - Bottomland Soil (Grass Seed Production)

Dayton silt loam  
2% slope, 1000 feet field length

R = 20  
K = .43  
LS = .40  
C = .04 - grass cover value  
P = 1.0  
A = .14 tons/acre  
T = 2

EXAMPLE 2 - Upland Soil (Grass Seed Production)

Nekia silty clay loam  
12% slope, 1000 feet field length

R = 20  
K = .24  
LS = 3.19  
C = .04 - grass cover value  
P = 1.0  
A = 0.6 tons/acre  
T = 3

EXAMPLE 3 - Upland Soil (Winter Wheat Production)

Nekia silty clay loam  
12% slope, 1000 feet length

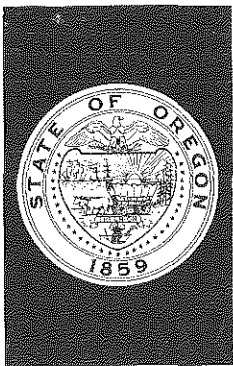
R = 20  
K = .24  
LS = 3.19  
C = .39  
P = 1.0  
A = 5.5 tons/acre  
T = 3

To get the A value to 3, the slopes need modifying to be only 100 feet long (12%) or the crop changed to have C of .20 or less. (See next example.)

EXAMPLE 4 - Upland Soil (Wheat 50% of the year, grass seed or hayland, 50%)

Nekia silty clay loam  
12% slope, 1000 feet length

R = 20  
K = .24  
LS = 3.19  
C = .20  
P = 1.0  
A = 3.1  
T = 3



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No.F(1)April 30, 1976 EQC Meeting

Adoption of Rules Pertaining to Management of  
Environmentally Hazardous Wastes

### BACKGROUND

As the Commission will recall, a public hearing on these rules was held at the February 20, 1976 EQC meeting. Considerable testimony was presented at the hearing. These rules had been substantially revised based on testimony received at a previous hearing on September 22, 1975. The scope of the rules had also been reduced so that the Department's ability to administer and enforce the rules would not be overextended and so that only the most obvious problems would be addressed initially by the rules.

### FACTUAL ANALYSIS

The proposed rules are needed to assure proper handling and disposal of hazardous wastes. These rules will establish general and specific requirements for storage, handling and disposal of environmentally hazardous wastes, classify certain pesticide and radioactive wastes as environmentally hazardous and declassify certain pesticide wastes.

During the hearing, Commissioner Somers raised the question as to whether the proposed rules would regulate the use or application of pesticides in agriculture. Subsequent to the hearing, the Department requested the Department of Agriculture to address this question. As indicated in the attached letter from that Department, the proposed rules would not regulate the use or application of pesticides.



Contains  
Recycled  
Materials

It should be noted for the record that since the February 20, 1976 hearing, written comments have been received from the Oregon Sanitary Service Institute (OSSSI) and the U.S. Environmental Protection Agency (EPA). These comments are attached. The comments from OSSSI have been considered in revising the proposed rules. EPA's letter failed to mention that the Department's proposed rules are consistent with that agency's "Recommendations", as cited in their letter. Therefore no changes were needed as a result of EPA's comments.

The proposed rules have been amended based on testimony received during, and subsequent to, the February 20, 1976 public hearing. These changes are summarized as follows:

1. Section 63-010, subsections (11) and (12) have been amended slightly as suggested by Dr. Eagleson of the Oregon Agricultural Chemical Association.
2. In section 63-015, the terms "producer" or "producing" were changed to "generator" or "generating" in several places based on comments by Mr. Emmons of OSSSI and Dr. Eagleson.
3. In section 63-015(1)(d), a requirement for posting of caution signs at hazardous waste storage areas was added at the Commission's request.
4. In section 63-015(1)(f), the starting date for recording of hazardous wastes was revised to July 1, 1976 and the reporting date was changed to September 30, as requested by the Commission.
5. In section 63-015, subsections (1)(h) and (7), unnecessary wording was removed at the suggestion of Dr. Eagleson.
6. In section 63-015(9), the phrase "or prepared for collection or transportation" was added at the request of the Commission and Mr. Emmons.
7. Section 63-035(2), subsections (a) and (c), were revised and a new subsection (b) was added to clarify declassification of combustible and noncombustible containers.
8. Section 63-035(2), subsection (e)(A), was changed by replacing the term "EHW facility" with "agricultural operation" as suggested by Dr. Eagleson.
9. Section 63-035(2), subsection (e)(B), was amended to require specific Department approval for disposal of waste pesticides at landfills, as a result of concerns expressed by Messers. Webber and Emmons of OSSSI.

10. In section 63-035(2), a new subsection (g) was added at the request of Messers. Emmons and Webber and the Commission.
11. Section 63-035(3), subsection(c), was amended slightly to clarify certification requirements for empty pesticide containers.

#### CONCLUSIONS

1. These rules are needed to assure proper handling and disposal of hazardous wastes.
2. The rules have been amended as a result of comments received during the February 20, 1976 public hearing.

#### RECOMMENDATION

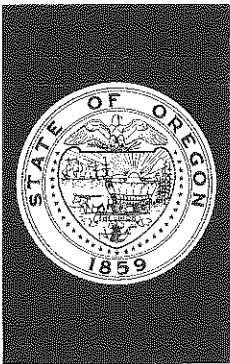
The Director recommends that the Commission adopt the attached proposed rules, OAR 304, 63-005 to 63-040, to become effective upon filing with the Secretary of State.



LOREN KRAMER  
Director

PHW:mm  
3/31/76

Attachments: Proposed rules, OAR 340, 63-005 to 63-040;  
3/22/76 letter from Department of Agriculture;  
2/23/76 comments from OSSI;  
2/27/76 letter from EPA.



**STATE DEPARTMENT  
OF AGRICULTURE**

AGRICULTURE BUILDING

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97310

ROBERT W. STRAUB  
GOVERNOR

March 22, 1976

Mr. Kenneth H. Spies, Administrator  
Land Quality  
Department of Environmental Quality  
1234 SW Morrison Street  
Portland, Oregon 97205

Dear Mr. Spies:

We have reviewed the Department of Environmental Quality's proposed rules relating to management of environmentally hazardous wastes.

We find no indication your proposed rules would regulate the use or application of pesticides.

Sincerely,

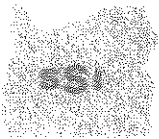
W. H. KOESAN  
ADMINISTRATOR  
PLANT DIVISION

pw

RECEIVED

MAR 23 1976

SOLID WASTE SECTION



# Oregon Sanitary Service Institute

4645 15th Pl. S., Salem, Oregon 97302 Phone 362-1526

Research  
Standards  
Service

February 23, 1976

## OREGON ENVIRONMENTAL QUALITY COMMISSION

### OPEN HEARING RECORD ON ENVIRONMENTALLY HAZARDOUS WASTES

Our sincere appreciation for your time and concern for our problems as landfill operators.

We are very interested in the possibilities that may be opened up for recycling properly rinsed containers and sending the crushed metal containers to Cascade at McMinnville.

To accomplish this, it would be necessary to establish collection sites and provide for both handling and transportation.

To make collection sites, facilities, etc. viable, it would be necessary to restrict the number of such sites to provide the volume necessary for proper handling. There is precedent for this in solid waste disposal sites which, under regional solid waste plans approved by you, are limited in the future to larger regional sites. They concentrate the volume necessary to justify the economics of meeting your stiffer landfill requirements. There is also precedent in your backing of the MSD proposal to have just two MSD approved resource recovery facilities in the Tri County area as more would jeopardize economic viability and payback of the state loan.

Whether you have the authority for limitation on the number of sites and, effectively, flow control to those sites, is not a matter that we have researched.

Another suggestion is to make, by regulation or implementation policy, some classes or distinctions between those pesticides that are extremely hazardous to man or environment and those that range down to the merely difficult to handle. You have already excluded those with such low levels of toxicity as not to be dangerous.

As a technical point, we believe that "generator" better describes the person who creates the waste than the term "producer" which might even include the manufacturer. "Generator" is more and more commonly applied in the solid waste field to those who create a solid waste.

Respectfully submitted,

Roger W. Emmons, Ex. Director  
William Weber, Manager, Valley  
Landfills

CC: Loren Kramer  
Pat Wicks

FEB 27 1976

M/S 530

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

MAR 3 1976

Mr. Joe B. Richards, Chairman  
Oregon Environmental Quality Commission  
1234 S.W. Morrison  
Portland, Oregon 97205

OFFICE OF THE DIRECTOR

Dear Mr. Richards:

The Oregon Environmental Quality Commission hearing on proposed adoption of Rules Pertaining to Management of Environmentally Hazardous Wastes was attended by Stan Jorgensen of EPA Region X's Air and Hazardous Materials Division. It is understood that the Environmental Quality Commission will accept comments on the proposed rules for ten days after the hearing.

The discussions at the hearing were primarily concerned with disposal of small quantities of pesticides and spent pesticide containers. We feel the following should be brought to the attention of the Environmental Quality Commission.

On May 1, 1974 EPA published Pesticides and Pesticide Containers - Regulations for Acceptance and Recommendations for Disposal and Storage in the Federal Register. These recommendations state:

1. Combustible containers which formerly contained organic or metallo-organic pesticides, except organic mercury, lead, cadmium, or arsenic compounds, should be disposed of in a specially designated landfill...  
(S.165.9 (a))
2. Non-combustible containers which formerly contained organic or metallo-organic pesticides, except organic mercury, lead, cadmium, or arsenic compounds, should first be triple rinsed. Containers in good condition may then be returned to the pesticide manufacturer or formulator, or drum reconditioner for reuse with the same chemical class of pesticide previously contained providing such reuse is legal under currently applicable U.S. Department of Transportation regulations... Other rinsed metal containers should be punctured to facilitate drainage prior to transport to a facility for recycle as



scrap metal or for disposal. All rinsed containers may be crushed and disposed of by burial in a sanitary landfill, in conformance with State and local standards or buried in the field by the user of the pesticide. Unrinsed containers should be disposed of in a specially designated landfill, or subjected to incineration in a pesticide incinerator.  
(S.165.9 (b))

3. Containers (both combustible and non-combustible) which formerly contained organic mercury, lead, cadmium, or arsenic or inorganic pesticides and which have been triple-rinsed and punctured to facilitate drainage, may be disposed of in a sanitary landfill. Such containers which are not rinsed should be encapsulated and buried in a specially designated landfill. (S.165.9 (c))
4. Recommended pesticide and pesticide container disposal procedures shall not apply to containers of pesticides registered for use in the home and garden if securely wrapped in several layers of paper and disposed of singly during routine municipal solid waste disposal, nor to containers of pesticides used on farms and ranches where disposal by open-field burial of single containers is undertaken with due regard to the protection of surface and sub-surface waters. (S.165.2 (e))

Copies of these recommended procedures are enclosed for your information. We appreciate the opportunity to comment. We are sure the rules developed to control environmentally hazardous wastes in Oregon will prove to be in the best interest of the people of Oregon and the environment.

Sincerely,

Clifford V. Smith, Jr., Ph.D., P.E.  
Regional Administrator

Enclosure

cc: Oregon Operations Office  
Loren Kramer ✓

RECEIVED

MAR 8 1976

SOLID WASTE SECTION

DEPARTMENT OF ENVIRONMENTAL QUALITY

PROPOSED RULES PERTAINING TO MANAGEMENT  
of  
ENVIRONMENTALLY HAZARDOUS WASTES

OAR CHAPTER 340, DIVISION 6, SUBDIVISION 3

63-005 PURPOSE. The purpose of these rules is to establish requirements for environmentally hazardous waste management, from the point of waste generation to the point of ultimate disposition, to classify certain wastes as environmentally hazardous, and to declassify certain wastes as not being environmentally hazardous. These rules are adopted pursuant to Oregon Revised Statutes, Chapter 459.

63-010 DEFINITIONS. As used in these rules unless otherwise required by context:

- (1) "Authorized container disposal site" means a solid waste disposal site operated under a valid permit from the Department and authorized in writing to accept empty pesticide containers for disposal.
- (2) "Authorized container recycling or reuse facility" means a facility authorized in writing by the Department to recycle, reuse or treat empty pesticide containers and which operates in compliance with ORS Chapters 454, 459 and 468 and rules adopted pursuant thereto.
- (3) "Commission" means the Environmental Quality Commission.
- (4) "Container" means any package, can, bottle, bag, barrel, drum, tank or anything commonly known as a container. If the package or drum has a detachable liner or several separate inner containers, then the outer package or drum is not considered a container for the purposes of these rules.
- (5) "Department" means the Department of Environmental Quality.
- (6) "Dermal LD<sub>50</sub>" or "Dermal lethal dose fifty" means a measure of dermal penetration toxicity of a substance for which a calculated dermal dose is expected, over a 14-day period, to kill 50% of a population of experimental laboratory animals, including but not limited to mice, rats or rabbits. LD<sub>50</sub> is expressed in milligrams of the substance per kilogram of body weight.
- (7) "Dispose" or "Disposal" means the discarding, burial, treatment, recycling, or decontamination of environmentally hazardous wastes or their collection, maintenance or storage at an EHW disposal site.
- (8) "Empty container" means a container from which the product contained has been removed except for the residual material retained on interior surfaces after emptying.
- (9) "Environmentally hazardous wastes" or "EHW" means discarded, useless or unwanted materials or residues in solid, liquid or gaseous state and their empty containers which are classified as environmentally hazardous, but excluding those wastes declassified, by or pursuant to statutes or these rules.

- (10) "EHW collection site" means a site, other than an EHW disposal site, for the collection and temporary storage of environmentally hazardous wastes, primarily received from persons other than the owner or operator of the site.
- (11) "EHW disposal site" means a site licensed by the Commission in or upon which EHW are disposed of by, but not limited to, land burial, land spreading, soil incorporation and other direct, permanent land disposal methods, in accordance with the provisions of ORS 459.410 to 459.690.
- (12) "EHW facility" means a facility or operation, other than an EHW disposal site or EHW collection site, at which EHW is treated, recovered, recycled, reused, or temporarily stored for not more than 90 days in compliance with ORS Chapters 454, 459 and 468 and rules adopted pursuant thereto.
- (13) "Home and garden use" means use in or around homes and residences by the occupants, but excludes all commercial agricultural operations and commercial pesticide application.
- (14) "Inhalation LC<sub>50</sub>" or "inhalation lethal concentration fifty" means a measure of inhalation toxicity of a chemical substance for which a calculated concentration when administered by the respiratory route is expected, during exposure of 1 hour, to kill 50% of a population of experimental laboratory animals, including but not limited to mice, rats or rabbits. LC<sub>50</sub> is expressed in milligrams per liter of air as a dust or mist or in milligrams per cubic meter as a gas or vapor.
- (15) "Jet rinse" or "jet rinsing" means a specific treatment or decontamination of empty pesticide containers using the following procedure:
- (a) A nozzle is inserted into the container such that all interior surfaces of the container will be rinsed.
  - (b) The container is rinsed with the nozzle using water or an appropriate diluent for 30 seconds or more.
  - (c) Rinses shall be added to the spray or mix tank. If rinses cannot be added to the spray or mix tank, then disposal of the rinses shall be as otherwise required by these rules.
- (16) "Maximum permissible concentration (MPC)" means the level of radioisotopes in waste which if continuously maintained would result in maximum permissible doses to occupationally exposed workers and as specified in Oregon Administrative Rules Chapter 333, Division 2, Subdivision 2, Section 22-150.
- (17) "Median tolerance limit" or "TLM" or "LC<sub>50</sub>" or "median lethal concentration" means that concentration of a substance which is expected, over a 96-hour exposure period, to kill 50 percent of an aquatic test population, including but not limited to important fish or their food supply. TLM and LC<sub>50</sub> are expressed in milligrams of the substance per liter of water.
- (18) "Oral LD<sub>50</sub>" or "Oral lethal dose fifty" means a measure of oral toxicity of a substance for which a calculated oral dose is expected, over a 14-day period, to kill 50% of a population of experimental laboratory animals, including but not limited to mice, rats or rabbits. LD<sub>50</sub> is expressed in milligrams of the substance per kilogram of body weight.

5/6/76

Changed version of page 2 after  
EQC action on 4/30/76

- (10) "EHW collection site" means a site, other than an EHW disposal site, for the collection and temporary storage of environmentally hazardous wastes, primarily received from persons other than the owner or operator of the site.
- (11) "EHW disposal site" means a site licensed by the Commission in or upon which EHW are disposed of by, but not limited to, land burial, land spreading, soil incorporation and other direct, permanent land disposal methods, in accordance with the provisions of ORS 459.410 to 459.690.
- (12) "EHW facility" means a facility or operation, other than an EHW disposal site or EHW collection site, at which EHW is treated, recovered, recycled, reused or temporarily stored in compliance with ORS Chapters 454, 459 and 468 and rules adopted pursuant thereto.
- (13) "Home and garden use" means use in or around homes and residences by the occupants, but excludes all commercial agricultural operations and commercial pesticide application.
- (14) "Inhalation LC<sub>50</sub>" or "inhalation lethal concentration fifty" means a measure of inhalation toxicity of a chemical substance for which a calculated concentration when administered by the respiratory route is expected, during exposure of 1 hour, to kill 50% of a population of experimental laboratory animals, including but not limited to mice, rats or rabbits. LC<sub>50</sub> is expressed in milligrams per liter of air as a dust or mist or in milligrams per cubic meter as a gas or vapor.
- (15) "Jet rinse" or "jet rinsing" means a specific treatment or decontamination of empty pesticide containers using the following procedure:
- (a) A nozzle is inserted into the container such that all interior surfaces of the container will be rinsed.
  - (b) The container is rinsed with the nozzle using water or an appropriate diluent for 30 seconds or more.
  - (c) Rinses shall be added to the spray or mix tank. If rinses cannot be added to the spray or mix tank, then disposal of the rinses shall be as otherwise required by these rules.
- (16) "Maximum permissible concentration (MPC)" means the level of radioisotopes in waste which if continuously maintained would result in maximum permissible doses to occupationally exposed workers and as specified in Oregon Administrative Rules Chapter 333, Division 2, Subdivision 2, Section 22-150.
- (17) "Median tolerance limit" or "TLM" or "LC<sub>50</sub>" or "median lethal concentration" means that concentration of a substance which is expected, over a 96-hour exposure period, to kill 50 percent of an aquatic test population, including but not limited to important fish or their food supply. TLM and LC<sub>50</sub> are expressed in milligrams of the substance per liter of water.
- (18) "Oral LD<sub>50</sub>" or "Oral lethal dose fifty" means a measure of oral toxicity of a substance for which a calculated oral dose is expected, over a 14-day period, to kill 50% of a population of experimental laboratory animals, including but not limited to mice, rats or rabbits. LD<sub>50</sub> is expressed in milligrams of the substance per kilogram of body weight.

- (19) "Pesticide" means any substance or combination of substances intended for the purpose of defoliating plants or for the preventing, destroying, repelling or mitigating of insects, fungi, weeds, rodents or predatory animals or other pests, including but not limited to defoliant, desiccants, fungicides, herbicides, insecticides, nematocides and rodenticides.
- (20) "Person" means the United States and agencies thereof, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.
- (21) "Radioactive material" means any material which emits radiation spontaneously.
- (22) "Radiation" means gamma rays and x-rays, alpha and beta particles, neutrons, protons, high-speed electrons and other nuclear particles.
- (23) "Recovery" means processing of EHW to obtain useful material or energy.
- (24) "Recycling" means any process by which EHW is transformed into new products in such a manner that the original waste may lose its identity.
- (25) "Reuse" means return of EHW into the economic stream for use in the same kind of application as before without change in its identity.
- (26) "Treat or decontaminate" means any activity of processing that changes the physical form or chemical composition of EHW so as to render it less hazardous or not environmentally hazardous.
- (27) "Triple rinse" or "triple rinsing" means a specific treatment or decontamination of empty pesticide containers using the following procedure:
  - (a) Place volume of water or an appropriate diluent in the container in an amount equal to at least 10% of the container volume.
  - (b) Replace container closure.
  - (c) Rotate and up-end container to rinse all interior surfaces.
  - (d) Open container and drain rinse into spray or mix tank.
  - (e) Second rinse: repeat steps (a) through (d) of this subsection.
  - (f) Third rinse: repeat steps (a) through (d) of this subsection and allow an additional 30 seconds for drainage.
  - (g) If rinses cannot be added to spray or mix tank, and cannot be used or recovered, they shall be considered to be EHW.

63-015 GENERAL REQUIREMENTS FOR STORAGE AND DISPOSAL OF ENVIRONMENTALLY HAZARDOUS WASTES

- (1) Any person generating EHW or operating an EHW facility shall:
  - (a) Use best available and feasible methods to reuse, recycle, recover or treat any or all compounds of the EHW.
  - (b) Not dilute or alter waste from its original state except if alteration is to recycle, recover, reuse or treat the EHW.

- (c) Dispose of EHW that cannot be reused, recycled, recovered, treated, or decontaminated at an EHW disposal site, EHW collection site, EHW facility or authorized disposal facility outside the State.
  - (d) Store EHW in a secure enclosure, including but not limited to a building, room or fenced area, which shall be adequate to prevent unauthorized persons from gaining access to the waste and in such a manner that will minimize the possibility of spills and escape to the environment. A caution sign shall be posted and visible from any direction of access or view of EHW stored in such enclosure. Caution signs shall be in accordance with the Oregon Safety Code for Places of Employment, Chapter 28, Section 28-2-3. Wording of caution signs shall be as follows: Caution - Hazardous Waste Storage Area - Unauthorized Persons Keep Out.
  - (e) Label all containers used for onsite storage of EHW. Such label shall include but not necessarily be limited to the following:
    - (A) Composition and physical state of the waste;
    - (B) Special safety recommendations and precautions for handling the waste;
    - (C) Statement or statements which call attention to the particular hazardous properties of the waste;
    - (D) Amount of waste and name and address of the person producing the waste. This subsection shall not apply to storage in non-transportable containers.
  - (f) Maintain records, beginning July 1, 1976, indicating the quantities of EHW generated, their composition, physical state, methods of reuse, recovery, or treatment, ultimate disposition and name of the person or firm providing transportation for wastes transferred to another location. This information shall be reported annually to the Department on or before September 30 for the previous year ending June 30.
  - (g) Not store EHW for longer than two (2) years unless the Department determines that an acceptable disposal method is not available.
  - (h) Not place EHW in a collection vehicle or waste storage container belonging to another person for the purpose of storage, collection, transportation, disposal, recycling, recovery or reuse unless:
    - (A) The waste is securely contained, and
    - (B) The waste collector is furnished, at the time of removal, a written statement incorporating the information required by subsection(1)(e) of this section or a certificate as required by section 63-035, subsection(3)(c), for pesticide containers.
- (2) Subsection(1)(f) of this section shall not be applicable to EHW transferred to EHW collection sites. Subsections(1)(e) and (1)(f) of this section shall not be applicable to empty pesticide containers, but see section 63-035, subsections(2) and (3).
- (3) Transportation of EHW shall be in compliance with the rules of the Public Utility Commissioner of Oregon and other local, State or Federal agencies if applicable.
- (4) EHW Collection Sites.
  - (a) An EHW collection site may not be established, operated or changed unless the person owning or controlling the collection site obtains written authorization therefor from the Department.



- (b) Written authorizations by the Department shall establish minimum requirements for the collection of EHW, limits as to types and quantities of wastes to be stored, minimum requirements for operation, maintenance, monitoring and reporting and supervision of collection sites and ensure compliance with pertinent local, State and Federal standards and other rules.
  - (c) EHW collection sites may charge fees for waste delivered to such sites.
  - (d) Any solid waste disposal facility authorized by permit from the Department may also operate as an EHW collection site, if authorized in accordance with subsections(4)(a) and (4)(b) of this section.
- (5) EHW disposal sites, except as specifically provided herein, shall be operated in accordance with ORS Chapter 459.
  - (6) An EHW facility may be established or operated without an EHW disposal site license or EHW collection site authorization.
  - (7) All accidents or unintended occurrences which may result in the discharge of an EHW to the environment shall be immediately reported to the Department or to the Emergency Services Division of the Executive Department at its Salem office (378-4124).
  - (8) No person shall dispose of EHW except in accordance with these rules and other applicable requirements of ORS Chapter 459.
  - (9) EHW shall be stored and handled or prepared for collection or transportation in such a manner that incompatible wastes or materials are not mixed together, causing an uncontrolled dangerous chemical reaction.
  - (10) Any person generating, reusing, recycling, recovering, treating, storing or disposing of EHW, in addition to complying with these rules, shall also comply with the following statutes and rules adopted pursuant thereto, as such statutes and rules may relate to those activities:
    - (a) ORS Chapter 454, pertaining to sewage treatment and disposal systems;
    - (b) ORS Chapter 459, pertaining to solid waste management and environmentally hazardous wastes;
    - (c) ORS Chapter 468, pertaining to air and water pollution control; and
    - (d) ORS Chapter 654 and OAR Chapter 437, Sections 22-001 to 22-200, pertaining to occupational safety and health.

63-020 LIABILITY FOR IMPROPER DISPOSITION OF EHW.

- (1) Any person having the care, custody or control of an EHW or a substance which would be an EHW except for the fact that it is not discarded, useless or unwanted, who causes or permits any disposition of such waste or substance in violation of law or otherwise than as reasonably intended for normal use or handling of such waste or substance, including but not limited to accidental spills thereof, shall be liable for the damages to person or property, public or private, caused by such disposition.
- (2) It shall be the obligation of such person to collect, remove or treat such waste or substance immediately, subject to such direction as the Department may give.

- (3) If such person fails to collect, remove or treat such waste or substance immediately when under an obligation to do so as provided by subsection (2) of this section, the Department is authorized to take such actions as are necessary to collect, remove or treat such waste or substance.
- (4) Any person who fails to collect, remove or treat such waste or substance immediately, when under an obligation to do so as provided in subsection(2) of this section, shall be responsible for the necessary expenses incurred by the State in carrying out a clean-up project or activity under subsection (3) of this section.

63-025 ENFORCEMENT. Whenever it appears to the Department that any person is engaged or about to engage in any acts or practices which constitute a violation of ORS 459.410 to 459.690 or the rules and orders adopted thereunder or of the terms of a license, without prior administrative hearing, the Department may institute proceedings at law or in equity to enforce compliance therewith or to restrain further violations thereof.

63-030 VIOLATIONS. Violation of these rules, shall be punishable upon conviction as provided in ORS 459.992, Section (4).

63-035 PESTICIDE WASTES.

(1) Classified Wastes.

- (a) All wastes containing pesticides and pesticide manufacturing residues which meet the criteria under subsection(1)(b) of this section and empty pesticide containers are hereby classified as EHW, except as provided in subsection(2) of this section.
- (b) Pesticide wastes which meet one or more of the following criteria are classified as environmentally hazardous:
  - (A) Oral toxicity. Material with an oral LD<sub>50</sub> equal to or less than 500 milligrams per kilogram.
  - (B) Inhalation toxicity. Material with an inhalation LC<sub>50</sub> equal to or less than 2 milligrams per liter as a dust or mist or an inhalation LC<sub>50</sub> equal to or less than 200 milligrams per cubic meter as a gas or vapor.
  - (C) Dermal penetration toxicity. Material with a dermal LD<sub>50</sub> equal to or less than 200 milligrams per kilogram.
  - (D) Aquatic Toxicity. Material with 96-hour TLm or 96-hour LC<sub>50</sub> equal to or less than 250 milligrams per liter.

(2) Declassified wastes. The following wastes are declassified as not being environmentally hazardous:

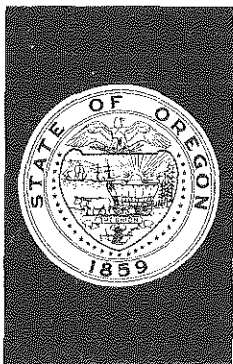
- (a) Empty noncombustible pesticide containers, including but not limited to cans, pails or drums constructed of steel, plastic or glass, bearing the signal word "Danger" on their labels, which have been decontaminated and certified in accordance with subsections(3)(a) and (3)(c) of this section and which have been transferred for disposal to an EHW collection site, authorized container disposal site or authorized container recycling or reuse facility.

- (b) Empty combustible pesticide containers, including paper bags and drums, but not including plastic containers, bearing the signal word "Danger" on their labels, which have been burned in accordance with subsection (3)(b)(A) or (3)(b)(B) of this section or which have been transferred to an EHW collection site or authorized container disposal site in accordance with subsection (3)(b)(C) of this section.
  - (c) Empty pesticide containers bearing the signal words "Warning" or "Caution" on their labels which have been decontaminated in accordance with subsection (3)(a) of this section or which have been burned in accordance with subsection (3)(b)(A) or (3)(b)(B) of this section or which have been transferred to an EHW collection site or authorized container disposal site in accordance with subsection (3)(b)(C) of this section.
  - (d) Empty pesticide containers that have been employed for home and garden use. These wastes may be disposed with other household refuse pursuant to OAR 340, Division 6, Subdivision 1.
  - (e) Wastes equal to or less than the following quantities:
    - (A) 5 empty pesticide containers per agricultural operation per year which have been decontaminated in accordance with subsection (3)(a) of this section. These wastes may be disposed by burial in a safe location such that surface and ground water are protected.
    - (B) 5 pounds (2.3 kg) of unwanted, unusable or contaminated pesticides, per EHW facility per year. These wastes may be disposed in a landfill operated under a valid solid waste disposal permit from the Department, if transferred directly to the landfill, and if each such waste is specifically approved for such disposal by the Department.
  - (f) Wastes other than those in subsections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e) of this section which do not meet the criteria in section (1)(b) of this section.
  - (g) Any person intending to dispose of pesticide wastes or empty pesticide containers provided for in subsections (2)(a), (2)(b), (2)(c), (2)(e), or (2)(f) of this section in a landfill, shall notify the operator of the landfill of such intention, and said operator may refuse to accept such pesticides or empty pesticide containers. The landfill operator or the Department may restrict the amount of such pesticides or empty pesticide containers disposed at any landfill.
- (3) Approved Disposal Procedures For Classified Wastes. In addition to the requirements for storage and disposal of EHW specified in section 63-015 of these rules, the following procedures and methods are approved for disposal of pesticide wastes classified as EHW:
- (a) Noncombustible containers, including but not limited to cans, pails or drums constructed of steel, plastic or glass, shall be decontaminated by triple rinsing or jet rinsing of containers for liquid or solid pesticides or by other methods approved by the Department. Noncombustible fumigant pesticide containers shall be decontaminated by standing open to the atmosphere with closure removed in an upsidedown position for a period of five (5) or more days. Decontamination shall be performed immediately but not to exceed two (2) days after emptying of containers.
  - (b) Combustible containers, including paper bags and drums, but not including plastic containers, shall be disposed by:

- (A) Burning of combustible containers in an incinerator or solid fuel fired furnace which has been certified by the Department to comply with applicable air emission limits or;
  - (B) Open burning of not more than 50 pounds in any day, except those used for organic forms of beryllium, selenium, mercury, lead, cadmium or arsenic. Open burning shall be conducted in compliance with open burning rules, OAR Chapter 340, Division 2, Subdivision 3, according to requirements of local fire departments and districts and in such a manner as to protect public health, susceptible crops, animals, surface water supplies and waters of the State or;
  - (C) Transfer to EHW collection site or authorized container disposal site.
- (c) Any empty pesticide container or each lot of such containers transferred to an EHW collection site, authorized container disposal site or authorized container recycling or reuse facility shall be accompanied by a certificate. Such certificate shall:
- (A) Certify that all noncombustible containers in such lot have been decontaminated by triple rinsing, jet rinsing or other methods approved by the Department;
  - (B) Indicate the number of noncombustible containers and the number of combustible containers in such lot;
  - (C) Indicate the name and address of the person, business or agency which used the pesticide and the signature of the person in charge of using the pesticide.
- (d) Subsections(3)(a), (3)(b) and (3)(c) of this section shall not apply to pesticide containers for which direct reuse is intended.
- (e) Subsections(3)(a) and (3)(c) of this section shall become effective July 1, 1976. Prior to July 1, 1976, containers may be disposed in authorized container disposal sites.

63-040 RADIOACTIVE WASTES.

- (1) Classified Wastes. All wastes containing radioactive materials are hereby classified as environmentally hazardous wastes if such materials are licensed by the Oregon State Health Division as provided in Oregon Regulations OAR, Chapter 333, Division 2, Subdivision 2, and have a concentration when leaving the premises above maximum permissible concentration (MPC), except exempt quantities or concentrations of radioactive materials as specified in Part B, Sections B.3 and B.4 of Oregon Regulations for the Control of Radiation.
- (2) Approved Disposal Procedures. Notwithstanding the requirements for storage and disposal of EHW specified in section 63-015 of these rules, no disposal site for any radioactive material, including that produced by a nuclear installation, shall be established, operated or licensed within the State. Such wastes requiring disposal shall be transferred to a legal disposal site outside the State.



## ENVIRONMENTAL QUALITY COMMISSION

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To: Environmental Quality Commission

From: Director

Subject: Agenda Item F(2), April 30, 1976, EQC Meeting

Proposed Rules Adoption - Waste Water Discharge  
Permit Fee Schedule

### Background

Pursuant to the Department's budget appropriation bill, Senate Bill 5536 (Chapter 445 Oregon Laws 1975), the Department has developed the necessary rule changes and additions, including a fee schedule, to raise about \$125,000 from Water Quality permit fees during Fiscal Year 1977.

A Water Quality Permit Program Task Force was appointed to evaluate the permit program and proposed fee schedule. The final fee schedule developed has the concurrence of the task force. A copy of their findings is attached to the hearing officer report which accompanies this memorandum.

The proposed fee schedule was sent to all permittees along with a notice of the public hearing to be held April 14. Although we received several requests for information regarding interpretation of the fee schedule prior to the public hearing, very few objections were raised. Some minor changes were made to the fee schedule as a result of comments received. At the public hearing held April 14, 1976, no objections were raised to the fee schedule as proposed. A copy of the hearing officer's report is attached.

### Discussion

The rule changes as proposed:

- 1) Satisfy the directive of the Department's budget appropriation bill to raise a certain portion of program costs with permit fees.
- 2) Are fair and equitable in that the fees for the various categories are proportional to the actual costs to the Department for processing the permits and assuring compliance.



Contains  
Recycled  
Materials

Director's Recommendation

The Director recommends formal adoption of the rule changes including Tables A and B, as per attached.

A handwritten signature in black ink, appearing to read 'LOREN KRAMER', is written over a horizontal line. The signature is stylized and somewhat cursive.

LOREN KRAMER  
Director

CKA:em

Enclosures: Proposed Rules, including Fee Schedule  
Hearings Officer's Report  
Task Force Report

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April 16, 1976

Please note:

[word] = deletions

Underline = additions

Entire Subsection 45-070  
is new.

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHAPTER 340

Subdivision 5

REGULATIONS PERTAINING TO

~~[WASTE-DISCHARGE]~~ NPDES AND WPCF PERMITS

[ED. NOTE: Unless otherwise specified, sections 45-005 through 45-030 of this chapter of the Oregon Administrative Rules Compilation were adopted by the Environmental Quality Commission September 21, 1973, and filed with the Secretary of State September 21, 1973, as DEQ 58. Effective 10-25-73. Repeals former sections 45-005 through 45-030 (DEQ 42) and DEQ 53 (T).]

45-005 PURPOSE.

The purpose of these regulations is to prescribe limitations on discharge of wastes and the requirements and procedures for obtaining [~~waste-discharge~~] NPDES and WDCF permits from the Department.

45-010 DEFINITIONS.

As used in these regulations unless otherwise required by context.

- (1) "Commission" means the Environmental Quality Commission.
- (2) "Department" means Department of Environmental Quality.
- (3) "Director" means the Director of the Department of Environmental Quality.
- (4) "Discharge or disposal" means the placement of wastes into public waters, on land or otherwise into the environment in a manner that does or may tend to affect the quality of public waters.
- (5) "Disposal system" means a system for disposing of wastes, either by surface or underground methods, and includes sewerage systems, treatment works, disposal wells and other systems [-] but excludes subsurface sewage disposal systems and alternate systems as defined in OAR 340-71-010, and systems which recirculate without discharge.
- (6) "Federal Act" means Public Law 92-500, known as the Federal Water Pollution Control Act Amendments of 1972 and acts amendatory thereof or supplemental thereto.
- (7) "Industrial waste" means any liquid gaseous, radioactive or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of any natural resources.
- (8) "NPDES permit" means a waste discharge permit issued in accordance with requirements and procedures of the National Pollutant Discharge Elimination System authorized by the Federal Act and of OAR Chapter 340, Sections 45-005 through 45-065.



- (9) "Navigable waters" means all navigable waters of the United States and their tributaries; interstate waters; intrastate lakes, rivers and streams which are used by interstate travelers for recreation or other purposes or from which fish or shellfish are taken and sold in interstate commerce or which are utilized for industrial purposes by industries in interstate commerce.
- (10) "Person" means the United States and agencies thereof, any state, any individual, public or private corporation, political subdivision, governmental agency, municipality, copartnership, association, firm, trust, estate or any other legal entity whatever.
- (11) "Point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.
- (12) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewerage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharge into water.
- (13) "Pre-treatment" means the waste treatment which might take place prior to discharging to a sewerage system including but not limited to pH adjustment, oil and grease removal, screening and detoxification.
- (14) "Process waste water" means waste water contaminated by industrial processes but not including non-contact cooling water or storm runoff.
- [~~14~~] (15) "Public waters" or "waters of the state" include lakes, bays, ponds, impounding reservoirs, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland, or coastal, fresh or salt, public or private (except those private waters

which do not combine or effect a junction with natural surface or underground waters) which are wholly or partially within or bordering the state or within its jurisdiction.

[~~{15}~~] (16) "Regional Administrator" means the regional administrator of Region X of the U. S. Environmental Protection Agency.

[~~{16}~~] (17) "Sewage" means the water-carried human or animal waste from residences, buildings, industrial establishments or other places, together with such ground water infiltration and surface water as may be present. The mixture of sewage as above defined with wastes or industrial wastes, as defined in subsections (7) and (22) of this section, shall also be considered "sewage" within the meaning of these regulations.

[~~{17}~~] (18) "Sewerage system" means pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.

[~~{18}~~] (19) "State" means the State of Oregon.

(20) [~~"State-permit"-means-a-[waste-discharge]-permit-issued-by-the-Department in-accordance-with-the-procedures-of-OAR-Chapter-340,-Sections-14-005-through 14-050-and-which-is-not-an-NPDES-permit,-]~~

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

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

[~~{22}~~]-["Waste-discharge-permit"-means-a-written-permit-issued-by-the-Department in-accordance-with-the-procedures-of-OAR-Chapter-340,-Sections-14-005-through 14-050-or-45-005-through-45-065.

[~~(23)~~] (22) "Wastes" means sewage, industrial wastes and all other liquid, gaseous, solid, radioactive or other substances which will or may cause pollution or tend to cause pollution of any waters of the state.

(23) "WPCF permit" means a Water Pollution Control Facilities permit to construct and operate a disposal system with no discharge to navigable waters. A WPCF permit is issued by the Department in accordance with the procedures of OAR Chapter 340, Sections 14-005 through 14-050.

45-015 PERMIT REQUIRED.

- (1) Without first obtaining a [state] permit from the Director, no person shall:
  - (a) Discharge any wastes into the waters of the state from any industrial or commercial establishment or activity or any disposal system.
  - (b) Construct, install, modify, or operate any disposal system or part thereof or any extension or addition thereto.
  - (c) Increase in volume or strength any wastes in excess of the permissive discharges specified under an existing [state] permit.
  - (d) Construct, install, operate or conduct any industrial, commercial or other establishment or activity or any extension or modification thereof or addition thereto, the operation or conduct of which would cause an increase in the discharge of wastes into the waters of the state or which would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized.
  - (e) Construct or use any new outlet for the discharge of any wastes into the waters of the state.
- (2) Without first obtaining an NPDES permit, no person shall discharge pollutants from a point source into navigable waters.
- (3) Any person who has a valid NPDES permit shall be considered to be in compliance with the requirements of Subsection (1) of this section.

No [state] additional permit for the discharge is required.

- (4) Although not exempted from complying with all applicable laws, rules and regulations regarding water pollution, persons discharging wastes into a sewerage system are specifically exempted from requirements to obtain a [state] WPCF or NPDES permit, provided the owner of such sewerage system has a valid [state] WPCF or NPDES permit. In such cases, the owner of such sewerage system assumes ultimate responsibility for controlling and treating the wastes which he allows to be discharged into said system. Notwithstanding the responsibility of the owner of such sewerage systems, each user of the sewerage system shall comply with applicable toxic and pretreatment standards and the recording, reporting, monitoring, entry, inspection and sampling requirements of the Commission and the Federal Act and federal regulations and guidelines issued pursuant thereto.
- (5) Each person who is required by Subsection (1) or (2) of this section to obtain a [~~state-or-NPDES~~] permit shall:
- (a) Make prompt application to the Department therefor;
  - (b) Fulfill each and every term and condition of any [~~state-or-NPDES~~] permit issued to such person;
  - (c) Comply with applicable federal and state requirements, effluent standards and limitations including but not limited to those contained in or promulgated pursuant to Sections 204, 301, 302, 304, 306, 307, 402 and 403 of the Federal Act, and applicable federal and state water quality standards;
  - (d) Comply with the Department's requirements for recording, reporting, monitoring, entry, inspection and sampling, and make no false statements, representations or certifications in any form, notice, report or document required thereby.

45-020 NON-PERMITTED DISCHARGES.

Discharge of the following wastes into any navigable or public waters shall not

be permitted:

- (1) Radioactive, chemical, or biological warfare agent or high-level radioactive waste.
- (2) Any point source discharge which the Secretary of the Army acting through the Chief of Engineers finds would substantially impair anchorage and navigation.
- (3) Any point source discharge to navigable waters which the Regional Administrator has objected to in writing.
- (4) Any point source discharge which is in conflict with an areawide waste treatment and management plan or amendment thereto which has been adopted in accordance with Section 208 of the Federal Act.

45-025 PROCEDURES FOR OBTAINING [STATE] WPCF PERMITS.

Except for the procedures for application for and issuance of NPDES permits on point sources to navigable waters of the United States, submission and processing of applications for WPCF [state] permits and issuance, renewal, denial, transfer, modification and suspension or revocation of WPCF [state] permits shall be in accordance with the procedures set forth in OAR Chapter 340, sections 14-005 through 14-050.

45-030 APPLICATION FOR NPDES PERMIT.

- (1) Any person wishing to obtain a new, modified or renewal NPDES permit from the Department shall submit a written application on a form provided by the Department as set forth in Table B. Applications must be submitted at least 180 days before an NPDES permit is needed. All application forms must be completed in full and signed by the applicant or his legally authorized representative. The name of the applicant must be the legal name of the owner of the facilities or his agent or the lessee responsible for the operation and maintenance.
- (2) Applications which are obviously incomplete or unsigned will not be accepted by the Department for filing and will be returned to the applicant

for completion.

- (3) Applications which appear complete will be accepted by the Department for filing.
- (4) If the Department later determines that additional information is needed, it will promptly request the needed information from the applicant. The application will not be considered complete for processing until the requested information is received. The application will be considered to be withdrawn if the applicant fails to submit the requested information within 90 days of the request.
- (5) An application which has been filed with the U. S. Army Corps of Engineers in accordance with Section 13 of the Federal Refuse Act or an NPDES application which has been filed with the U. S. Environmental Protection Agency will be accepted as an application filed under this section provided the application is complete and the information on the application is still current.

#### 45-035 ISSUANCE OF NPDES PERMITS.

- (1) Following determination that it is complete for processing, each application will be reviewed on its own merits. Recommendations will be developed in accordance with provisions of all applicable statutes, rules, regulations and effluent guidelines of the State of Oregon and the U. S. Environmental Protection Agency.
- (2) The Department shall formulate and prepare a tentative determination to issue or deny an NPDES permit for the discharge described in the application. If the tentative determination is to issue an NPDES permit, then a proposed NPDES permit shall be drafted which includes at least the following:
  - (a) Proposed effluent limitations,
  - (b) Proposed schedule of compliance, if necessary,
  - (c) and other special conditions.
- (3) In order to inform potentially interested persons of the proposed dis-

charge and of the tentative determination to issue an NPDES permit, a public notice announcement shall be prepared and circulated in a manner approved by the Director. The notice shall tell of public participation opportunities, shall encourage comments by interested individuals or agencies and shall tell of the availability of fact sheets, proposed NPDES permits, applications and other related documents available for public inspection and copying. The Director shall provide a period of not less than 30 days following the date of the public notice during which time interested persons may submit written views and comments. All comments submitted during the 30-day comment period shall be considered in the formulation of a final determination.

- (4) For every discharge which has a total volume of more than 500,000 gallons on any day of the year, the Department shall prepare a fact sheet which contains the following:
  - (a) A sketch or detailed description of the location of the discharge;
  - (b) A quantitative description of the discharge;
  - (c) The tentative determination required under Section 45-035(2);
  - (d) An identification of the receiving stream with respect to beneficial uses, water quality standards, and effluent standards;
  - (e) A description of the procedures to be followed for finalizing the permit; and,
  - (f) Procedures for requesting a public hearing and other procedures by which the public may participate.
- (5) After the public notice has been drafted and the fact sheet and proposed NPDES permit provisions have been prepared by the Department, they will be forwarded to the applicant for review and comment. All comments must be submitted in writing within 14 days after mailing of the proposed materials if such comments are to receive consideration prior to final action on the application.

- (6) After the 14-day applicant review period has elapsed, the public notice and fact sheet shall be circulated in a manner prescribed by the Director. Any public notice under this section shall be prepared and circulated consistent with the requirements of regulations issued under the Federal Act. The fact sheet, proposed NPDES permit provisions, application and other supporting documents will be available for public inspection and copying.
- (7) The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person or group of persons to request or petition for a public hearing with respect to NPDES applications. If the Director determines that useful information may be produced thereby, or that there is a significant public interest in holding a hearing, a public hearing will be held prior to the Director's final determination. There shall be public notice of such a hearing.
- (8) At the conclusion of the public involvement period, the Director shall make a final determination as soon as practicable and promptly notify the applicant thereof in writing. Any NPDES permit issued hereunder shall contain such pertinent and particular conditions as may be required to comply with the Federal Act or regulations issued pursuant thereto. If the Director determines that the NPDES permit should be denied, notification shall be in accordance with Section 45-050. If conditions of the NPDES permit issued are different from the proposed provisions forwarded to the applicant for review, the notification shall include the reasons for the changes made. A copy of the NPDES permit issued shall be attached to the notification.
- (9) If the applicant is dissatisfied with the conditions or limitations of any NPDES permit issued by the Director, he may request a hearing before the Commission or its authorized representative. Such a request for hearing shall be made in writing to the Director within 20 days of the date of mailing of the notification of issuance of the NPDES permit. Any hearing held shall be conducted pursuant to the regulations of the Department.



Hist: Subdivisions (6), (7) and (8) Amended 6-4-74 by DEQ 71.

45-040 RENEWAL OR MODIFICATION [REISSUANCE] OF NPDES PERMITS.

The procedures for issuance of an NPDES permit shall apply to renewal of an NPDES permit and to a modification requested by the permittee.

45-045 TRANSFER OF AN NPDES PERMIT.

No NPDES permit shall be transferred to a third party without prior written approval from the Director. Such approval may be granted by the Director where the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the NPDES permit and the rules of the Commission.

45-050 DENIAL OF AN NPDES PERMIT.

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

45-055 DEPARTMENT INITIATED MODIFICATION OF AN NPDES PERMIT.

In the event that it becomes necessary for the Department to institute modification of an NPDES permit due to changing conditions or standards, receipt of additional information or any other reason pursuant to applicable statutes, the Department shall notify the permittee by registered or certified mail and shall at that time issue a public notice announcement in a manner approved by the Director of its intent to modify the NPDES permit. Such notification shall include the proposed modification and the reasons for modification. The modification shall become effective 20 days from the date of mailing of such notice

unless within that time the permittee requests a hearing before the Commission or its authorized representative or unless the Director determines that significant public interest merits a public hearing or a change in the proposed modification. Any request for hearing by the permittee or any person shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department. A copy of the modified NPDES permit shall be forwarded to the permittee as soon as the modification becomes effective. The existing NPDES permit shall remain in effect until the modified NPDES permit is issued.

45-060 SUSPENSION OR REVOCATION OF AN NPDES PERMIT.

- (1) In the event that it becomes necessary for the Director to suspend or revoke an NPDES permit due to non-compliance with the terms of the NPDES permit, unapproved changes in operation, false information submitted in the application or any other cause, the Director shall notify the permittee by registered or certified mail of his intent to suspend or revoke the NPDES permit. Such notification shall include the reasons for the suspension or revocation. The suspension or revocation shall become effective 20 days from the date of mailing of such notice unless within that time the permittee requests a hearing before the Commission or its authorized representative. Such request for a hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Department.
- (2) If the Department finds that there is a serious danger to the public health or safety or that irreparable damage to a resource will occur, it may, pursuant to applicable statutes, suspend or revoke an NPDES permit effective immediately. Notice of such suspension or revocation must state the reasons for such action and advise the permittee that he may request a hearing before the Commission or its authorized representative. Such request for a hearing shall be made in writing to the Director within

90 days of the date of suspension and shall state the grounds for the request. Any hearing shall be conducted pursuant to the regulations of the Department.

45-065 OTHER REQUIREMENTS.

Prior to commencing construction on any waste collection, treatment, disposal or discharge facilities for which a permit is required by Section 45-015, detailed plans and specifications must be submitted to and approved in writing by the Department as required by ORS 468.742; and for privately owned sewerage systems, a performance bond must be filed with the Department as required by ORS 454.425.

45-070 PERMIT FEES.

- (1) Beginning July 1, 1976 all persons required to have a Water Pollution Control Facilities Permit or NPDES Waste Discharge Permit shall be subject to a three-part fee consisting of a uniform non-refundable filing fee, an application processing fee and an annual compliance determination fee which are obtained from Table A. The amount equal to the filing fee, application processing fee and the first year's annual compliance determination fee shall be submitted as a required part of any application for a new NPDES or WPCF permit. The amount equal to the filing fee and application processing fee, if applicable, shall be submitted as a required part of any application for renewal or modification of an NPDES or WPCF permit.
- (2) The annual compliance determination fee, as listed in Table A Section 3., must be paid for each year a disposal system is in operation or during which a discharge to public waters occurs. The fee period shall correspond with the state's fiscal year (July 1 through June 30) and shall be paid annually during the Month of July. Any annual compliance determination fee submitted as part of an application for a new NPDES or WPCF permit shall apply to the fiscal year the permitted facility is put into operation. For the first year's operation, the full fee shall apply if the facility is

placed into operation on or before May 1. Any new facility placed into operation after May 1 shall not owe a compliance determination fee until the following July. The Director may alter the due date for the annual compliance determination fee upon receipt of a justifiable request from a permittee. The Commission may reduce or suspend the annual compliance determination fee in the event of a proven hardship.

- (3) Modifications of existing, unexpired permits which are instituted by the Department due to changing conditions or standards, receipts of additional information or any other reason pursuant to applicable statutes and do not require re-filing or review of an application or plans and specifications shall not require submission of the filing fee or the application processing fee.
- (4) Upon the Department accepting an application for filing, the filing fee shall be non-refundable.
- (5) The application processing fee may be refunded in whole or in part when submitted with an application if either of the following conditions exist:
  - (a) The Department determines that no permit will be required.
  - (b) The Department determines that the wrong application has been filed.
- (6) All fees shall be made payable to the Department of Environmental Quality.

TABLE A

PERMIT FEE SCHEDULE

1. Filing Fee. A filing fee of \$ 25.00 shall accompany any application for issuance, renewal, modification, or transfer of an NPDES Waste Discharge Permit or Water Pollution Control facilities Permit. This fee is non-refundable and is in addition to any application processing fee or annual compliance determination fee which might be imposed.
2. Application Processing Fee. An application processing fee varying between \$50.00 and \$150.00 shall be submitted with each application. The amount of the fee shall depend on the type of application required (See Table B) as follows:

a.	NPDES Standard Form A (Municipal).....	\$ 100.00
b.	NPDES Standard Form C (Manufacturing and Commercial).....	\$ 150.00
c.	NPDES Short Forms A,B,C or D.....	\$ 50.00
d.	Application to the Department for a Water Pollution Control Facilities permit (WPCF-N).....	\$ 50.00
e.	Application for <u>Renewal</u> of an NPDES or WPCF permit where <u>no increase</u> in the discharge or disposal of waste water is requested.....	\$ None
f.	Application for <u>Renewal</u> of an NPDES or WPCF permit where <u>an increase</u> in the discharge or disposal of waste water is requested.....	\$ 50.00
g.	Request for modification or transfer of an NPDES or WPCF permit which does <u>not</u> include a request for an increase in discharge or disposal of waste water.....	\$ None
h.	Request for modification or transfer of an NPDES or WPCF permit which <u>does</u> include a request for an increase in the discharge or disposal of waste water.....	\$ 50.00

3. Annual Compliance Determination Fee Schedule

- a. Domestic Waste Sources  
(Select only one category per permit)

<u>Category</u>	<u>Dry Weather Design Flow</u>	<u>Initial and Annual Fee</u>
(1) Sewage Discharge	10 MGD or more	\$ 750.00
(2) Sewage Discharge	At least 5 but less than 10 MGD	\$ 600.00
(3) Sewage Discharge	At least 1 but less than 5 MGD	\$ 300.00
(4) Sewage Discharge	Less than 1 MGD	\$ 150.00
(5) No scheduled discharge during at least 5 consecutive months of the low stream flow period		<u>1/2 of above rate</u>
(6) Land disposal-no scheduled discharge to public waters.....		\$ 50.00
(7) Chlorinated septic tank effluent from facilities serving more than 5 families and temporarily discharging to public waters.....		\$ 50.00
(8) Chlorinated septic tank effluent from facilities serving 5 families or less and temporarily discharging to public waters.....		\$ 30.00
(9) Chlorinated septic tank effluent from facilities serving more than 25 families or 100 people and temporarily discharging to waste disposal wells as defined in OAR 340-44-005 (4).....		\$ 30.00

b. Industrial, Commercial and Agricultural Sources

<u>Source</u>	(For multiple sources on one application select only the one with highest fee)	<u>Initial and Annual Fee 1/</u>
(1)	Major pulp, paper, paperboard and other wet pulping industry discharging process waste water.....	\$ 950.00
(2)	Major sugar beet processing, potato and other vegetable processing industry discharging process waste water.....	\$ 950.00
(3)	Fish Processing Industry:	
	a. Bottom fish, crab and/or oyster processing.....	\$ 75.00
	b. Shrimp processing.....	\$ 100.00
	c. Salmon and/or tuna canning.....	\$ 150.00
(4)	Electroplating industry with discharge of process water (excludes facilities which do anodizing only). Rectifier output capacity of 15,000 Amps or more.....	\$ 950.00
	Rectifier output capacity of less than 15,000 Amps.....	\$ 450.00
(5)	Primary Aluminum Smelting.....	\$ 950.00
(6)	Primary smelting and/or refining of non-ferrous metals utilizing sand chlorination separation facilities.....	\$ 950.00
(7)	Primary smelting and/or refining of ferrous and non-ferrous metals not elsewhere classified above.....	\$ 450.00
(8)	Alkalies, chlorine, pesticide, or fertilizer manufacturing with discharge of process waste waters.....	\$ 950.00
(9)	Petroleum Refineries with a capacity in excess of 15,000 barrels per day discharging process waste water.....	\$ 950.00
(10)	Cooling water discharges in excess of 20,000 BTU/sec.....	\$ 450.00
(11)	Milk products processing industry which processes in excess of 250,000 pounds of milk per day and discharges process waste water to public waters.....	\$ 950.00
(12)	Fish hatching and rearing facilities.....	\$ 75.00
(13)	All facilities not elsewhere classified with discharge of process waste water to public waters.....	\$ 150.00
(14)	All facilities not elsewhere classified which discharge from point sources to public waters (i.e. small cooling water discharges, boiler blowdown, filter backwash, etc.).....	\$ 75.00
(15)	All facilities not specifically classified above (1-12) which dispose of all waste by an approved land irrigation or seepage system.....	\$ 50.00

1/ For any of the categories itemized above (1-14) which have no discharge for at least 5 consecutive months of the low stream flow period, the fee shall be reduced to 1/2 of the scheduled fee or \$50.00, whichever is greater.

For any specifically classified categories above (1-12) which dispose of all waste water by land irrigation, evaporation and/or seepage, the fee shall be reduced to 1/4 of the scheduled fee or \$50.00, whichever is greater.

TABLE B  
PERMIT APPLICATION FORMS

<u>Category of Applicant</u>	<u>Application Forms to be Filed</u>
1. Permit to construct, operate and discharge from a domestic sewage treatment facility serving more than 10,000 people, or equivalent.	Standard Form A [EPA Form 7550-22 (7-73)]
2. Permit to construct, operate and discharge from a domestic sewage treatment facility serving 10,000 people or less but which has an industrial input exceeding 10 percent of the volume or BOD strength of the incoming raw sewage on any day of the year or which is toxic.	Standard Form A [EPA Form 7550-22 (7-73)]
3. Permit to construct, operate, and discharge from a domestic sewage treatment facility not requiring the filing of Standard Form A.	Short Form A [EPA Form 7550-6 (1-73)]
4. Permit to construct, operate and discharge from any industrial, commercial or mining activity in quantities exceeding 50,000 gallons on any day of the year.	Standard Form C [EPA Form 7550-23A (7-73)]
5. Permit to construct, operate and discharge from any industrial, commercial or mining activity in quantities of 50,000 gallons or less but which discharges a toxic pollutant.	Standard Form C [EPA Form 7550-23A (7-73)]
6. Permit to construct, operate and discharge from any facility engaged in manufacturing or mining not requiring the filing of Standard Form C.	Short Form C [EPA Form 7550-8 (1-73)]
7. Permit to construct, operate and discharge from any facilities engaged in services including retail or wholesale trade or other commercial establishments not required to submit Standard Form C.	Short Form D [EPA Form 7550-9 (1-73)]



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Environmental Quality Commission

Date: April 14, 1976

From: Hearing Officer

Subject: Hearing Report: Rule making hearing regarding housekeeping amendments, redefinitions, and fee schedule for permits in Water Quality Program (pertaining to OAR chapter 340, sections 45-005 through 45-070)

DISCUSSION

Pursuant to required public notice, the hearing convened at 10:30 a.m. in Room 602 of the Multnomah County Courthouse in Portland, Oregon. Approximately twenty persons were in attendance. Representing the agency were Mr. Kent Ashbaker (Water Quality Program) and your hearing officer. The purpose of the hearing was to consider rules necessitated by Oregon Laws 1975, Chapter 445. This included in those permits requiring a fee permits granted under ORS 468.740 (water discharge permits) and required the Department, if the Department is to enjoy revenues commensurate with budget, to impose fees in this area totalling \$100,000 over fiscal year 1977 (an amount predicted to increase to \$128,000 due to salary increases and other distributable cost increases.) In addition to the fee schedule (a new provision) the rule proposed would include a clearer distinction between NPDES (federal) and WPCF (state) permits; the exemption of subsurface sewage disposal systems, alternate systems, and recirculating systems from the definition of "disposal system;" a definition of "process wastewater;" and several housekeeping amendments. The proposals were the result, in part, of the work of a Citizen's task force including representatives of industry and government who would be affected by the rule.

TESTIMONY

Mr. Storrs Waterman, representing the Task Force on Water Quality Permits, presented testimony from the report of Thomas Donaca, Chairman of the Task Force, to the Director. In his testimony, Mr. Waterman generally endorsed the proposed fee schedule. He noted that future review of the fees for application processing might be in order when there are better revenue projections in that area. In the meantime, it was cautioned, annual compliance determination fees might be unduly subsidizing application processing activities. Mr. Waterman's testimony also involved apprehension about the increased overhead to result from the Laboratory's move to its new location at Portland State University, a cost increase termed "required." The Task Force was convinced that the projected revenues would be confined to the statutory purposes of filing, investigating the application, and determining compliance. Concern was expressed that this should remain the case and that the agency should not look to fee revenues to fund additional agency activities.

Mr. Waterman commended the cooperation of the staff. He stated his feeling that, if future revisions are indicated, industry would not object to additional rule making activity in this area. The Task Force report is attached hereto for more specific review.

Mr. Dan Potter, also a Task Force member, went on record as supportive of the proposals and, speaking for the governmental side of the Task Force and as administrator of Washington County, supported the testimony of Mr. Waterman.



The formal testimony ended after Mr. Potter's statement because all remaining discussion was for the purpose of informal inquiry.

RECOMMENDATION

Your hearing officer makes only the recommendation that OAR Chapter 340, section 45-065 be updated by substitution of ORS 454.415 and 454.425 for ORS 449.395 and 449.400 respectively.

Respectfully Submitted

A handwritten signature in cursive script that reads "Pete W. McSwain". The signature is written in dark ink and is positioned below the typed name "Pete W. McSwain".

PWM:ks

Mr. Loren Kramer, Director  
Department of Environmental Quality  
1234 S. W. Morrison Street  
Portland, Oregon

APR 9 1976

Re: Task Force on Water Quality Permits

Dear Mr. Kramer:

Your Task Force on Water Quality Permits has reviewed the Agency's Water Quality Permit Program as requested by you. During the process of our work two subcommittees were appointed to review the handling of permit applications through the issuance of permits both by the central office and your field staff; and another subcommittee surveyed your laboratory facilities and its operations.

I am pleased to report that during the three full committee meetings which were held, except for illness, all members whom you appointed attended all meetings and subcommittee meetings. I believe the study has been productive and we would like to make the following report:

The Task Force concurred that the handling of the Water Quality Permit Program was well administered. The physical permit processing was efficient and generally met all statutory and operational requirements both for meeting time frames as well as the utilization of the manpower. This efficiency, in part, appears to derive from the maturity of the existing program as it has been underway since 1968. Also, the Water Quality Program has at all times remained totally within the control of the DEQ.

In our review of the laboratory to which currently \$31,966 is charged to Permit Compliance-Assurance, it was felt that this was a reasonable sum. (This amount was charged for six months -- see Exhibit A, Page 3) This level of cost, however, is in part achieved by grouping samples and running them in batches which allows for economies of scale and better utilization of manpower as opposed to running individual samples and charging for each individual sample. Had the latter course of action been used, cost would have been considerably higher, both in terms of manpower utilization and paper work management. We would commend the Agency to continue its current method of handling water quality analysis. One item of concern, however, is that these costs will rise rather substantially as a result of the required move to Portland State University which will in all likelihood not only substantially increase costs due to a significant increase in rent, but other ancillary increases that will occur as a result of placing the laboratory in a congested downtown location.

With regard to the Permit Fee Schedule contained in Table A, (See Exhibit B) it was agreed that the filing fee of \$25.00 was appropriate. As most Water Quality Permits are currently issued and outstanding, a filing fee should not be charged those permits currently outstanding until they come up for renewal, which we understand is the intention of the DEQ. The filing fee as such should be charged only against new applications for permit at this time.

With regard to the Application Processing Fee, the Committee concurred in the fee schedule but cautioned that the fees for application processing are not in any way reflective of the costs to the Agency. (See Exhibit B). In many instances, the Application Processing Fee is substantially lower than actual costs which in effect means that that portion of the fee must in fact be subsidized by the annual compliance determination fee income. However, because it is difficult to determine revenues that may be generated from the Application Processing Fee, it makes it difficult to determine, for budgeting purposes, the amount of income that might be derived. Thus, while the Committee has agreed to this schedule, they would urge that this portion of the fee schedule be reviewed to determine if a better estimate of revenue from the Application Processing Fee could be determined which would more clearly reflect the actual cost of this portion of the program. If this can be done, then we would suggest that where future increases in revenue are required, these fees should be looked to to carry such needs.

With regard to the Annual Compliance Determination Fee, the Committee was presented with an initial recommendation on those fee schedules. However, the Committee felt that they needed further justification for the fees to be charged and asked your staff for a time analysis of inspections which is a major cost of this program. (See Exhibit C). Based on that analysis, which clearly indicates where the time on compliance determination is being spent, major adjustments were made and recommended in the fee schedule which is presented to you with this report. (See Exhibit B).

Your Task Force considered the matters of fees as a matter to be considered only by the full Committee. I am pleased to report that all members of the Committee, both industrial and governmental, unanimously concurred that the fee schedule which was presented, in light of the directives of the statutes and the Oregon State Legislature, is appropriately structured to achieve the result which the Agency has been directed to achieve. However, we believe you should be aware and concerned about the following:

The original Ways & Means budget directed that \$100,000 be raised during fiscal year 1976-77. This figure has already been increased by the increased expenditure limitation to \$113,000 primarily to cover salary increases and we understand it will be raised an additional amount on July 1, 1976. This accounts for the total of approximately \$128,000 proposed to be raised in fiscal 1976-77 (See Exhibit C).

The part of the program funded by user fees will be subject to continued future increases to provide for the allocable portion of salary increases and distributed department overhead under current budgeting procedures unless some maximum level of fees can be arrived at.

Last, for the bienium 1977-79 you will be required to budget at least \$250,000 for that portion of the program chargeable to user fees which will make the DEQ even more reliant on user fees.

One last point, the Committee attempted to discern those costs which seem chargeable to the Permit Program as opposed to those portions of the Program which are designed to improve the management of the Program for the benefit of the Department of Environmental Quality or those portions of the Program which generally benefit the public at large. It is our finding that the fee schedule proposed is proportionate to that portion of the Program which seems chargeable under the statutes (ORS 468.065).

We wish to thank you for this opportunity to look in depth at this part of the operation of your agency. We also wish to call to your attention that your staff provided us with all of the information which we requested, timely, and in a most understandable and informative manner. The Task Force wishes to go on record in commending your staff for their assistance to us in this endeavor.

Respectfully submitted,



Thomas C. Donaca, Chairman  
TCD:ek

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Members of the Task Force

Alton Andrews  
William Brown  
Dan Brownson  
Tom Donaca  
Tom Nelson  
Dan Potter  
Pete Schnell  
John Ullman  
Storrs Waterman  
Gary Wildish

## DEPARTMENT OF ENVIRONMENTAL QUALITY

TOTAL Water Quality Program Budget\*75-77 Biennium

	<u>Water Quality Division</u>	<u>Regional Operations Division</u>	<u>Laboratory Division</u>	<u>TOTAL</u>
Personal Services	1,027,211	909,799	554,789	2,491,799
Services & Supplies	236,804	259,609	248,148	744,561
Capital Outlay	-0-	3,367	-0-	3,367
TOTAL	<u>1,264,015</u>	<u>1,172,775</u>	<u>802,937</u>	<u>3,239,727</u>

\* Overhead and CETA not included.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Water Quality Program

Permit Program Expenditures  
Relation to Total Effort By Hours

No.	Title	EXPENDITURES		Dollars * Allocated
		6 Month * Total Hours	% Within Division	
<b>WATER QUALITY DIVISION</b>				
21	Water Permit Issuance	4,462	21.98	59,848.93
22	Permit Compliance-Assurance	1,004	4.94	13,451.03
31	Waste Source Sampling, etc.	-0-	-0-	-0-
	All Other Elements	<u>14,837</u>	<u>73.08</u>	<u>198,988.17</u>
	Sub-total	20,303	100%	\$ 272,288.13
<b>LABORATORY DIVISION</b>				
21	Water Permit Issuance	-0-	-0-	-0-
22	Permit Compliance-Assurance	2,676	8.82	31,996.70
31	Waste Source Sampling, etc.	1,225	4.04	14,656.08
	Other Water	10,550	34.76	126,100.37
	Non-Water	<u>15,896</u>	<u>52.38</u>	<u>190,021.21</u>
	Sub-total	30,347	100%	\$ 362,774.36
<b>REGIONS</b>				
21	Water Permit Issuance	1,371	1.97	14,820.88
22	Permit Compliance-Assurance	15,795	22.79	171,455.73
31	Waste Source Sampling, etc.	-0-	-0-	-0-
	Other Water	12,615	18.20	136,923.84
	Non-Water	<u>39,537</u>	<u>57.04</u>	<u>429,128.34</u>
	Sub-total	69,318	100%	\$ 752,328.79
<b>TOTAL</b>				
21	Water Permit Issuance	5,833		74,669.81
22	Permit Compliance-Assurance	19,475		216,903.46
31	Waste Source Sampling, etc.	1,225		14,656.08
	Other Water	<u>38,002</u>		<u>462,012.38</u>
	Total Water Quality	64,535		\$ 768,241.73
	Non-Water	<u>55,433</u>		<u>619,149.55</u>
	TOTAL Hours and Expenditures	<u>119,968</u>		<u>\$ 1,387,391.28</u>

\* Hours and expenditures include CETA.

SELECTED PROGRAM INFORMATION - DEQ Water Pollution Control Program

REVENUES

General	1,846,863
Other	100,000
Federal	1,449,462
Indirect Cost	156,598
Net	<u>1,292,864</u>
TOTAL Direct	<u>3,239,727</u>
Overhead*	<u>389,836</u>
TOTAL Program	<u><u>3,629,563</u></u>

\*Overhead is 12% of Direct Cost.  
28% of TOTAL Overhead is attributed to Water

(Overhead Includes:  
Office of the Director,  
Administrative Services Division,  
Personnel Office,  
Technical Coordination Office)

BUDGETED DISBURSEMENTS

	Water Quality Division	Regional Oper. Div.	Laboratory Division	TOTAL Division	% TOTAL
<u>Biennium</u>					
General	498,552	545,374	802,937	1,846,863	57%
Other	100,000	-0-	-0-	100,000	3%
Federal	665,463	627,401	-0-	1,292,864	40%
TOTAL	<u>(39%) 1,264,015</u>	<u>(36%) 1,172,775</u>	<u>(25%) 802,937</u>	<u>3,239,727</u>	<u>100%</u>
<u>Fiscal Year 1976</u>					
General	173,065	263,530	385,410	822,005	
Other	-0-	-0-	-0-	-0-	
Federal	391,182	327,382	-0-	718,564	
TOTAL	<u>564,247</u>	<u>590,912</u>	<u>385,410</u>	<u>1,540,569</u>	
<u>Fiscal Year 1977</u>					
General	325,487	281,844	417,527	1,024,858	
Other	100,000	-0-	-0-	100,000	
Federal	274,281	300,019	-0-	574,300	
TOTAL	<u>699,768</u>	<u>581,863</u>	<u>417,527</u>	<u>1,699,158</u>	

SIX MONTHS ACTUAL COSTS & ANNUAL PROJECTION (FY 76)

	To-Date	Proj.	To-Date	Proj.	To-Date	Proj.	To-Date	Proj.
General	103,253	206,506	185,785	374,937	167,628	335,256	456,666	916,699
Other	-0-	-0-	17,793	35,586	-0-	-0-	17,793	35,586
Federal	164,648	329,296	117,142	234,284	-0-	-0-	281,790	563,580
TOTAL	<u>267,901</u>	<u>535,802</u>	<u>320,720</u>	<u>644,807</u>	<u>167,628</u>	<u>335,256</u>	<u>756,249</u>	<u>1,515,865</u>

PERMIT FEE SCHEDULE

1. Filing Fee. A filing fee of \$ 25.00 shall accompany any application for issuance, renewal or modification of an NPDES Waste Discharge Permit or Water Pollution Control facilities Permit. This fee is non-refundable and is in addition to any application processing fee or annual compliance determination fee which might be imposed.
2. Application Processing Fee. An application processing fee varying between \$50.00 and \$150.00 shall be submitted with each application. The amount of the fee shall depend on the type of application required (See Table B) as follows:
  - a. NPDES Standard Form A (Municipal)..... \$ 100.00
  - b. NPDES Standard Form C (Manufacturing and Commercial)..... \$ 150.00
  - c. NPDES Short Forms A,B,C or D..... \$ 50.00
  - d. Application to the Department for a Water Pollution Control Facilities permit (WPCF-N)..... \$ 50.00
  - e. Application for Renewal of an NPDES or WPCF permit where no increase in the discharge or disposal of waste water is requested..... \$ None
  - f. Application for Renewal of an NPDES or WPCF permit where an increase in the discharge or disposal of waste water is requested..... \$ 50.00
  - g. Request for modification of an NPDES or WPCF permit which does not include a request for an increase in discharge or disposal of waste water..... \$ None
  - h. Request for modification of an NPDES or WPCF permit which does include a request for an increase in the discharge or disposal of waste water..... \$ 50.00

3. Annual Compliance Determination Fee Schedule

- a. Domestic Waste Sources  
(Select only one category per permit)

<u>Category</u>	<u>Dry Weather Design Flow</u>	<u>Initial and Annual Fee</u>
(1) Sewage Discharge	10 MGD or more	\$ 750.00
(2) Sewage Discharge	5 to 10 MGD	\$ 600.00
(3) Sewage Discharge	1 to 5 MGD	\$ 300.00
(4) Sewage Discharge	Less than 1 MGD	\$ 150.00
(5) No scheduled discharge during at least 5 consecutive months of the low stream flow period		1/2 of above rate
(6) Land disposal-no scheduled discharge to public waters.....		\$ 50.00
(7) Chlorinated septic tank effluent from facilities serving more than 5 families and temporarily discharging to public waters.....		\$ 50.00
(8) Chlorinated septic tank effluent from facilities serving 5 families or less and temporarily discharging to public waters.....		\$ 30.00
(9) Chlorinated septic tank effluent from facilities serving more than 25 families or 100 people and temporarily discharging to waste disposal wells as defined in OAR 340-44-005 (4).....		\$ 30.00



b. Industrial, Commercial and Agricultural Sources

<u>Source</u>	(For multiple sources on one application select only the one with highest fee)	<u>Initial and Annual Fee 1/</u>
(1)	Major pulp, paper, paperboard and other wet pulping industry discharging process waste water.....	\$ 950.00
(2)	Major sugar beet processing, potato and other vegetable processing industry discharging process waste water.....	\$ 950.00
(3)	Fish Processing Industry:	
	a. Bottom fish, crab and/or oyster processing.....	\$ 75.00
	b. Shrimp processing.....	\$ 100.00
	c. Salmon and/or tuna canning.....	\$ 150.00
(4)	Electroplating, polishing and/or anodizing with discharge of process water. Rectifier output capacity of 15,000 Amps or more.....	\$ 950.00
	Rectifier output capacity of less than 15,000 Amps.....	\$ 450.00
(5)	Primary Aluminum Smelting.....	\$ 950.00
(6)	Primary smelting and/or refining of non-ferrous metals utilizing sand chlorination separation facilities.....	\$ 950.00
(7)	Primary smelting and/or refining of ferrous and non-ferrous metals not elsewhere classified above.....	\$ 450.00
(8)	Alkalies, chlorine or pesticide manufacturing with discharge of process waste waters.....	\$ 950.00
(9)	Petroleum Refineries with a capacity in excess of 15,000 barrels per day discharging process waste water.....	\$ 950.00
(10)	Cooling water discharges in excess of 20,000 BTU/sec.....	\$ 450.00
(11)	Milk products processing industry which processes in excess of 250,000 pounds of milk per day and discharges process waste water to public waters.....	\$ 950.00
(12)	Fish hatching and rearing facilities.....	\$ 75.00
(13)	All facilities not elsewhere classified with discharge of <u>process waste water</u> to public waters.....	\$ 150.00
(14)	All facilities not elsewhere classified which discharge from point sources to public waters (i.e. small cooling water discharges, boiler blowdown, filter backwash, etc.).....	\$ 75.00
(15)	All facilities not specifically classified above (1-12) which dispose of all waste by an approved land irrigation or seepage system.....	\$ 50.00

1/ For any of the categories itemized above (1-14) which do not discharge for at least 5 consecutive months of the low stream flow period, the fee shall be reduced to 1/2 of the scheduled fee or \$50.00, whichever is greater.

For any specifically classified categories above (1-12) which dispose of all waste water by land irrigation, evaporation and/or seepage, the fee shall be reduced to 1/4 of the scheduled fee or \$50.00, whichever is greater.

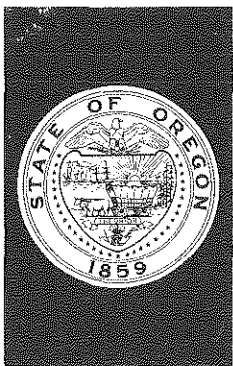
DOMESTIC WASTE SOURCES

CATEGORY	INSPECTIONS	ANNUAL MAN HOURS	NUMBER IN CATEGORY	TOTAL MAN HRS.	CALCULATED*		TOTAL FEES
					FEE	FEE	PER CATEGORY
(1)	3 @ 4 hr + 1 @ 8 hr	20	6	120	\$740	\$750	\$ 4,500
(2)	4 @ 4 hr	16	8	128	592	600	4,800
(3)	4 @ 2 hr	8	35	280	296	300	10,500
(4 & 5)	4 @ 1 hr	4	150	600	148	150	22,500
(6)	1/2 x (8 + 4) 2	3	56	168	111	100	5,600
(7)	2 @ 45 min.	1.5	40	60	57	50	2,000
(8)	2 @ 45 min.	1.5	20	30	57	50	1,000
(9)	1 @ 45 min	.75	10	7	28	30	300
(10)	1 @ 45 min	.75	5	4	28	30	150
SUB TOTALS			330	1397			\$ 51,350

INDUSTRIAL, COMMERCIAL AND AGRICULTURAL SOURCES

CATEGORY	INSPECTIONS	ANNUAL MAN HOURS	NUMBER IN CATEGORY	TOTAL MAN HOURS	CALCULATED		TOTAL FEES
					FEE	FEE	PER CATEGORY
(1)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	16	416	\$962	\$950	\$ 15,200
(2)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	4	104	962	950	3,800
(3) a.	1 @ 2 hr	2	8	16	74	75	600
b.	1 @ 3 hr	3	16	48	111	100	1,600
c.	1 @ 4 hr	4	10	40	148	150	1,500
(4) a.	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	2	52	962	950	1,900
b.	4 @ 3 hr	12	2	24	444	450	900
(5)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	2	52	962	950	1,900
(6)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	2	52	962	950	1,900
(7)	4 @ 3 hr	12	3	36	444	450	1,350
(8)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	2	52	962	950	1,900
(9)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	0	0	962	950	--
(10)	4 @ 3 hr	12	4	48	444	450	1,800
(11)	3 @ 5 hr + 1 @ 10 hr + 1 hr SMR Eval.	26	1	26	962	950	950
(12)	1 @ 2 hr	2	38	76	74	75	2,850
(13)	2 @ 2 hr	4	122	488	148	150	18,300
(14)	1 @ 2 hr	2	180	360	74	75	13,500
(15)	1 @ 1/2 hr	1.5	65	98	55	50	3,250
Winter discharge only	average	2	50	100	74	75	3,750
SUB TOTALS			527	2088			\$ 76,950
TOTALS			857	3485			\$128,300

\* The fee was calculated using \$130,000 as total revenue to be raised by fees



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item H, April 30, 1976, EQC Meeting

#### Consideration of Amendment of Subsurface Sewage Disposal Rules Pertaining to Seepage Pits

### Background

At the March 12, 1976 EQC meeting consideration was given to the proposed adoption of a temporary rule which had been drafted for the purpose of permitting under certain specified conditions the installation of seepage pits in Wasco County. During the discussion of that proposed temporary rule it was pointed out that in the past seepage pits had been installed in certain other counties in soil formations which like those in Wasco County do not comply fully with present rules. It was, therefore, concluded by the Commission members that any new or amended rule pertaining to seepage pits should be applicable state-wide and should not be limited to just Wasco County. The staff was directed to give this matter further study and to submit a revised proposal for consideration at the April 30, 1976 EQC meeting.

On April 1, 1976 DEQ staff members conferred further with the Wasco County Health Department sanitarians and also made a cursory inspection of Murray's Addition, a subdivision located west of the City of The Dalles and fairly close to the Chenoweth Sewer District. Development of this subdivision was started several years ago and presently includes some 125 or more single-family residences located on relatively small city-sized lots. Most of the existing homes are served by individual septic tanks followed by seepage pits. Neither the soil conditions nor the lot sizes are suitable for standard drain field (disposal trench) installations. According to the County Health Department during the past 20 years only two of these seepage pits have failed to contain the sewage beneath the ground surface. On April 1, 1976 one of them was observed discharging inadequately treated sewage effluent into an adjacent roadside ditch.



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The County Health Department is currently trying to promote the installation of public sewers in the Murray's Addition in order to provide more adequate facilities for both existing and new homes which may be built there in the future and also to solve a serious sewage disposal problem existing at the Foley Lakes Mobile Homes Park located adjacent to and downstream from the above subdivision. Because of the need for public sewers in that area the county is not anxious to permit the installation of any more seepage pit systems in the Murray's Addition.

In addition to the above subdivision seepage pits have during the past several years been installed to serve a few other, but much smaller, developments in the vicinity of The Dalles.

On April 13 and 14, 1976 a more detailed inspection of sites and soil formations in The Dalles area was made by Fred Lissner of the State Department of Water Resources, Dennis Illingworth of the Wasco County Health Department, and by Dr. Robert Paeth and Bob Free of DEQ.

### Discussion

The two-day inspection by Fred Lissner and Dr. Paeth confirmed that in the sites in question in Wasco County the subsurface formations consist mostly of deposits of volcanic tuff, open permeable gravel and sand, well fractured basalt, fractured sandstone, and fractured basalt underlain by pillow basalt. The volcanic tuff and non-fractured sandstone are fairly impermeable and therefore not suitable for subsurface disposal of sewage. The open gravel and sand and other highly fractured formations are very permeable. Consequently they are quite suitable for subsurface sewage disposal but may not provide sufficient treatment for protection of the quality of underground water aquifers.

Although data are not available to show that any ground waters which are or may be used for domestic purposes have been polluted by drainage from existing seepage pits, Mr. Lissner is greatly concerned that such pollution might occur at any time.

There are some locations in Wasco County that consist of blow sand that is both permeable enough for sewage disposal by means of either drain fields or seepage pits and also fine enough to provide treatment and thereby protection of underground aquifers, particularly in low-density population areas. Under present rules seepage pits are permitted only in clean coarse gravel formations. Under the variance procedure, however, they could also be permitted in clean coarse sand such as the blow sand mentioned above.

### Conclusions


1. Seepage pits have been used for the past several years for disposal of sewage in a limited number of areas in northern Wasco County and to a lesser extent in other areas of the state, particularly in the sand formations in coastal counties.

2. In the Wasco County sites with subsurface formation of either open gravel, fractured basalt, or fractured sandstone seepage pits can be expected to dispose of sewage without overflow to the ground surface but because of the fairly high permeability of such formations seepage pits may not provide adequate protection of underground water supplies.
3. Such areas, if they have small lots and potential for high population density, should be developed using area-wide sewerage systems rather than individual on-site systems.
4. There are certain areas in Wasco County and elsewhere in the state that have clean coarse sand formations which would be suitable under certain conditions for installation of seepage pits both from the standpoint of sewage disposal and protection of underground waters.
5. The present rules governing subsurface sewage disposal permit the installation of seepage pits only in areas with clean coarse gravel. Variances can be granted, however, to permit seepage pits in clean coarse sand formations if all other conditions are satisfactory for subsurface disposal of sewage.
6. Neither the Wasco County Health Department nor any other county has requested that the current rules pertaining to seepage pits be revised or amended. If a public hearing is authorized to be held in the near future for consideration of other amendments to the subsurface sewage disposal rules consideration should be given at that time to an amendment permitting the installation of seepage pits in clean coarse sand so as to eliminate the necessity of seeking a variance in such cases.

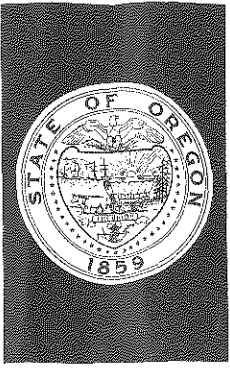
#### Recommendations

It is the Director's recommendation that

- (1) No temporary rule be adopted at this time as an amendment to OAR 340-71-030(5) pertaining to the installation of seepage pits.
- (2) In an area with clean coarse sand and other conditions suitable for installation of a seepage pit the use of such a facility be permitted through the granting of a variance if the lot in question cannot be served by a standard drain field installation or other approvable system.
- (3) The Department be directed to hold public hearings for the purpose of considering the banning of further installations of cesspools and seepage pits throughout the state.

  
for LOREN KRAMER  
Director

KHS:md  
4/22/76



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission  
From: Director  
Subject: Agenda Item No. I, April 30, 1976 EQC Meeting

### Disposal of Pesticide Wastes Stored at Alkali Lake, Lake County

### BACKGROUND

The Department and the Commission have been attempting to resolve the Alkali Lake situation for several years. The Alkali Lake site is an unauthorized disposal site on which 25,000 drums of pesticide wastes are stored. The site was established in 1968 by Chemical Waste Storage and Disposition, Inc. (Chem-Waste) but the company is now defunct.

This matter was last formally considered by the Commission at the March 28, 1975 EQC meeting. At that time, the Commission was requested to:

1. Adopt a resolution for acquisition of the Alkali Lake Site.
2. Authorize the Department to dispose of the wastes stored at the site.
3. Authorize the Department to recover disposal costs through legal action against the principals of Chem-Waste.

The Commission however did not adopt the resolution nor the requests to dispose of the wastes and for legal action. The Department was instead directed by the Commission to pursue a pending funding request for disposal of the Alkali Lake wastes with the Ways and Means Committee.

The Department had included a \$434,700 request in its proposed 1975-1977 budget for consideration by the 1975 Legislature. These funds were to provide for acquisition of the Alkali Lake site and for disposal of the wastes stored there. The Ways and Means Committee tentatively approved only part of the requested amount, up to a maximum of \$310,000. These funds were allocated to the Emergency



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Board, which must still approve funding for the project once a plan for the minimal or complete disposal of the wastes has been fully developed.

### FACTUAL ANALYSIS

The funds approved by the Legislature are not sufficient to cover the costs of disposal of the wastes at Alkali Lake by soil incorporation/degradation as originally planned. It was therefore necessary to consider a less expensive disposal procedure. Burial of the wastes on the 10-acre area where they are now stored appears to be the most reasonable alternative. This method is not expected to result in contamination of useable ground water resources in the area, although a small amount of the waste might migrate into the shallow ground water. This shallow ground water is already of extremely poor quality and unuseable due to natural contamination with various salts and arsenic and is highly alkaline. The deeper ground water body, 140 to 270 feet below the lake bed, is of good quality and would not be affected by burial of the wastes. The Department plans to monitor for ground water contamination for several years after completion of disposal operations.

The Department has requested concurrence from Lake County regarding disposal of these wastes. In its April 13, 1976 letter to the Department, copy attached, the Board of Commissioners of Lake County has indicated concurrence with the project, provided adequate consideration is given to the possibility of ground water contamination. However, as noted above, ground water contamination should not occur as a result of burial of these wastes. The County's letter also mentions the problem of odors and possible air and ground contamination if storage of the wastes were to continue.

After adjournment of the 1975 Legislature, the Department began negotiating with owners of the Alkali Lake site. Agreement with the owners has recently been reached for:

1. Deeding of the 10-acre area on which the wastes are stored to the State.
2. Easements and agreements to operate equipment around the 10-acre area and for access to the site.

The necessary legal documents have been prepared and sent to the owners for their execution. The Department does not intend to pursue legal action against the owners for recovery of disposal costs.

Steps remaining to be carried out to initiate and complete the disposal project include:

1. Execution of the site deed, easements and other agreements by the site owners and the Department.
2. Solicitation of bids from contractors to perform the disposal project and selection of a successful bidder.

3. Approval by the Emergency Board of funding for the project based on the cost quoted by the successful bidder.
4. Award of a contract to the successful bidder and completion of the project.

Completion of the project could be expected by June 1977 and perhaps sooner.

### CONCLUSIONS

Based on the foregoing, the following conclusions have been reached:

1. Funding limitations established by the 1975 Legislature for disposal of the wastes at Alkali Lake will not permit disposal via soil incorporation.
2. Disposal of these wastes by on-site burial will afford adequate protection of public health and welfare, animal and plant life and air, water and land resources. The proposed project is acceptable to Lake County.
3. Execution of all agreements with the owners, obtaining bids and Emergency Board approval are anticipated within the next several months. The disposal project could be completed by June 1977 or sooner.

### RECOMMENDATIONS

The Director recommends that the Department be authorized and directed to:

1. Proceed with this project for disposal of the wastes stored at Alkali Lake by on-site burial.
2. Execute all necessary agreements with the site owners and solicit bids for the project from outside contractors.
3. Select the successful bidder for the project and request Emergency Board approval for funding.
4. If approved by the Emergency Board, award a contract to the successful bidder and implement the project.



LOREN KRAMER  
Director

PHW:mm  
4/16/76  
Attachment: 4/13/76 letter from Lake County





# Board of Commissioners

Lake County

STATE OF OREGON

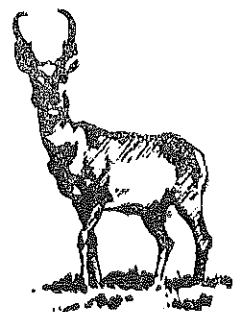
LAKEVIEW, OREGON 97630

GEORGE CARLON

GEORGE JACKSON

DON FITZGERALD

April 13, 1975



Mr. Kenneth H. Spies  
Department of Environmental Quality  
1234 S. W. Morrison Street  
Portland, Oregon 97205

Re: Alkali Lake Waste Disposal Site

Gentlemen:

Your letter of March 15, to the Lake County Board of Commissioners has been discussed at length by the Board.

The Board lacks the expertise or information necessary to make a recommendation in the matter, but wishes to remind you that several years ago Oregon State University had been contacted, and had agreed, to monitor the Alkali Lake Site. Presumably, some report of their activities should be available. The Board of Commissioners has not seen it, if it exists.

At least two potential problems should be considered. First, the possibility of contamination of water, and second, the contamination of air and ground outside the waste disposal site, caused by wind borne residues.

As to the first, the site is in a basin, that includes water wells for livestock. Apparently a fault line runs near the site. Burying the waste might result in contamination of that water supply.

As to the second, on hot days a smell is obvious on the highway three or more miles to the northwest of the site. The possibility exists that those wind borne odors are associated with harmful contaminants. Leaving the material as it is may be dangerous.

If these potential problems are taken into account in your project to dispose of Alkali Lake waste, then the Board of Commissioners of Lake County would concur with the project as proposed.

We have asked the Lakeview office of the Bureau of Land Management to make a separate response to you.

Very truly yours,

GEORGE E. CARLON  
Chairman



## 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. K(1), April 30, 1976, EQC Meeting

Oregon Portland Cement Company, Lime, Oregon  
Confirmation of Variance Extension

On March 25, 1976, the Director polled the Commission by means of the attached memorandum to extend the recently granted variance to April 15, 1976. Subsequently, Oregon Portland Cement Company was advised that its request to extend its test program beyond the original March 31, 1976 variance expiration date had been granted. The variance allowed Oregon Portland Cement Company to conduct a test program to determine the effects of using high sulfur content coal, approximately 1.6% sulfur by weight. The program is expected to be completed prior to the extension date of April 15, 1976.

On February 20, 1976, the Commission granted Oregon Portland Cement Company a variance to operate its Huntington plant outside of strict compliance with Oregon Administrative Rules (OAR) Chapter 340, Section 22-020 until whichever occurs first:

1. 1500 tons of coal containing more than 1.0% sulfur are burned, or
2. March 31, 1976.

Director's Recommendation

The Director recommends that the Environmental Quality Commission enter a finding that strict compliance with the original time schedule is inappropriate. The Director also recommends that the Commission confirm granting Oregon Portland Cement Company a time extension to the previously granted variance subject to the original conditions until April 15, 1976.



LOREN KRAMER



JAB:cs  
4/6/76  
Attachment



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Environmental Quality Commission  
From: Bud Kramer, Director *Bud*  
Subject: Oregon Portland Cement Company --  
Request for Extension of Variance

Date: March 25, 1976

Background

The Commission granted a variance at its February 20, 1976 meeting to the Oregon Portland Cement Company plant in Lime from strict compliance with the 1% sulfur content limitation on coal used for fuel (OAR Chapter 340, Section 22-020) to allow for tests to determine the effects on emissions of using 1.6% sulfur coal. The variance is limited timewise to March 31, 1976.

Discussion

The Company has experienced uncontrollable delays to the test program which has resulted in a requested 15 day extension of the variance as described in the attached letter.

The staff has been working with the Company on details and scope of the tests and has informed me that the Company could not avoid the delays. Further, the basis for initially granting the variance still exists.

Recommendation

Since the requested variance extension is essentially a technicality to legalize a valid test program and is needed before the April 30, 1976 EQC meeting, I am recommending the following:

1. Unless a majority of you inform me of your opposition by March 31, 1976, I will advise the Company that the variance extension to April 15, 1976 has been granted subject to the same conditions as the initial variance, except for the new expiration date.
2. This matter will be put on the April 30, 1976 agenda for confirming action by the Commission.

LK:cm

Attachment

cc: Jack Weathersbee  
Harold Patterson  
✓ Fritz Skirvin  
Eastern Region Office



**OREGON PORTLAND CEMENT COMPANY**

INCORPORATED 1915

ROUTE 1, BOX C • HUNTINGTON, OREGON 97907

March 22, 1976

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED  
MAR 25 1976

AIR QUALITY CONTROL

Dept. of Environmental Quality  
1234 S.W. Morrison St.  
Portland, Oregon 97205

Att: Mr. F. A. Skirvin, Chief of Engineering Services

Re: File #01-0010, Variance Request 1% Sulfur Content of Coal

Gentlemen:

Due to circumstances beyond our control it has become necessary for us to postpone the experimental burning of coal containing about 1.6% sulfur. The first delay was caused by the inability of the stack test people to meet the schedule. Another delay has now become necessary due to the failure of brick lining in our Kiln #2. After discussions with the stack test people and consideration of other physical factors at the site, we have determined that it would be unwise to attempt to perform the testing with only Kiln #1 on line.

We expect Kiln #2 to be operating again late this week and have tentatively re-scheduled the testing for March 30th and April 1, 1976. This tentative schedule is subject to our obtaining an extension to the EQC variance which expires on March 31, 1976.

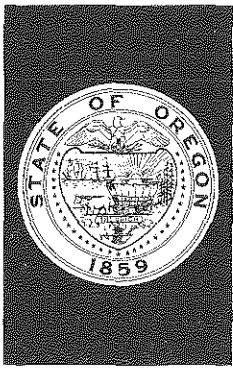
By this letter we request that the subject variance be extended to (1) the completion of burning of the approx. 1500 ton of coal on hand which contains more than 1% sulfur by weight, or (2) until April 15, 1976, whichever occurs first.

Very Truly Yours,

E. L. Miller, Asst. Vice Pres.

ELM:nb

cc: Jesse J. Jacobsen, Consolodation Coal Co.



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
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Portland

MORRIS K. CROTHERS  
Salem

RONALD M. SOMERS  
The Dalles

### MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. K(2), April 30, 1976, EQC Meeting

Variance Request - Beaver Lumber Company, Clatskanie, Oregon, Columbia County

### Background

Beaver Lumber Company operates two sawmills two miles north-east of Clatskanie, Oregon in Columbia County. One mill processes alder, while the mill which is the subject of this report, cuts salvage cedar logs. The cedar mill operated 168 days in 1975 at one shift per day. The mill employs 17 men on a full time basis, and an additional 10 men on a four hour shift.

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 for compliance, such as landfilling and utilization were investigated, but were found unfeasible due to the physical size of the plant and adverse economics.



Contains  
Recycled  
Materials

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.

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 to meet opacity regulations.

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 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 (EQC) 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. During the summer of 1973, observations by representatives of the Department determined that the modified burner emissions were significantly reduced in comparison to premodification observations; however, it was apparent the unit was incapable of maintaining compliance with the visible emission standards.

During the fall and winter of 1973 and the spring of 1974, Beaver Lumber Company hired a consultant and proceeded with a series of further modifications to the burner. Our observations of the unit during March and April of 1974 indicated that the unit was still incapable of maintaining compliance with visible emission standards.

In June 1974, Departmental and Company representatives met to discuss a compliance schedule for the burner. In that meeting, the Company stated that there was no economically feasible way to bring the unit into compliance.

The Department issued Beaver Lumber Company a proposed Air Contaminant Discharge Permit in August of 1974, which included a time period to further research alternative methods of disposal. Beaver Lumber Company responded to the proposed permit by requesting a variance of opacity regulations for the burner. At the March 28, 1975, EQC meeting, Beaver Lumber Company was granted a one year variance from the opacity regulations of its permit.

By the attached letter sent February 27, 1976, Company requested a one year extension to the variance which expired March 28, 1976.

### 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 Department has received approximately one complaint per year concerning the burner.

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. The Company's latest letter (attached) further emphasizes the poor economic picture for the operation and the fact that log purchases are steadily declining.

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 cedar mill has 17 full time and 10 part time employees. Annual operating expenses for both the cedar and alder mills are approximately 1.3 million dollars.
3. The scarcity of salvage cedar logs has increased over the past year. This increases the chance for shutdown of the cedar mill. Beaver Lumber Company has anticipated this shutdown since 1967.
4. 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. Modifications to the burner have proven unsuccessful.
5. 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.
6. 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.
7. The granting of this variance by the EQC would be allowable in accordance with ORS 468.345.

Recommendations

It is the Director's recommendation that the Commission find that strict compliance would be impractical due to special physical conditions; would result in substantial curtailment or closing down of a business; no alternative method of handling is yet available; and that a one year variance be granted to the Beaver Lumber Company from April 30, 1976, to April 30, 1977, 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 stating the status of the mill as related to future operation.



LOREN KRAMER  
Director

PJZ/jms  
April 7, 1976

Attachment: Beaver Lumber Company letter dated February 27, 1976

718 REG  
PQZ

**BEAVER** *Lumber Company*

CLATSKANIE, OREGON  
BOX 547 TELEPHONE ~~708~~ 728-3222

February 27, 1976

State of Oregon  
Department of Environmental Quality  
Loren Kramer, Director  
1234 S. W. Morrison Street  
Portland, Oregon 97205

Attention: Paul J. Zilka, Environmental Specialist

Gentlemen:

Beaver Lumber Company respectfully requests an extension of one year on our wigwam burner emission variance, which is due to expire on March 28, 1976.

During this past year we have continued to make an extended effort to keep our burner emissions to the extreme minimum. Careful operation of the blowers and keeping the bottom cones clean have greatly facilitated burner performance.

The alternate means of disposal of waste wood and associated debris are still being constantly looked at, but an improvement in this direction seems very unlikely. This is due to the decreasing amount of logs available to the mill, which would make any investment in this direction unwise, in fact foolhardy, for any economic justification.

Fifteen years ago we were buying approximately 9 to 10 million feet of cedar logs per year, and we operated two shifts for several years. Since then the situation has deteriorated so that our log purchases have dwindled as follows:

1973-74	6,303,850'
1974-75	5,607,520'
1975-76	3,794,928'

This past two years witnessed a a forty percent drop in cedar logs purchased from 1973-74 to 1975-76.

As the balance of standing cedar trees is in Washington state, Beaver Lumber Company is in an extremely poor position to compete for cedar logs against the many mills in Washington cutting the same type of cedar logs.

State of Oregon  
Department of Environmental Quality  
February 27, 1976  
Page 2

Also, with the big companies having monopolies in the area, such as Weyerhaeuser, who bought Exeter and Columbia River mills recently, and cutting cedar we formerly bought from them, our future position is at most vague and not one of any extended longevity, as you no doubt realize.

So in essence, our cedar sawmill division situation has drastically worsened since the previous years we have corresponded with you. We trust you will understand our position and extend the variance for another calendar year.

Yours very truly,

BEAVER LUMBER COMPANY OF  
CLATSKANIE, INC.



James M. Luxford  
Manager

JML:jl

DISTRIBUTION OF GROWERS BY REGISTERED ACREAGE SIZE CLASS  
April 1976

Class Range of Acres Per Grower	Number of Growers in Class	Total Number of Acres in Class	Cumulative Acreage Total (1)
1- 100	323	16,098	16,098
101- 200	127	18,794	34,892
201- 300	70	17,525	52,417
301- 400	51	17,772	70,189
401- 500	37	16,607	89,796
501- 600	36	19,588	106,384
601- 700	25	16,178	122,562
701- 800	21	14,821	137,383
801- 900	13	11,146	148,529
901-1000	15	14,235	162,764
1001-1500	36	44,108	206,782
1501-2000	16	27,624	234,406
2001-3000	10	23,662	258,068
3000 up	7	32,770	290,838 (2)
Total		787	

(1) Hand tabulated 4/29/76.

(2) Total of registered acreage by computer printout - 292,151 acres.

NOTICE OF PUBLIC HEARING

RULE ADOPTION: (1) Acreage allocation and rules for field burning of perennial grass seed crops, annual grass seed crops, and grain crops in Multnomah, Washington, Clackamas, Marion, Polk, Yamhill, Linn, Benton, and Lane Counties and (2) rules for certifying equipment for alternatives to field burning for tax credit purposes.

NOTICE is hereby given that the Environmental Quality Commission of the State of Oregon will conduct a public hearing commencing at 10:00 a.m. on Friday, April 30, 1976 in the Main Branch of the Albany City Library, 1390 S. Waverly Drive, Albany Oregon.

The PURPOSE of the hearing will be to receive public testimony on proposed amendments to OAR Chapter 340, sections 26-005 through 26-030 and to set the maximum total registered acreage allowed to be open burned pursuant to Section 10 of Oregon Laws 1975, Chapter 559. The maximum set will be for the 1976 season.

TO BE CONSIDERED along with all relevant matters will be whether: (a) there are insufficient numbers of workable machines that can reasonably be made available to sanitize the acreage if an acreage reduction is ordered; (b) there are insufficient methods available for straw utilization and disposal; and (c) reasonable efforts have been made to develop alternative methods of field sanitation and straw utilization and disposal, and such methods have been utilized to the maximum reasonable extent.

ALSO the proposals would delete from existing rules the reference to the acreage allocation for 1975, set a time for extinguishing field burning fires each day, set forth requirements for burning straw stacks, and set forth requirements for certifying equipment for alternatives to open field burning for tax credit purposes.

TESTIMONY may be oral or written and is invited from all interested persons. Written testimony may be offered at the hearing or mailed to the Department of Environmental Quality at 1234 S.W. Morrison Street, Portland, Oregon 97205. To be insured of inclusion in the record, mailed testimony should reach this address on or before April 15, 1976. The Commission reserves the right to set reasonable time limits on oral testimony.

COPIES of the proposals may be obtained at the following locations:

Department of Environmental Quality  
Midwest Region  
16 Oakway Mall  
Eugene, Oregon 97401

Department of Environmental Quality  
Salem-North Coast Region  
796 Winter Street  
Salem, Oregon 97310

Department of Environmental Quality  
1234 S.W. Morrison Street  
Portland, Oregon 97205

INQUIRY regarding the subject matter of hearing may be addressed to Mr. Scott Freeburn at the above mentioned Eugene office (686-7837) or Mr. Richard Vogt at the above mentioned Portland office (229-6270). Please inform those who may have an interest in this matter.



PHONES EFFECTIVE 12-8-75

Commissioners Ofc. 776-7231  
Tam Moore 776-7235  
Jon Deason 776-7236  
Isabel Sickels 776-7234  
Maxine Jensen 776-7232

State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

APR 28 1976

OFFICE OF THE DIRECTOR

# Jackson County Oregon

BOARD OF COUNTY COMMISSIONERS

~~(503) 776-8211, EXT. 311~~ • COUNTY COURTHOUSE • MEDFORD, OREGON • 97501

April 26, 1976

Mr. Loren Kramer  
Department of Environmental Quality  
1234 S. W. Morrison  
Portland, Oregon 97205

Dear Mr. Kramer:

We would appreciate having placed on the May agenda, or as soon as possible, a request by Jackson County for a rule change of OAR 72-015, Section 4, allowing Jackson County to raise fees assessed for site evaluations and permits to the maximum allowable amounts.

Kindly inform me as soon as possible if this request could be reviewed at the May meeting.

Sincerely,

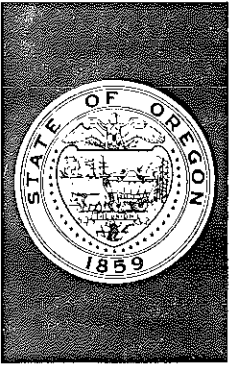
JACKSON COUNTY BOARD OF COMMISSIONERS

*Isabel H. Sickels*

Isabel H. Sickels, Commissioner

IHS:mj:mj

cc: Planning and Development Dept.  
Medford



## ENVIRONMENTAL QUALITY COMMISSION

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

ROBERT W. STRAUB  
GOVERNOR

### MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Supplemental Agenda Item, April 30, 1976, EQC Meeting

Consideration of Adoption of a Proposed Temporary Rule  
Changing Fee Schedule for Subsurface Sewage Disposal  
Permits and Site Evaluations in Jackson County

### Background

ORS 454.745 establishes maximum fees that may be charged for subsurface or alternative sewage disposal system permits and fees for site evaluations. By rule of the Commission counties may be allowed to charge fees less than the maximum.

### Discussion

When ORS 454.745 was amended in the 1975 legislative session establishing an increased fee structure, Jackson County chose not to increase its fees but to continue with the old fee schedule. The County now has budgetary constraints that necessitate increased fees to operate the program at an effective level.

### Conclusions

1. An increase in subsurface and alternative sewage systems permit fees and fees for site evaluations is necessary for Jackson County to continue to operate an efficient program.
2. Failure to act promptly in the adoption of the attached proposed amendment to OAR 340 72-015(4) will result in serious prejudice to the public interest and the interest of Jackson County for the specific reason that the revenue generated as a result of this rule amendment is needed to defray expenses of the program and that failure to obtain this additional revenue could result in a cutback in necessary program services.



Recommendations

It is the Director's recommendation that the Commission:

- (1) Enter a finding that failure to act promptly in this matter will result in serious prejudice to the public interest and to the interest of Jackson County for the specific reason stated above.
- (2) Adopt as a temporary rule to be filed promptly with the Secretary of State to become effective upon filing the proposed amendment contained in Attachment A, and authorize the holding of a public hearing to be held as soon as possible for the purpose of adopting it as a permanent rule within 120 days thereafter.

LOREN KRAMER  
Director

TJO:md  
4/29/76

Attachment: Attachment A, April 30, 1976, Proposed Temporary Rule Amending Oregon Administrative Rules Chapter 340, Division 7.



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Environmental Quality Commission  
From: Loren Kramer, Director, DEQ  
Subject: Contested Case Hearings

Date: April 30, 1976

The Department of Environmental Quality is a large agency involved in several program areas which regulate in one way or another most of the citizens of the State. It is inevitable that this Department will be challenged in trials and contested case hearings on a frequent basis. In order to meet this growing need, the Investigation and Compliance Section has assumed the task of coordination of all contested case hearings and trials for the Department. Because of their involvement in administering the Department's enforcement actions, this Section has gained extensive experience in working with legal matters, including contested case hearings.

Legal questions frequently arise in managing the Department's Programs. The Department of Justice is routinely consulted by DEQ staff for advice. In administering the Department's enforcement actions, the Investigation and Compliance staff have attempted to use the legal advice productively. They have obtained legal guidelines from the attorneys and managed their program by applying the legal principles on a daily basis. The staff has tried to develop some very basic expertise so that they can handle enforcement actions with infrequent consultation with the Department of Justice. Occasionally, they have represented the Department in contested case hearings without the direct assistance of the attorneys. The Investigation and Compliance staff will coordinate and advise the Department for economical and expeditious handling of hearings, applying principles already acquired with assistance from the Department of Justice.

There are several areas that need to be examined closely by the Department in managing hearings. First, it is important that hearings be a last resort. The Department will administer its programs to minimize hearings as far as possible. Essentially, the proposed strategy is to make sure all permit applicants are given guidance in exploring all the alternatives available to them before going to hearing. The Department will carefully screen cases in this manner to eliminate a number of costly hearings. Secondly, the Department has proposed a cost saving procedure to administer some hearings by having the regional field person make a short presentation directly to the Department's Hearings Officer. This presentation will be accompanied by an affidavit containing the Department's case. The affidavit will be mailed to the Respondent for review prior to the hearing to allow him fair opportunity to prepare his rebuttal. The Department's field staff will be available at the hearing to answer the Respondent's questions in lay language. The intent is to have a reasonable and fair hearing that will be publically acceptable. The Department of Justice would have no direct involvement in these hearings. No other staff would be involved in representing the Department in these cases. This procedure is being developed to handle the numerous hearings requested by permit applicants on parcels of 10 acres or larger pursuant to House Bill 3148. We will still need the direct assistance of the Department of Justice in courtroom trials. However, it is possible for the Department to assist in collecting complete file information, service of subpoenas, and other functions. Some of the significant cases and the more complex cases involving many issues of law will still have to be handled by the Department of Justice. However, the Investigation and Compliance staff is developing the expertise to handle some of these cases directly, using brief consultation with the Department of Justice prior to going to hearing. The Investigation and Compliance staff will maintain records of all contested case hearings and will

coordinate these hearings in a manner to keep the Director, the Hearings Officer, the Department of Justice, the DEQ Programs and Regions, the Contract Counties, and all other concerned parties informed.

Upon receipt of a letter requesting a hearing, acknowledgment will be given rapidly and a hearing will be scheduled immediately upon obtaining a complete file. However, once a hearing date is scheduled, it can be changed by mutual agreement of the parties or by the Hearings Officer. The Department will attempt to move cases as rapidly as possible, but it must be understood that legal matters can be lengthy. Both the Department of Justice attorneys and the Respondent's attorney have the right to request time for thorough and complete discovery. A case that is not too complex may move in 60 to 90 days. A complex case may take 6 months or a year. This is not unusually long compared to what is occurring in other state agencies. However, every effort will be made to expedite hearings in a realistic fashion and in a manner to avoid public dissent.

By consolidating our legal effort in coordination with the Department of Justice, the Department can economize on the enormous legal expenses which accumulate when the attorneys conduct the full detail of the legal work. In this way, the Department staff can manage numerous legal matters following guidelines set forth by the Department of Justice.

The Department of Justice is now reviewing the post-hearing draft of procedural rules which, if adopted, will enable the Commission to greatly expedite its review of non-complex contested case decisions.

Staff will continue to explore methods of avoiding unnecessary hearings and using the hearings process as a tool of mediation to obtain voluntary compliance with environmental law and regulation.

March 31, 1976

Mr. Joe B. Richards, Chairman  
Environmental Quality Commission  
777 High Street  
P.O. Box 10747  
Eugene, Oregon 97401

RECEIVED  
APR - 2 1976

DEPT. OF ENVIRONMENTAL QUALITY

Re: Franz Neff Dairy  
Scotts Mills Road, Marion County

Dear Mr. Richards:

I request to be placed on the agenda of an Environmental Quality Commission meeting, possibly that of April 30, for the purpose of seeking a solution to the serious problems arising out of the granting of a permit to Mr. Franz Neff by the Department of Environmental Quality for the purpose of establishing a factory-type dairy, a dairy that marks a radical departure, as supported by experience with this dairy so far, from normal dairy operations. This was done without benefit of a public hearing. Since its establishment in 1974 Mr. Neff has been known to pour cow manure effluence into public streams, thus creating the basis for the spread of disease. Further, noxious odors from the dairy operation have produced strong and negative reactions from the people living in the area. I do not consider that the Department has as yet taken the necessary steps permanently, with no possibility of recurrence, to free the community of the menace created by the establishment of this factory-type dairy.

I own acreage on Butte Creek adjacent to and downstream from Mr. Neff's property which also borders on Butte Creek. I shall build a residential house there for which I already have a permit, and also run animals.

I have approached the Department of Environmental Quality a number of times, at levels of administration from the Salem office to the Director's, beginning with a letter on September 10, 1974 when I first learned from a newspaper story of Mr. Neff's project, and ending with one on March 26, 1976.

I request the opportunity to present a formal statement before the Commission, taking about 10 minutes for this purpose. Whatever discussion time you allowed would be on top of that.

Very sincerely yours

*John James*

Dr. John James  
14782 S.W. Davis Lane  
Lake Oswego, Oregon 97034

cc: Mr. Peter McSwain, Hearings Officer  
Department of Environmental Quality



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Environmental Quality Commission  
From: Bud Kramer *Bud Kramer*  
Subject: EQC Meeting - April 30, 1976

Date: March 19, 1976

Previously scheduled for the Multnomah County Court-  
house, the April 30th EQC meeting is now planned for the  
Main Branch of the Albany City Library at 1390 S. Waverly  
Drive in Albany, Oregon. The field burning hearing will  
start at 10:00 a.m. Please be sure your communications  
with the public regarding hearings, meetings, etc. reflect  
this change.

LK:cm

cc: Division Heads  
✓ Peter McSwain  
Vi Treadwell

## NOTICE OF PUBLIC HEARING

RULE ADOPTION: (1) Acreage allocation and rules for field burning of perennial grass seed crops, annual grass seed crops, and grain crops in Multnomah, Washington, Clackamas, Marion, Polk, Yamhill, Linn, Benton, and Lane Counties and (2) rules for certifying equipment for alternatives to field burning for tax credit purposes.

NOTICE is hereby given that the Environmental Quality Commission of the State of Oregon will conduct a public hearing commencing at 10:00 a.m. on Friday, April 30, 1976 in the Main Branch of the Albany City Library, 1390 S. Waverly Drive, Albany Oregon.

The PURPOSE of the hearing will be to receive public testimony on proposed amendments to OAR Chapter 340, sections 26-005 through 26-030 and to set the maximum total registered acreage allowed to be open burned pursuant to Section 10 of Oregon Laws 1975, Chapter 559. The maximum set will be for the 1976 season.

TO BE CONSIDERED along with all relevant matters will be whether (a) there are insufficient numbers of workable machines that can reasonably be made available to sanitize the acreage if an acreage reduction is ordered; (b) there are insufficient methods available for straw utilization and disposal; and (c) reasonable efforts have been made to develop alternative methods of field sanitation and straw utilization and disposal, and such methods have been utilized to the maximum reasonable extent.

ALSO the proposals would delete from existing rules the reference to the acreage allocation for 1975, set a time for extinguishing field burning fires each day, set forth requirements for burning straw stacks, and set forth requirements for certifying equipment for alternatives to open field burning for tax credit purposes.

TESTIMONY may be oral or written and is invited from all interested persons. Written testimony may be offered at the hearing or mailed to the Department of Environmental Quality at 1234 S.W. Morrison Street, Portland, Oregon 97205. To be insured of inclusion in the record, mailed testimony should reach this address on or before April 15, 1976. The Commission reserves the right to set reasonable time limits on oral testimony.

COPIES of the proposals may be obtained at the following locations:

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Eugene, Oregon 97401

Department of Environmental Quality  
Salem-North Coast Region  
796 Winter Street  
Salem, Oregon 97310

Department of Environmental Quality  
1234 S.W. Morrison Street  
Portland, Oregon 97205

INQUIRY regarding the subject matter of hearing may be addressed to Mr. Scott Freeburn at the above mentioned Eugene office (686-7837) or Mr. Richard Vogt at the above mentioned Portland office (229-6270). Please inform those who may have an interest in this matter.



State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To:

Date:

From:

Subject:

- ① Penalty for over registration ✓
- ② Bonus to "big turn" - allowance of 100%
- ③ 100% allowance for acreage less than
- ④ next year  
- allowance for slope

Before we reconvene the meeting, Janet McLennan on behalf of the Governor's office asked to make an additional statement ~~and~~ and since it strongly favors the position of the growers in making an additional recommendation to us, I assume that there wouldn't be any objection from the other members of the audience. Janet, why don't you make that statement if you will.

JM

In listening to the testimony today and in trying to develop a theory upon which it seemed to me that you might properly and fully allocate the acreage of the proposal that I would make to you ~~for the~~ for the amended proposal the definite proposal that I would ~~make~~ make to you in ~~the~~ consideration of the field sanitation committee's earlier tentative considerations were suggested to you is as follows: ~~That~~ That the commission has determined now that the legal maximum of 195 acres may be burned that was your first conclusion. I would suggest to you that you make an additional finding that based upon the past history of burning as evidenced in the testimony here ~~and~~ today, it is reasonable to assume that a 10% overage may be allowed without sufficient permits ~~being~~ being exercised to exceed the legal maximum ~~of~~ acres to be burned. Now, this consideration is suggested with the understanding that these permits are not transferable, that is that they are personal permits, and that once they are allocated to a grower they would not be able to be transferred because if he started transferring the part that he had overestimated as in the case of Mr. Pope who says that he's got some much acreage that might be burned, but it ~~won't~~ won't all be burned if he finds other means of disposing of straw. But the only you can accommodate the overage that I'm suggesting is that portion of the acreage that Mr. Pope and others does not elect to burn is forfeited, it doesn't get transferred to another grower. Accordingly if you did that the Commission would make a finding that ~~it is~~ it is ~~not~~ justified in allocating ~~214,500~~ 214,500 acres to be burned and then I would suggest the following means of allocating that 214,500 for a big burn, whereby 10% of the acreage in a given area may be allowed to be burned under close supervision of the DEQ and there I would assume with the Seed Council to develop the site for the experiment and to elicit the cooperation of the subject growers. To determine meteorological information with respect to field burning, no more than ~~a~~ 100 acres. Of the figures ~~that~~ that was the highest of the acreages suggested for that ~~purpose~~ purpose in the testimony, others people said 4 - 6 - 7. 10,000 acres, I'm sorry=

of 4,000 each why that would be legitimate experimentation too, but to allot of the 214,500 acres 10,000 to ~~of~~ that goal. Then to allow up to 100 acres of each growers acreage to be burned and this I would reiterate would be the Governor's desire in the interest in administrative ease and ease of enforcement. That would consume another 62,500 acres, Then to allocate to the growers of the remaining ~~217,500~~ 217,500 acres registered to be burned in 1976 at the rate of 65% of the balance of the acres registered 142,000 acres. That is the remainder of the 214,500. Now that 65% is only 2% less than the percentage that would be accorded on a straight across the board allocation of the 290,000 registered to the 195,000 permitted that would allow 67%. I'm suggesting instead 100 acres plus 65. So you see the difference is very little and ~~is~~ indeed is to the advantage of almost all growers. Should 195 ~~acres~~ acres somehow be burned without all growers having been allowed at least 100 acres plus 65 to burn at least 100 acres plus 65% of the remaining acres desired to be burned. Then I suggest ~~that~~ that would suggest that you urge the Governor to give ~~favorable~~ favorable consideration to applications from such growers to permit hardship allotments in those cases. Now as you can understand ~~that~~ very few growers would be in that position. What would conceivably happen would be something at the end of the season and at that time almost all growers





9

would have been entitled to the 100 acres plus 65% and indeed have used them. But only a few might be left and those I would suggest, perhaps-- for instance in the bent grass category where you urge the Governor to give hardship consideration to if that condition arises. I do not expect it to be based on my study of the statistics of the past years. Then I would \_\_\_\_\_

What would be the earliest time significantly and/or the latest time that determination could be made? IN view of operating history per day. Would that fall in August?

JM Probably in September.

JM As I recall last year, you provided us with a weekly report of the number of acres ~~burn-~~ burned and so we would be in the position in the Governor's office to contemplate whether or not there was any likelihood of this happening and make provisions for ~~exped~~ expediting any kind of an application that appeared to be necessary. I would further suggest that you direct that a record be kept of those growers ~~we~~ who cooperate with our field sanitation committee in experimentation with field sanitation machines. In order that some special consideration may be given such growers ~~be given~~ to such growers during the 1977 burning season ~~Q~~ (this is what I suggested in my earlier testimony because of the difficulty of making any kind of accommodation or special considerations this year and because ~~of~~ next year because of the legal limits being reduced so much more the consideration would be much more meaningful. And then finally I would ~~ask~~ ask that you direct the staff to determine immediately which fields are impacted by slopes of such degree, soil so shallow and excessive rainfall by reason of which perinial rye grasses are the only known marketable ~~of~~ crops which may profitably be grown without causing irreparable erosion of the soil and report back to the commission at a subsequent meeting its progress on such a determination. And I would again reiterate that I think that you can seek to identify those fields by means of affidavits attested to by the growers on those fields or by inspection of your staff or by information ~~of~~ supplied by the Director of the Oregon Department of Agriculture. Areas so identified and found by your commission to be so impacted should be made a matter of record so that by next year or in some ~~of~~ ~~of~~ (if it is done promptly enough) cases this year that information can become a matter of record for the Governor in any consideration \_\_\_\_\_ on those particular acreages.

Are there questions??

I don't understand why allowing everybody 100 acres really saves administrative

JM Well, there's been testimony today that some growers make accommodations, that is they forfeit some of their acreage to small growers, some small growers in their communities, within their fire districts. This had not been, before today within my contemplation of what the law permitted. But ~~it~~ it is the advice of your hearings officer that is up to you to make a determination. It seems to me that rather than do that, it is better simply to say that X grower who is registered to burn 80 acres, is entitled to burn the 80 acres and not rely on some kind of accommodation to supplement his being allowed 72 acres for example. In terms of your testimony from your staff with respect to enforcement their indication was that it was ~~difficult~~ difficult if not impossible to enforce those diminutive acreages particularly when these the acreages might be ~~in~~ in different fire districts and spread out in different geographic locations. And so it seems to me that you would reduce your enforcement load by ~~half~~ about half by that technique.

Other Questions

Mr. Chairman



3

## Other Questions

JH ZMr. Chairman. My attention span is getting weak and I may tuned out. Did you say or do you feel that we should give some special consideration perhaps next year to growers who this year don't burn at all and therefore aren't counted as having as cooperated.

JM The ones that I think deserve special consideration next year are those who have cooperated in the experimentation that is going on with machines. Either because as the Huttons have they have built and are allowing statistics to be kept on the basis of the operation of that machine for the field sanitation committee or for those growers the sanitation committee's machines to be used on their acreage and statistics to be kept. Those are the ones I think that next year might be privileged.

JH I was sort of impressed with the testimony that said that the sanitizers probably will not be the salvation and that we should give some consideration to growers who are trying other methods. Is it too soon? Would the Governors office object to that?

JM I think you'd have difficulty deciding I think that those are legitimate ideas. And I think that by next year you may want to take those things into consideration as well. That is people who are experimenting with plowing under annuals people who are experimenting with chemicals and so on. Something called the crew-cut or very close cropping of straw. Some crops respond better than others to each of those different kinds of techniques. And I don't think that that's unreasonable as a matter of special consideration. But I think that you're going to have to take a lot more testimony about that and since it's prespective anyway and not until next year, I think you have got some time to consider that.

### Other questions

I wonder if you would want to broaden this matter of keeping records on the determination of steep slopes, shallow soil and whatnot. to include other areas that are apparently not suitable for crops other than seed grasses.

JM I would have no objections if you can think of other kinds of criteria than slope and depth of soil and rainfall. to your adding those. I don't have the standards to suggest to you with respect to making findings on what lands are going to fall within that hardship category. I think that it must be done and I think that you are going to have to take a lot of testimony in making that determination and your staff is going to have to bring you some recommendations and the industry as I am sure is going to participate with you in that determination. But I have no objection to your adding other hardship categories based on soil and terrain.

I don't know anything about \_\_\_ but it seems to me that we have heard that there are certain soils for instance that are unsuitable.

JM Yes  
I might mention one other thing in support of the allowance of 100 acres. And that is at least with-the-very- for the very small acreages, the people who own very little, they're their eventual use of the-machine- a machine is going to be dependent on their being able to rent one because they cannot presumably economically buy a machine. And until a machine is fairly well established and available on a rental basis in the valley, I think they may evidence some more hardship than people who have an economic unit that can support one or more machines.

Mr.



Mr. Vogt

Mr. Freeburn would you or Mr. Vogt in any way like to evaluate the latest suggestion that's made by the Governor's office. Or do you have any reaction. You don't necessarily have to respond, but if you have some strong reaction or guidance for the commission I'd appreciate it.

Vogt

I personally would like some verification-enclarification on a couple of those points should they be adopted. I understand the 10% overage and I do understand the computation if every grower is given the first 100% this would consume 62,500 acres and that's I didn't understand your remark delaing with the allowability or non-allowability of transfer of acreages. Or the remaining \_\_\_\_\_

JM

Under the terms of this suggestion acreage would not be transerable.

O.K. So what the staff had intended for this year - I wanted to see how it would be affected. Is that it would be basically allocated the acreages total of the allocated 200-fire-district to a fire district for them to handle iwthing within the fire district and work out the best way to accomplish the maximum burning up to their allowed limit and act as our agent in this. And we- we would provide them with a computer listing listing the grower in their district, the number of acres in their allocation allocated acreage if they chose to go this way tithin the district. Under this proposal they wouldn't be able to do ~~tan~~ that.

JM

I think we would be counting on the fact that not all of the acreage allocated would actually be burned. That's the reason for the 10% overage.

Vogt

I think we have been talking back here, I think there is a way we can assure probably with some degree of confidence assure you ~~it~~ that it wouldn't go over the 195,000 yet give the flexibility to the program and that would be to allocate to the fire districts that they have an allocation based on 195,000 acres ha that they could not exceed in their fire district. But an individual grower on the computer listing within that fire district based on the 195,000 10% overage. And this they could still be able to manupilate within their district but they would not be allowed to go over the allocation wittin their district which on a valley wide basis would only total the 195,000. This would seem more workable at least to the three of us that are directly involved.

So what you're saying is that you could buy that proposal as being- long as the allocation to the fire districts is still 195,000 total, but to the individual persons that are registered there would be the 200,000 some. Do you think then that would be controllable so that in no event would there be burned 195,000 more than 195,000 if it's \_\_\_\_\_

Vogt

We're relying on the fire permit agents as our agent They are restricted within their own fire district to only allow this much burning. But each one, they would realize that each one was, each grower was authorized this 10% overage and as they approached this total, they would have to take a closer and closer look at how the burning was going.

We would provide them with computer updates as to how the burning was going.

I

Sepaking for myself, I must say I take a ~~big~~ heart in that because I don't want to exceed the statutory authority, at the same time, this law doesn't say issue permits for 195,000, ~~the~~ it says they may burn 195,000. And I think this would be a very valid improvement in how we're administering the law. I just need your assurance that we 'd have some protection that barring an accident of some kind, there would not be more 195,000 burned.



5

I just wanted to address some of the other points here, I think that we can successfully coordinate with the Soil conservation Service and those individuals who have soil maps and know the problems involved here with the soil conservation and the wet lands and things like that that we could get this information. We could have it for a matter of record lets put it that way. by next season with out much problem.

What is the pleasure of the commission:

I move that we adopt the amended procedur~~e~~e as outlined .

Let me ask you, I'm feeling a little uncomfprtable with. I think Janet's made it quite clear as to how at least the broad outlines of ~~the~~ it could read I wonder if it would be better ~~if~~ to get a sensitive committee that a committee that if this is drafted in regulation form you could then support this kind of regulation, Now I would first like to try out on you the whole thing as a package and of course if any of you want to split the motion we are discussing at least five sepearate recommendations of the field sanitation committee, I'll do that, but while you're conferring there, what~~s~~ I was suggesting ~~was~~ we could take a vote on the sense of the committee if we're going to buy Janet's package. And yet anybody had the right to subdivide the question if you like.

Then I'll accept Dr. Crothers Motion that as a sense of the committee that we ~~will-in~~ would in effect be adopting Janet McLennan's proposal as modified further by Dick Vogt's explanation of how we have a failsafe limits, you had 195,000, Isth~~ere~~ere a second to the motion.

It's been moved and seconded would you like to discuss the motion?

I ~~think~~ ~~with~~ ~~mean~~ → I would visualize the mechanics being this, that if we got a sense of the committee certainly ten days to two weeks the regulations could be drafted and sent to us so that we could sit and look at them and then in a phone conference we could actually adopt/ all of the working and at that point actuall officially adopt the regulation/

There is one suggestion that I would like to make and that is that we ask the staff consider the practicality of keeping a record of fields not burned as well as those burned by machines.

That would come out in your computer data? Alright.

Is there any possibility for industry to respond to the suggested programs since we haven't had any opportunity to respond to that new program we were just offered.

Yes ther~~e~~ is, would you like to be a spokesman for the industry?

Mr. Lawrence would.

Would you approach the dias

Just one point and very quickly, the only one that seems to bother me very much is the complete lack of transferability that I gather she~~s~~ meant. ~~Now/I~~ For my point, let me tell you what the problem is and we're not trying to cheat on acres. We have farmers have ~~the~~ more than ~~farm-~~ or farms or acreage to be burned in more ~~xxx~~ than one~~s~~ fire district. Now when they get a quata reduction from what they signed ~~up~~ up to 63% there is some acreage that they would like to have burned. They're going to have to put some priorities on these. during maybe the couse of burning

he





6  
he will decide that I have signed up a hundred acres in fire district A and I have 200 in fire district B. When he gets down to it, well price changes or I get a little disease or something's happened I may want to move some of the acreage and burn some in fire district B instead of A. Now this is all I'm saying.

Could-

Let me how I understood Mr. Vogt's statement to the commission a few minutes ago.

That if you have the permits issued at the higher level, but have the fire district authorization at the 195 we no longer have to build into it the non-transferability because it's taking care of by itself. Because this I believe is why Janet suggested

The only thing I wouldn't

JM if you leave ~~it~~ to the fire districts the transferability that work and \_\_\_\_\_ of the interests \_\_\_\_\_ That is if you allow transferability of the larger acreage, but ~~you~~ have a ~~legal maximum on it~~ legal maximum on it they may expend their acreage in allowing certain transfers so that at the end of the season some the growers come forth who have not yet burned anything and they are told there is no more chance to burn. That's going to rest with your agents in the fire district a good deal of authority that's beyond your purpose.

I guess all I'm really saying in answer to that is that the industry has asked for a equity basically and ~~the~~ it ~~could~~ sounds like the industry is asking for the transferability to do equity with in that in if our job is to put the lid on the 195,000 in a most equitable basis, I'd rather let the industry shoulder the responsibility on that transferability and let them explain ~~it~~ to that grower ~~that there~~ at the very end of the season who got pushed out some way rather than come back to the commission. So I'm delighted to accept the transferability factor.

Wouldn't one of the elements be that you couldn't transfer between ~~the~~ fire districts?

That's O.K.

Any further discussion on the motion to adopt the sense of the commission? If not, call the roll.

(all say aye)

That will conclude the hearing on that but I think we have made a consensus here that you'll get the exact publication of the regulations ~~it~~ that will adopt this probably not before ten days to two weeks, certainly has to be done before June 1. But we'll have that printed by the Department, sent to us, make any ~~revised~~ revisions and adopt it probably in a telephone conference.

May I ask clarification of what you just did? If I see it correctly, you basically for those of us who farm over 100 acres you've cut us 2% of what is allowable under the 195,000 acres/ this year.

Not automatically, because you also are included in the 100 acres yourself.

O.K. But it makes, O.K.

It will be some reduction the 100 acres for a large grower will cause some reduction for a larger grower.

That large acreage farm, you're not recommending that all, in addition to ~~the~~ 195,000.



9

Oh yes, the large acreage burn is but included in the this total lid that's above 200,000 as far as the permits that will be issued, but it's not above the 195,000 that will actually be burned ~~as~~

You say that it is not above or it is above the 195,000 . We have no authority to exceed 195,000 , but we permitted you to permit more acres than 195,000. What's the exact figure again - 214,500.

Not of actual burn, you haven't

No we haven't, but we permitted you to burn up to the, ~~1%~~ likely burn up to the 195,000 instead of 10% below that.

In that big burn area some people would get 100 %.

But when some people are going to lose more than their 10%.

No. because that was taken before the 2% ~~was~~ taken-~~was~~ was calculated.

The big burn is part of the 2% that you've lost you see.

If I could make a brief observation about the big burn concept as it applies here. In order for big burns to be successful the entire acreage in the big burn must be utilized. Now this predisposes the possibility that some of the INVolved in big burn may be acreage which the under our management the farmer would not normally burn. This is the one area which gives a little bit of problem in that you are ~~see~~ forcing the farmer to possibly burn an area that he wouldn't o=normally want to include in his allocation.. There is a slight possible problem in that.

Well the big burn acreage may be part of the under burn. I mean it may be ~~decided~~ because of those problems not to experiment that much with ~~the~~ a big burn. if I understand your objection.

I don't know that I'm objecting, I'm pointing out that in possible areas of conflict with the allocation system in order for big burn ~~ing~~ to be successful it has to be 100% utilized ~~within~~ the block. Now, ~~it's~~ it's not necessarily so that every square inch in that block is something that comes under the ~~ea~~ classification of high priority burn as far as farm management goes and would not normally be burned.. ~~If-I-had~~ It might alternatively be have been plowed under. And now we're going to require it be burned. and include it in the 195,000.

O.K. I think I understand

\_\_\_\_\_ with the assurance ~~d~~ that the Governor's participation in the program, that if a disaster occurs that he will ~~bail-us-out~~ help bail it out on a hardship ease basis.

Thanks \_\_\_\_\_ Bla Bla



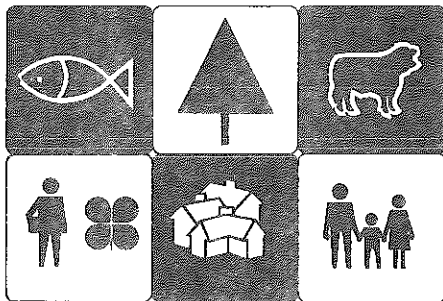
DISTRIBUTION OF GROWERS BY REGISTERED ACREAGE SIZE CLASS  
April 1976

Class Range of Acres Per Grower	Number of Growers in Class	Total Number of Acres in Class	Cumulative Acreage Total (1)
1- 100	323	16,098	16,098
101- 200	127	18,794	34,892
201- 300	70	17,525	52,417
301- 400	51	17,772	70,189
401- 500	37	16,607	89,796
501- 600	36	19,588	106,384
601- 700	25	16,178	122,562
701- 800	21	14,821	137,383
801- 900	13	11,146	148,529
901-1000	15	14,235	162,764
1001-1500	36	44,108	206,782
1501-2000	16	27,624	234,406
2001-3000	10	23,662	258,068
3000 up	7	32,770	290,838(2)
Total		787	

(1) Hand tabulated 4/29/76.

(2) Total of registered acreage by computer printout - 292,151 acres.

ESTIMATED COSTS FOR ESTABLISHING AND  
PRODUCING GRASS SEED CROPS,  
OREGON'S WILLAMETTE VALLEY, 1975



OREGON STATE UNIVERSITY  
**EXTENSION  
SERVICE**

annual ryegrass  
perennial ryegrass  
orchardgrass  
bentgrass  
merion bluegrass  
kentucky bluegrass  
tall fescue  
fine fescue

Department of Agricultural and Resource  
Economics

December, 1975

ESTIMATED COSTS FOR ESTABLISHING  
AND PRODUCING GRASS SEED CROPS  
OREGON'S WILLAMETTE VALLEY, 1975

The enterprise budgets presented in this report are intended to provide information on production practices and estimated costs for establishing and producing various grass seed crops grown in the Willamette Valley of Oregon. The purpose is to provide a guide to seed growers for estimating their own production costs. Growers need current cost information for making decisions such as acquiring additional land, purchasing machinery, and changing production practices.

The budgets are examples of seed production costs on typical farms. They have been prepared to represent costs for the 1975 production year with expected yields using the production practices described. The budgets should not be interpreted as "average" costs for seed production, because of the wide variety of situations and practices which exist.

To develop the budgets, the basic information regarding the size of farms, production practices followed, machinery costs, labor requirements, material costs, land values, and overhead expenses was analyzed and summarized in budget form. The budgets were then reviewed by selected seed growers throughout the Valley, revised, and printed in the present form.

Assumptions

1. The yields of cleaned grass seed were based on a normal crop year.
2. Labor requirements are for typical machine performance rates. An additional overhead requirement of 20 percent of direct labor was included to cover servicing and moving machinery, checking fields, and other seed production related activities.
3. Labor was charged at \$5.00 per hour for skilled machine operators and \$3.50 per hour for unskilled seasonal labor. These rates reflect wages, payroll taxes, and benefits. Management was charged at \$3.00 per acre.
4. The machinery, typically used on farms of this size and type, was assumed owned except where otherwise noted. Chemicals are applied on a custom basis. Machinery costs were based on their 1975 replacement costs assuming they were half depreciated, and include depreciation, interest on current value, insurance, property taxes, repairs (labor and parts), fuel, and lubrication.

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Prepared by Extension Farm Management Specialists Gene Nelson and Manning Becker; Extension Agents Steve Besse, Gale Gingrich, Gordon Herron, Hugh Hickerson, Dan Lowrie, and Harold Werth; and Extension Agronomist Harold Youngberg. The help of several seed growers and others who provided data for this study is gratefully acknowledged. December, 1975.

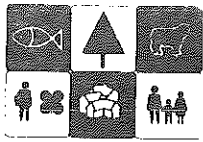


5. Fertilizer, seed, chemicals, etc. were charged at the prices paid by growers in the 1975 crop year.
6. Processing costs were based on typical rates charged for cleaning by custom operators on the gross in-weights of uncleaned seed.
7. Interest on current market value of land was treated as an opportunity cost assuming an alternate investment opportunity with a 9 percent annual return. Property taxes on land were based on Farm Use Value (FUV).
8. Interest and taxes were charged for .030 acres of land taken out of production for firebreaks.
9. Overhead expenses were estimated at 9 percent of total cash cost. These expenses include general and crop insurance, tools, shop, utilities, accounting fees, office, miscellaneous supplies, etc.
10. To determine the annual production costs, the establishment costs were amortized over the expected life of the stand at an interest of 10 percent.

#### Explanation

The estimated costs per acre are presented in each budget. The cultural and harvest operations are listed according to the machine used with the times-over (e.g., 1.5x) indicated in parentheses where it is other than one. The labor, machinery, and material costs are shown for each operation. The various cost categories are totaled by column for labor, machinery, and other items.

The cost of grass seed production is affected by a variety of factors including farm size, crop yield, production practices, machinery available, material costs, labor costs, etc. Because of the differences in grass seed farms, each grower should determine the costs of his own operation for making management decisions.



Based on:

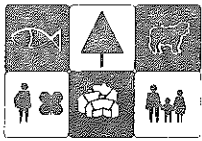
1. 500 acres
2. 1400-lb. yield
3. No-till method of production
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

INPUTS PER ACRE

Item	Labor		Machinery	Other		Total cost (\$)
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Drill seed & fert. (10' grassland drill)	.35	1.75	4.51	Seed	4.50	
				N-P	13.70	24.46
Fertilizer (spring)	.25	1.25	1.95	N	37.20	40.40
<u>Harvest Operations</u>						
Swath, 10'	.30	1.50	3.18			4.68
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	1.82			3.57
Processing (\$1.25/cwt. in.)				Custom	18.43	18.43
Bags (\$.60/cwt.)					8.40	8.40
Certification (\$.70 + .08/cwt.)					1.82	1.82
Seed tests (\$.07/cwt.)					.98	.98
Ryegrass Seed Comm.					.98	.98
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.40	2.00				2.00
Interest on land (\$750 @ 9%)					67.50	67.50
Taxes on land (FUV)					9.30	9.30
Operating capital interest (10%)					4.66	4.66
General overhead					9.50	9.50
Management charge					3.00	3.00
Cash Costs		2.03	10.70		112.47	125.20
Non-Cash Costs		9.19	17.44		70.50	97.13
Credit for grazing (sheep)		-	-		(2.00)	(2.00)
TOTAL COST		11.22	28.14		180.97	220.33
Cost per cwt. of seed						15.74

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.



OREGON STATE UNIVERSITY  
**EXTENSION  
 SERVICE**

ANNUAL RYEGRASS  
 South-Willamette Valley

Based on:

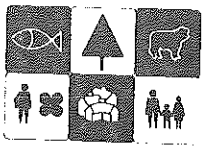
1. 500 acres
2. 1400-lb. yield
3. Till method of production
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

INPUTS PER ACRE

Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Plow, 5-16"	.35	1.75	4.73			6.48
Disc, harrow, roll, 12' (3X)	.75	3.75	10.19			13.94
Level, 12' (2X)	.50	2.50	9.75			12.25
Drill seed & fert., 12'	.30	1.50	3.90	Seed	4.50	
				N-P	13.70	23.60
Fertilizer (spring)	.25	1.25	1.95	N	37.20	40.40
<u>Harvest Operations</u>						
Swath, 10'	.30	1.50	3.18			4.68
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	1.82			3.57
Processing (\$1.25/cwt. in.)				Custom	18.43	18.43
Bags (\$.60/cwt.)					8.40	8.40
Certification (\$.70 + .08/cwt.)					1.82	1.82
Seed tests (\$.07/cwt.)					.98	.98
Ryegrass Seed Comm.					.98	.98
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.71	3.57				3.57
Interest on land (\$750 @ 9%)					67.50	67.50
Taxes on land (FUV)					9.30	9.30
Operating capital interest (10%)					5.57	5.57
General overhead					10.50	10.50
Management charge					3.00	3.00
Cash Costs		2.03	19.77		114.38	136.18
Non-Cash Costs		18.51	32.43		70.50	121.44
Credit for grazing (sheep)		-	-		(2.00)	(2.00)
TOTAL COST		20.54	52.20		182.88	255.62
Cost per cwt. of seed						18.26

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.



OREGON STATE UNIVERSITY  
**EXTENSION  
 SERVICE**

PERENNIAL RYEGRASS  
 South-Willamette Valley

Based on:

1. 250 acres
2. 800-lb. yield
3. 5-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>PRODUCING YEAR</u>						
<u>INPUTS PER ACRE</u>						
<u>Cultural Operations</u> <sup>1/</sup>						
Fertilizer (fall)	.25	1.25	1.95	N-P	13.70	16.90
Fertilizer (spring)	.25	1.25	1.95	N	34.10	37.30
Herbicide				Chem.	4.25	
				Custom	3.00	7.25
<u>Harvest Operations</u>						
Swath, 10'	.25	1.25	2.65			3.90
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	1.04			2.79
Processing (\$1.50/cwt. in.)				Custom	12.60	12.60
Bags (\$.60/cwt.)					4.80	4.80
Certification (\$.60 + .08/cwt.)					1.24	1.24
Seed tests (\$.07/cwt.)					.56	.56
Ryegrass Seed Comm.					.56	.56
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.37	1.87				1.87
Interest on land (\$750 @ 9%)					67.50	67.50
Taxes on land (FUV)					9.30	9.30
Interest and taxes on firebreaks					2.30	2.30
Operating capital interest (10%)					4.16	4.16
General overhead					8.40	8.40
Management charge					3.00	3.00
Amortized establishment cost (over)					15.50	15.50
Cash Costs		2.03	9.23		99.67	110.93
Non-Cash Costs		8.31	15.04		88.30	111.65
Credit for grazing (sheep)		-	-		(2.00)	(2.00)
<b>TOTAL COST</b>		<b>10.34</b>	<b>24.27</b>		<b>185.97</b>	<b>220.58</b>
Cost per cwt. of seed						27.57

1/ Check with your county agent for specific fertilizer and chemical recommendations.

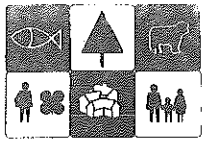
2/ Rake and plow firebreaks comprising about 3% of acreage.

PERENNIAL RYEGRASS  
South-Willamette Valley

ESTABLISHMENT YEAR	INPUTS PER ACRE					
Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Plow, 5-16"	.35	1.75	4.73			6.48
Disc, harrow, roll, 12' (3X)	.75	3.75	10.19			13.94
Level, 12' (2X)	.50	2.50	9.75			12.25
Drill seed	.30	1.50	3.90	Seed	7.00	
				N	6.20	18.60
<u>Other Costs</u>						
Overhead labor	.38	1.90				1.90
Operating capital interest (10%)					.40	.40
General overhead					2.20	2.20
Management					3.00	3.00
Cash Costs		-	11.14		15.80	26.94
Non-Cash Costs		11.40	17.43		3.00	31.83
TOTAL COST		11.40	28.57		18.80	58.77
Amortized establishment cost (5 years @ 10%)						15.50

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

December, 1975.



OREGON STATE UNIVERSITY  
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ORCHARDGRASS SEED  
 Benton, Polk, & Lane Counties

Based on:

1. 300 acres
2. 750-lb. yield
3. 8-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	PRODUCING YEAR		INPUTS PER ACRE			Total cost (\$)
	Labor Hrs.	Labor Value (\$)	Machinery (\$)	Other Item	Other Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Herbicide (fall)				Chem.	9.00	
				Custom	3.00	12.00
Spot spray weeds (3 men)	1.0	4.00	2.43	Chem.	2.00	8.43
Fertilizer (2X) spring	.50	2.50	3.90	N-P	53.40	59.80
Herbicide (spring)				Chem.	3.57	
				Custom	3.00	6.57
Insecticide (.5X)				Chem.	6.60	
				Custom	1.50	8.10
<u>Harvest Operations</u>						
Swath, 10'	.25	1.25	2.65			3.90
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	.98			2.73
Processing (\$2.50/cwt. in.)				Custom	23.50	23.50
Bags (\$.60/cwt.)					4.50	4.50
Certification (\$.90 + .08/cwt.)					1.50	1.50
Seed tests (\$.11/cwt.)					.83	.83
Orchardgrass Seed Comm.					2.40	2.40
<u>Post-Harvest Operations</u>						
Prepare firebreaks <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.57	2.87				2.87
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Interest & taxes on firebreaks					2.77	2.77
Operating capital interest (10%)					5.90	5.90
General overhead					12.60	12.60
Management charge					3.00	3.00
Amortized establishment cost (over)					37.23	37.23
Cash Costs		4.35	10.40		147.50	162.25
Non-Cash Costs		10.99	16.24		124.00	151.23
<b>TOTAL COST</b>		<b>15.34</b>	<b>26.64</b>		<b>271.50</b>	<b>313.48</b>
Cost per cwt. of seed						<b>41.80</b>

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.

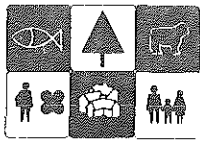
ORCHARDGRASS SEED  
Benton, Polk, & Lane Counties

ESTABLISHMENT YEAR	INPUTS PER ACRE					
Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Plow, 5-16" (spring)	.35	1.75	4.73			6.48
Lime				Custom	27.50	27.50
Disc, harrow, roll, 12' (3X)	.75	3.75	10.19			13.94
Level, 12' (2X)	.50	2.50	9.75			12.25
Drill seed & fert., 12' <sup>2/</sup>	.30	1.50	3.90	Seed	1.50	
				N-P	14.94	21.84
Spray herbicide				Chem.	1.83	
				Custom	3.00	4.83
Mow, 10' swather	.25	1.25	2.65			3.90
<u>Other Costs</u>						
Overhead labor	.43	2.15				2.15
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Operating capital interest (10%)					3.75	3.75
General overhead					6.80	6.80
Management charge					3.00	3.00
Cash Costs		-	11.97		70.52	82.49
Non-Cash Costs		12.90	19.25		84.00	116.15
<b>TOTAL COST</b>		<b>12.90</b>	<b>31.22</b>		<b>154.52</b>	<b>198.64</b>
Amortized establishment cost (8 years @ 10%)						37.23

1/ Check with your county agent for specific fertilizer and chemical recommendations.

2/ Chemical seedbed preparation using carbon would cost about \$45 per acre for labor, machinery, and materials.

December, 1975



OREGON STATE UNIVERSITY  
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BENTGRASS SEED  
 Marion & Yamhill Counties

Based on:

1. 150 acres
2. 350-lb. yield
3. 10-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>PRODUCING YEAR</u>						
<u>INPUTS PER ACRE</u>						
<u>Cultural Operations</u> <sup>1/</sup>						
Herbicide (fall)				Chem.	5.70	
				Custom	3.00	8.70
Insecticide (.33X)				Chem.	.80	
				Custom	1.00	1.80
Fertilizer (spring)	.25	1.25	1.95	N	31.00	34.20
Herbicide				Chem.	3.56	
				Custom	3.00	6.56
Spot spray weeds (3 men)	.5	2.00	1.21	Chem.	3.00	6.21
<u>Harvest Operations</u>						
Combine	.67	3.33	21.31			24.64
Hauling	.67	2.35	.62			2.97
Processing (\$3.00/cwt. in.)				Custom	12.36	12.36
Bags (\$.60/cwt.)					2.10	2.10
Certification (\$.90 + .08/cwt.)					1.18	1.18
Seed tests (\$.11/cwt.)					.39	.39
Highland Bentgrass Comm.					1.23	1.23
<u>Post-Harvest Operations</u>						
Prepare firebreaks <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.44	2.20				2.20
Interest on land (\$800 @ 9%)					72.00	72.00
Taxes on land (FUV)					9.90	9.90
Interest & taxes on firebreaks					2.46	2.46
Operating capital interest (10%)					2.15	2.15
General overhead					9.20	9.20
Management charge					3.00	3.00
Amortized establishment cost (over)					28.19	28.19
Cash Costs		3.80	9.99		92.57	106.36
Non-Cash Costs		7.80	15.88		105.65	129.33
<b>TOTAL COST</b>		<b>11.60</b>	<b>25.87</b>		<b>198.22</b>	<b>235.69</b>
Cost per cwt. of seed						67.34

1/ Check with your county agent for specific fertilizer and chemical recommendations.

2/ Rake and plow firebreaks comprising about 3% of acreage.

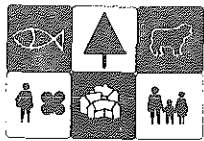


BENTGRASS SEED  
Marion & Yamhill Counties

ESTABLISHMENT YEAR	INPUTS PER ACRE						
	Item	Labor		Machinery	Other		Total
	Hrs.	Value		Item	Value	cost	
		(\$)	(\$)		(\$)	(\$)	
<u>Cultural Operations</u> <sup>1/</sup>							
Disc (3X) (fall)	.75	3.75	6.38			10.13	
Field cultivator (3X)	.67	3.33	5.44			8.77	
Field cultivator (10X) (summer)	2.23	11.15	18.09			29.24	
Harrow and roll (3X) (fall)	.5	2.50	4.10			6.60	
Drill seed & fert.	.30	1.50	3.90	Seed	2.50	24.10	
				N-P	16.20		
<u>Other Costs</u>							
Overhead labor	.69	3.45				3.45	
Interest on land (\$800 @ 9%)					72.00	72.00	
Taxes on land (FUV)					9.90	9.90	
Operating capital interest (10%)					1.92	1.92	
General overhead					4.10	4.10	
Management					3.00	3.00	
Cash Costs		-	17.02		34.62	51.64	
Non-Cash Costs		25.68	20.89		75.00	121.57	
TOTAL COST		25.68	37.91		109.62	173.21	
Amortized Establishment Cost (10 years @ 10%)						28.19	

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

December, 1975.



OREGON STATE UNIVERSITY  
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MERION BLUEGRASS  
 Willamette Valley

Based on:

1. 100 acres
2. 400-lb. yield
3. 6-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	LABOR		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>PRODUCING YEAR</u>						
<u>INPUTS PER ACRE</u>						
<u>Cultural Operations</u> <sup>1/</sup>						
Herbicide (fall)				Chem.	11.40	
				Custom	3.00	14.40
Fertilizer (fall)	.25	1.25	1.95	N-P-K	24.25	27.45
Fertilizer (spring)	.25	1.25	1.95	N	46.50	49.70
Herbicide (spring)				Chem.	2.06	
				Custom	3.00	5.06
Insecticide & rust control (3X)				Chem.	21.70	
				Custom	9.00	30.70
Roguing (2X)	4.5	15.75		Chem.	4.00	19.75
<u>Harvest Operations</u>						
Swath, 10'	.25	1.25	2.65			3.90
Combine	.67	3.33	21.31			24.64
Hauling	.67	2.35	.71			3.06
Processing (\$4.50/cwt. in.)				Custom	24.30	24.30
Bags (\$.60/cwt.)					2.40	2.40
Certification (\$.90 + .08/cwt.)					1.22	1.22
Seed tests (\$.11/cwt.)					.44	.44
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.44	2.21				2.21
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Interest & taxes on firebreaks					2.61	2.61
Operating capital interest (10%)					8.99	8.99
General overhead					17.53	17.53
Management charge					3.00	3.00
Amortized establishment cost (over)					70.83	70.83
Cash Costs		18.38	11.20		193.99	223.57
Non-Cash Costs		9.48	18.15		157.44	185.07
<b>TOTAL COST</b>		<b>27.86</b>	<b>29.35</b>		<b>351.43</b>	<b>408.64</b>
Cost per cwt. of seed						102.16

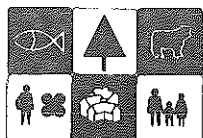
<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.

MERION BLUEGRASS  
Willamette Valley

ESTABLISHMENT YEAR		INPUTS PER ACRE				
Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Disc (2X)	.50	2.50	4.26			6.76
Sub-soiler	.60	3.00	7.15			10.15
Plow, 5-16"	.35	1.75	4.73			6.48
Culti-mulch (2X)	.50	2.50	6.89			9.39
Harrow & roll (3X)	.5	2.50	4.08			6.58
Level (2X)	.50	2.50	9.75			12.25
Lime				Custom	44.00	44.00
Harrow & roll	.17	.85	1.39			2.24
Chem. seedbed & drill (2 men)	.67	2.85	2.10	Chem.	8.30	
				Carbon	11.00	
				Mach. rent	4.50	
				Seed	9.00	
				N-P-K	20.48	58.23
Irrigation (2X)	3.0	10.50	18.00	Electricity	4.60	33.10
<u>Other Costs</u>						
Overhead labor	.76	3.79				3.79
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Operating capital interest (10%)					6.91	6.91
General overhead					13.40	13.40
Management charge					3.00	3.00
Cash Costs		11.67	18.12		133.39	163.18
Non-Cash Costs		21.07	40.23		84.00	145.30
TOTAL COST		32.74	58.35		217.39	308.48
Amortized establishment cost (6 years @ 10%)						70.83

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.



OREGON STATE UNIVERSITY  
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KENTUCKY BLUEGRASS  
 Willamette Valley

Based on:

1. 100 acres
2. 700-lb. yield
3. 8-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	PRODUCING YEAR		INPUTS PER ACRE			Total cost (\$)
	Labor Hrs.	Labor Value (\$)	Machinery (\$)	Other Item	Other Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Herbicide (fall)				Chem.	11.40	
				Custom	3.00	14.40
Fertilizer (fall)	.25	1.25	1.95	N-P-K	24.25	27.45
Fertilizer (spring)	.25	1.25	1.95	N	46.50	49.70
Herbicide (spring)				Chem.	2.06	
				Custom	3.00	5.06
Insecticide & rust control (2X)				Chem.	16.40	
				Custom	6.00	22.40
Roguing (1X)	2.25	7.88		Chem.	2.00	9.88
<u>Harvest Operations</u>						
Swath, 10'	.25	1.25	2.65			3.90
Combine	.67	3.33	21.31			24.64
Hauling	.67	2.35	1.14			3.49
Processing (\$4.50/cwt. in.)				Custom	42.00	42.00
Bags (\$.60/cwt.)					4.20	4.20
Certification (\$.90 + .08/cwt.)					1.46	1.46
Seed tests (\$.11/cwt.)					.77	.77
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.44	2.21				2.21
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Interest & taxes on firebreaks					2.61	2.61
Operating capital interest (10%)					8.47	8.47
General overhead					17.90	17.90
Management charge					3.00	3.00
Amortized establishment cost (over)					54.03	54.03
Cash Costs		10.51	11.33		203.61	225.45
Non-Cash Costs		9.48	18.45		140.64	168.57
<b>TOTAL COST</b>		<b>19.99</b>	<b>29.78</b>		<b>344.25</b>	<b>394.02</b>
Cost per cwt. of seed						56.29

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

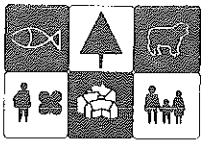
<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.

KENTUCKY BLUEGRASS  
Willamette Valley

ESTABLISHMENT YEAR		INPUTS PER ACRE				
Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Disc (2X)	.50	2.50	4.26			6.76
Sub-soiler	.60	3.00	7.15			10.15
Plow, 5-16"	.35	1.75	4.73			6.48
Culti-mulch (2X)	.50	2.50	6.89			9.39
Harrow & roll (3X)	.5	2.50	4.08			6.58
Level (2X)	.50	2.50	9.75			12.25
Lime				Custom	44.00	44.00
Harrow & roll	.17	.85	1.39			2.24
Chem. seedbed & drill (2 men)	.67	2.85	2.10	Chem.	8.30	
				Carbon	11.00	
				Mach. rent	4.50	
				Seed	3.00	
				N-P-K	20.48	52.23
Irrigation (1X)	2.0	7.00	11.00	Electricity	2.30	20.30
<u>Other Costs</u>						
Overhead labor	.76	3.79				3.79
Interest on land (\$900 @ 9%)					81.00	81.00
Taxes on land (FUV)					11.20	11.20
Operating capital interest (10%)					6.55	6.55
General overhead					12.30	12.30
Management charge					3.00	3.00
Cash Costs		8.17	17.12		123.63	148.92
Non-Cash Costs		21.07	34.23		84.00	139.30
TOTAL COST		29.24	51.35		207.63	288.22
Amortized Establishment Cost (8 years @ 10%)						54.03

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

December, 1975.



Based on:

1. 300 acres
2. 700-lb. yield
3. 8-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>PRODUCING YEAR</u>						
<u>INPUTS PER ACRE</u>						
<u>Cultural Operations</u> <sup>1/</sup>						
Fertilizer (fall)	.25	1.25	1.95	N-P	19.92	23.12
Herbicide (fall)				Chem.	6.00	
				Custom	3.00	9.00
Herbicide (spring)				Chem.	2.06	
				Custom	3.00	5.06
Fertilizer (spring)	.25	1.25	1.95	N	37.20	40.40
<u>Harvest Operations</u>						
Swath	.25	1.25	2.65			3.90
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	.91			2.66
Processing (\$2.00/cwt. in.)				Custom	16.00	16.00
Bags (\$.60/cwt.)					4.20	4.20
Certification (\$.90 + .08/cwt.)					1.46	1.46
Seed tests (\$.07/cwt.)					.49	.49
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.37	1.87				1.87
Interest on land (\$800 @ 9%)					72.00	72.00
Taxes on land (FUV)					9.90	9.90
Interest & taxes on firebreaks					2.46	2.46
Operating capital interest (10%)					5.83	5.83
General overhead					10.20	10.20
Management charge					3.00	3.00
Amortized establishment cost (over)					31.04	31.04
Cash Costs		2.03	9.20		122.26	133.49
Non-Cash Costs		8.31	14.94		108.50	131.75
TOTAL COST		10.34	24.14		230.76	265.24
Cost per cwt. of seed						37.89

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

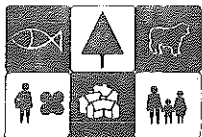
<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.

TALL FESCUE  
Willamette Valley

ESTABLISHMENT YEAR		INPUTS PER ACRE				
Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
Plow, 5-16" (fall)	.35	1.75	4.73			6.48
Disc, harrow, roll (2X)	.50	2.50	6.79			9.29
Level, 12' (2X)	.50	2.50	9.75			12.25
Harrow & roll	.25	1.25	2.04			3.29
Drill seed (spring)	.30	1.50	3.90	Seed	5.60	11.00
Fertilizer	.25	1.25	1.95	N-P	19.92	23.12
Herbicide				Chem.	2.06	
				Custom	3.00	5.06
<u>Other Costs</u>						
Overhead labor	.43	2.15				2.15
Interest on land (\$800 @ 9%)					72.00	72.00
Taxes on land (FUV)					9.90	9.90
Operating capital interest (10%)					3.25	3.25
General overhead					4.70	4.70
Management charge					3.00	3.00
Cash Cost		-	11.57		48.43	60.00
Non-Cash Cost		12.90	17.59		75.00	105.49
TOTAL COST		12.90	29.16		123.43	165.49
Amortized establishment cost (8 years @ 10%)						31.04

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

December, 1975.



OREGON STATE UNIVERSITY  
**EXTENSION  
 SERVICE**

FINE FESCUE  
 Clackamas & Marion Counties

Based on:

1. 250 acres
2. 550-lb. yield
3. 6-year life of stand
4. Machine operator labor @ \$5.00/hr.
5. Unskilled seasonal labor @ \$3.50/hr.

Item	Labor		Machinery	Other		Total cost
	Hrs.	Value (\$)		Item	Value (\$)	
<u>PRODUCING YEAR</u>						
<u>INPUTS PER ACRE</u>						
<u>Cultural Operations</u> <sup>1/</sup>						
Herbicide (fall)				Chem.	11.70	
				Custom	3.00	14.70
Fertilizer (fall)	.25	1.25	1.95	N-P	19.92	23.12
Fertilizer (spring)	.25	1.25	1.95	N	26.35	29.55
Spot spray weeds (3 men) (2X)	1.0	4.00	2.43	Chem.	3.00	9.43
Herbicide				Chem.	1.38	
				Custom	3.00	4.38
<u>Harvest Operations</u>						
Swath, 10'	.30	1.50	3.18			4.68
Combine	.50	2.50	15.90			18.40
Hauling	.50	1.75	.72			2.47
Processing (\$3.00/cwt. in.)				Custom	21.60	21.60
Bags (\$.60/cwt.)					3.30	3.30
Certification (\$.90 + .08/cwt.)					1.34	1.34
Seed tests (\$.10/cwt.)					.55	.55
<u>Post-Harvest Operations</u>						
Prepare firebreak <sup>2/</sup>	.018	.09	.25			.34
Field burning (5 men)	.1	.38	.53	Fee	3.00	3.91
<u>Other Costs</u>						
Overhead labor	.58	2.92				2.92
Interest on land (\$850 @ 9%)					76.50	76.50
Taxes on land (FUV)					10.50	10.50
Interest & taxes on firebreaks					2.61	2.61
Operating capital interest (10%)					6.05	6.05
General overhead					11.10	11.10
Management charge					3.00	3.00
Amortized establishment cost (over)					61.65	61.65
Cash Costs		4.36	10.51		125.79	140.66
Non-Cash Costs		11.28	16.40		143.76	171.44
TOTAL COST		15.64	26.91		269.55	312.10
Cost per cwt. of seed						56.75

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Rake and plow firebreaks comprising about 3% of acreage.



FINE FESCUE  
Clackamas & Marion Counties

ESTABLISHMENT YEAR	INPUTS PER ACRE					Total cost (\$)
	Item	Labor		Machinery (\$)	Other	
Hrs.		Value (\$)	Item		Value (\$)	
<u>Cultural Operations</u> <sup>1/</sup>						
	Disc (3X) (fall)	.75	3.75	6.38		10.13
	Field cultivator (3X)	.67	3.33	5.44		8.77
	Field cultivator (10X) (summer)	2.23	11.15	18.09		29.24
	Field cultivator (2X)	.45	2.25	3.61		5.86
	Harrow & roll (3X)	.50	2.50	4.10		6.60
	Drill seed (spring)	.30	1.50	3.90	Seed 10.00	15.40
<u>Other Costs</u>						
	Overhead labor	.98	4.90			4.90
	Interest on land (\$850 @ 9%) <sup>2/</sup>				153.00	153.00
	Taxes on land (FUV) <sup>2/</sup>				21.00	21.00
	Operating capital interest (10%)				5.62	5.62
	General overhead				5.00	5.00
	Management charge				3.00	3.00
	Cash Costs		-	18.64	41.62	60.26
	Non-Cash Costs		29.38	22.88	156.00	208.26
	TOTAL COST		29.38	41.52	197.62	268.52
	Amortized Establishment Cost (6 years @ 10%)					61.65

<sup>1/</sup> Check with your county agent for specific fertilizer and chemical recommendations.

<sup>2/</sup> Charged for 2 years.

December, 1975.

THE LEAGUE OF WOMEN VOTERS OF OREGON  
494 STATE STREET - SUITE 216  
SALEM, OREGON 97301  
581-5722

April 30, 1976

Statement to the Environmental Quality Commission on Field Burning Rules

I am Emily Schue of the League of Women Voters, representing both our state organization and the League of Central Lane County. The 2100 members of the Oregon League have been studying air quality and working for improvements in pollution control since 1967. We are pleased with the progress that has been made in the abatement of field burning smoke through burning controls, the construction and testing of burning machines, and straw marketing research.

We have considered the criteria developed by the Field Sanitation Committee for the allocation of the 195,000 acres to be burned this summer and find these recommendations fair and sensible. The 318 individuals with 100 acres or less are not enough of a problem to require controls other than the established burning regulations, in view of the administrative complexities required to supervise the partial burning of small plots. Farmers who test field burning machines will be making an extra effort and should receive some incentive. Hopefully their success with machine burning will reduce the total amount of smoke generated and speed the eventual solution of the overall problem. Hilly fields and those which were not burned last summer because permits were not available also deserve some special consideration as hardship situations.

The remaining allocation of available acreage will give other growers permission to burn 60% of their registered land. A straight across the board allocation of the allowed acres would give each grower a figure of about 68%. We feel this 8% adjustment for the reasons I have discussed will work to the best interests of the majority of the public.

The League of Women Voters wishes to recommend the adoption of these criteria.

Contact  
Emily Schue  
160 East 37th Avenue  
Eugene, Oregon 97405  
344-7597

RESOLUTION

WHEREAS, it is established that the soil and climate of the Willamette Valley are almost perfect for production of grass seeds, and a great deal of the soils are not suited for other crops, the valley is one of the few areas of the world that has this climate;

WHEREAS, this enables the seed growers to be a major source of the marketable seed for the world and has developed into an industry that is estimated to generate \$250,000,000 to the Willamette Valley economy annually;

WHEREAS, the grass seed industry and its satellite industries are responsible for an estimated 11,000 jobs in the Oregon economy;

WHEREAS, it is essential that the high quality which the Willamette Valley grass seed is noted for world wide, must be retained by growers to obtain their share of the world market;

WHEREAS, to attain the required purity of the seed crops the fields that produce them must be sanitized;

WHEREAS, the continuous research during the past several years has yet to establish an economical, feasible method that will replace open field burning and that universal adoption of current mobile field sanitizers would be damaging to the air quality of the Willamette Valley by keeping smoke at ground level;

WHEREAS, the end use, world wide, of the processed grass seeds affects the bulk of the human race in production of grass needed to produce pounds of beef, gallons of milk, dairy produce, pounds of lamb, the wool supply, and one of the prime sources of vegetable protein;

WHEREAS, no other crop does more to protect and beautify the environment than grass seed production;


BE IT RESOLVED, therefore, that the Albany Area Chamber of Commerce go on record in support of new legislation in lieu of Senate Bill 311 that will legalize the continued use of known and established methods of field sanitization until proven economic alternative methods are established and available.

ADOPTED BY THE ALBANY AREA CHAMBER OF COMMERCE on this 30th day of April, 1976.

  
\_\_\_\_\_  
Dr. Marvin L. Evans, President

RESOLVED: That the foregoing resolution is recommended by members of the Agriculture and Rural Affairs Committee for adoption to the Board of Directors of the Albany Area Chamber of Commerce this 22nd day of April, 1976.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE

  
\_\_\_\_\_  
Jack Wood, Chairman

Friday, April 30, 1976

Mr. Chairman and Members of the Commission:

I will try and explain what has happened to the value of the grass seed industry in the last three years. The following figures are extracted from the United States Department of Agriculture Seed Crops dated January 1976.

OREGON (IN THOUSANDS OF DOLLARS)	1973	1975
Red Clover Seed . . . . .	\$ 2,789	\$ 1,914
Orchardgrass Seed. . . . .	\$ 5,677	\$ 2,754
Merion Ky. Bluegrass . . . . .	\$ 2,578	\$ 864
Bentgrass . . . . .	\$ 5,011	\$ 2,573
Chewings Fescue . . . . .	\$ 4,004	\$ 1,420
Tall Fescue Seed . . . . .	\$ 3,330	\$ 1,266
Red Fescue Seed . . . . .	\$ 4,423	\$ 1,463
All Ryegrass Seed. . . . .	\$33,408	\$26,082
TOTALS . . . . .	\$61,220	\$38,336

(IN ACRES)	1973	1975
Red Clover Seed . . . . .	16,000	12,000
Orchardgrass Seed. . . . .	19,000	12,000
Merion Ky. Bluegrass . . . . .	7,000	4,000
Bentgrass Seed . . . . .	29,000	21,000
Chewings Fescue . . . . .	14,000	11,500
Red Fescue Seed . . . . .	14,500	13,000
Tall Fescue Seed . . . . .	18,500	13,500
All Ryegrass Seed . . . . .	180,000	180,000
TOTALS. . . . .	298,000	267,000

This is quite dramatic, with the startling total showing a reduction of \$22,884,000 at the farm gate. This is a 35 percent reduction.

Much of this reduction has been created by the lesser demand for export of U.S. seed and the threat hanging over farmers of no field burning. Certainly, the price of wheat over the last two years has had some influence.

However, we all know that it would be disastrous for our growers to plant wheat on wheat on wheat, for disease and pest reasons--as well as we cannot expect \$4.00 wheat in the future. The present market is \$3.50 per bushel. There are many thousands of acres, however, which are not suitable for cereal production.

The uncertainty created in the minds of our customers, both here and abroad, has become very evident. Our own Director of Agriculture was questioned by the directors of agriculture of consuming states showing their alarm at not having adequate supplies of quality forage and amenity grass seed available to them.

An expression of this concern has become apparent by the reduction in the number of acres being produced for export under the OECD certification program,

Oregon State University reports that, in 1975, the preliminary survey shows that through January 1976 only 4,514,000 pounds of foreign varieties were OECD tagged, and 825,280 pounds of U.S. varieties were certified under the OECD scheme; making a total of 5,339,000 pounds to date. At this late date, this will be the major part. This represents approximately 78% of the volume from the 1974 crop year which is a substantial reduction.

The estimate by Oregon State University of the acreage to produce grass seeds in 1976 of the same crops as the U.S.D.A. figures mention, totals 209,000 acres versus 267,000 in 1975; down almost 30 percent since 1973.

Because of the anticipated reduction in acres to be burned under Senate Bill 311 our customers in Japan and Australia are putting their production contracts in Denmark and New Zealand instead of Oregon, knowing full well the quality will not be as good. However, because the Danes and New Zealanders are able to burn, their seed will meet the disease requirements necessary to import the resulting crops back to Japan and Australia. There is now a proposal in Canada to require a phytosanitary certificate on grass seed that has to be imported, to show virtually no ergot or nematodes. Their weed restrictions are also being tightened. Canada is presently the United States' largest seed customer.

Another example of the severe economic effects of reduced open field burning and the threat of no open field burning in a few years is Orchardgrass; today's market is \$25.00 per hundred pounds.

To illustrate why our acreage is down, there was the week of Jan. 12, a sale of 70 metric tons of Danish Certified Orchardgrass at \$24.50 per hundred pounds, freight paid in bond to Great Lakes ports. The import duty is \$1.20 per hundred pounds and the freight from Oregon to the Great Lakes area would be a \$1.75, so that the duty and the freight are a wash.

The Danish Orchardgrass grower received a \$12.50 per hundred pound subsidy from European Economic Community Government. The Oregon Orchardgrass grower has paid a \$3.00 per-acre tax for his field burning permit; and two years from now it will be \$8.00, that is IF he is allowed to burn at all!

The tragedy in this inequality is the Danish farmer can burn. However, the European seed is inferior to that of our Willamette Valley growers; and based on the present acreage in Oregon and the U.S., the consuming farmer will have, in 1977, no alternative than to use poorer quality imported Danish seed--subsidized by the European Economic Community Government--which will not only affect the U.S. balance-of-payments; but deprive the Oregon grower and economy of this income.

My company, Northrup King, and we are only one, will have to import approximately 500 tons of Danish Orchardgrass in the 1976-77 season, and none of it will come through Oregon.

There is another factor which has arisen which the administration should be very much aware of. With reduced field burning and stacks of rotting straw all over the Valley, we are seeing a substantial increase in complaints of rodents in seed.

It is most interesting, that an "AP" story datelined Salem, printed in the Thursday Jan. 15, 1976, press, states, "Oregon ranks 11th in the number of Bankruptcies".

We have seen, continously from the Labor Department, statistics that Oregon has one of the highest unemployment rates in the nation and the Linn County area--the heart of the grass seed industry--has one of the highest rates in the state.

To illustrate the effect of the uncertainty of the future of the grass seed industry, in the Willamette Valley, I have had to recommend to Northrup King not to proceed with our \$300,000 to \$500,000 plant expansion in Tangent until such time as we can be assured of our grass seed production. I mentioned this fact to the Governor in January and have received no encouragement. This is the type of happening which is giving Oregon it's no growth reputation. I believe the last figure was, Oregon is 40th in desirability for any industry to relocate in.

To further illustrate the uncertainty of our future here, we have joined with other seed firms to research a grass seed production capability study in Colorado. We have also sent stock seed to Europe of one of our proprietary fine-leave perennial reyrgrasses for the first time to allow production there. We have production tests on our varieties in both Australia and New Zealand.

It seems to us here, and we have the D.E.Q.'s figures, that we are the cause of less than 12% of Eugene's smoke last year in three months of the summer. Because of this, we are being told by the present administration, which have their political strength in Eugene, that you are to be run out of business regardless of the damage to Oregon's economy. At the same time, we hear that members of the administration are running off to bring industry into Oregon; industry which will have to use farm land to build on. This is the same farm land which is one of the sources of food for the world. There are no other crops which do more to protect and beautify the environment than the grass seed production.

It is tragic and ironic what I am about to say. I think you probably notice that my accent shows where my birthplace was. Here we are celebrating our Bicentennial and I, a naturalized American citizen of English birth is having to say to you that 200 years ago your forefathers knocked the tar out of my forefathers to obtain freedom and to eliminate "taxation without representation". Here we have seen an appointed not elected majority of the Sanitation Committee, none of whom have any empathy for the grass seed industry, spending the fee money paid by growers for their burning permits, continually ignoring the advice of the farm members of the Committee and railroading through their own ideas. If this is not taxation without representation I don't know what is.

I would like to suggest that these same members be forced to drive the tractors that pull the ten field sanitizers they insist on, and that each field sanitizer be made to pass both a federal and state O.S.H.A. test before they are allowed to be used.

Thank you for your time.

AN ECONOMIC ASSESSMENT  
OF  
ANNUAL COSTS AND RETURNS TO GRASS SEED PRODUCTION  
BY SEED TYPE IN OREGON'S WILLAMETTE VALLEY, 1959 to 1975

by  
Frank S. Conklin  
and  
Jon Dean

Agricultural Experiment Station  
Oregon State University  
Corvallis

March 1976

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AN ECONOMIC ASSESSMENT OF  
ANNUAL COSTS AND RETURNS TO GRASS SEED PRODUCTION  
BY SEED TYPE IN OREGON'S WILLAMETTE VALLEY, 1959 to 1975

by

Frank S. Conklin and Jon Dean<sup>1/</sup>

Price and cost instability is a characteristic of annual ryegrass production in Oregon's Willamette Valley as shown in a recent study by Conklin and Wilson [3]. While price variability has been an issue for many years, it has only been since 1971 that cost variability also has emerged as an important consideration. Over time market prices, crop yields and prices of purchased inputs used in the production process do change and serve to alter the level of returns for this grass seed. While 1968, 1969, and 1973 generally were profitable years for ryegrass production, either low returns or losses occurred in twelve of the fifteen years from 1959 through 1973.

The 1975 grass seed situation again appears poor based on market price of grass seed. However, the actual situation cannot be determined accurately without investigation. The purpose of this study is to assess the absolute and relative profitabilities of producing the eight major grass seed types grown in the Willamette Valley during the 17 year period from 1959 through 1975. The seed types include annual ryegrass, perennial ryegrass, orchardgrass, tall fescue, bentgrass, fine fescue, Merion Kentucky bluegrass and other Kentucky bluegrass.

Study Procedure

Intensive farm surveys, such as conducted with 147 Willamette Valley grass seed producers in 1969, are an accurate means for determining farm and enterprise costs and returns [2]. Unfortunately, it is expensive and time

<sup>1/</sup> Frank S. Conklin is Associate Professor and Jon Dean is a graduate student, Department of Agricultural and Resource Economics, Oregon State University, Corvallis.

consuming so alternative procedures often are sought out. So it is in this study.

This study uses information from several primary and secondary sources. Farm gate prices used are average annual prices for Oregon reported by OSU Extension Service and USDA Statistical Reporting Service jointly [1]. Grass seed yields represent averages for Willamette Valley grass seed production reported by OSU-USDA [1]. These yields in turn are adjusted using information from the 1969 field survey to represent yields for "low" and "high" cost producer categories. Annual production costs were derived from the 1969 field survey and updated from changes in the prices of purchased inputs using price indices. Annual price indices were obtained from USDA sources for selected production cost components [1]. Price indices for fertilizer and land charge categories use Oregon data while the remaining categories represent U.S. averages. These production cost estimates for 1975 are compared with those obtained from an alternative source to appraise overall estimating accuracy. The comparative source uses Enterprise Cost Studies for the major grass seeds obtained for 1975 by the OSU Extension Service [4].

The study presents first the annual Oregon farm gate prices for each of the eight grass seed types from 1959 through 1975 as reported by OSU-USDA. Next, the average annual yields by seed type for Willamette Valley producers as reported by OSU-USDA is presented. The price and yield information then is combined to generate gross returns. Presentation of production cost then follows including a comparison of costs derived using the price index approach with the alternative procedure of Enterprise Cost Studies. The gross return and production cost information are combined to show net returns per acre by seed type over time for "low", "average", and "high" cost producer categories. The net returns information then is used to assess historical and current economic well-being of the Willamette Valley grass seed industry.

#### Average Annual Farm Price For Grass Seed

The average annual farm gate price received by producers of Oregon grass seeds is presented graphically in Figure 1 by seed type for the 17

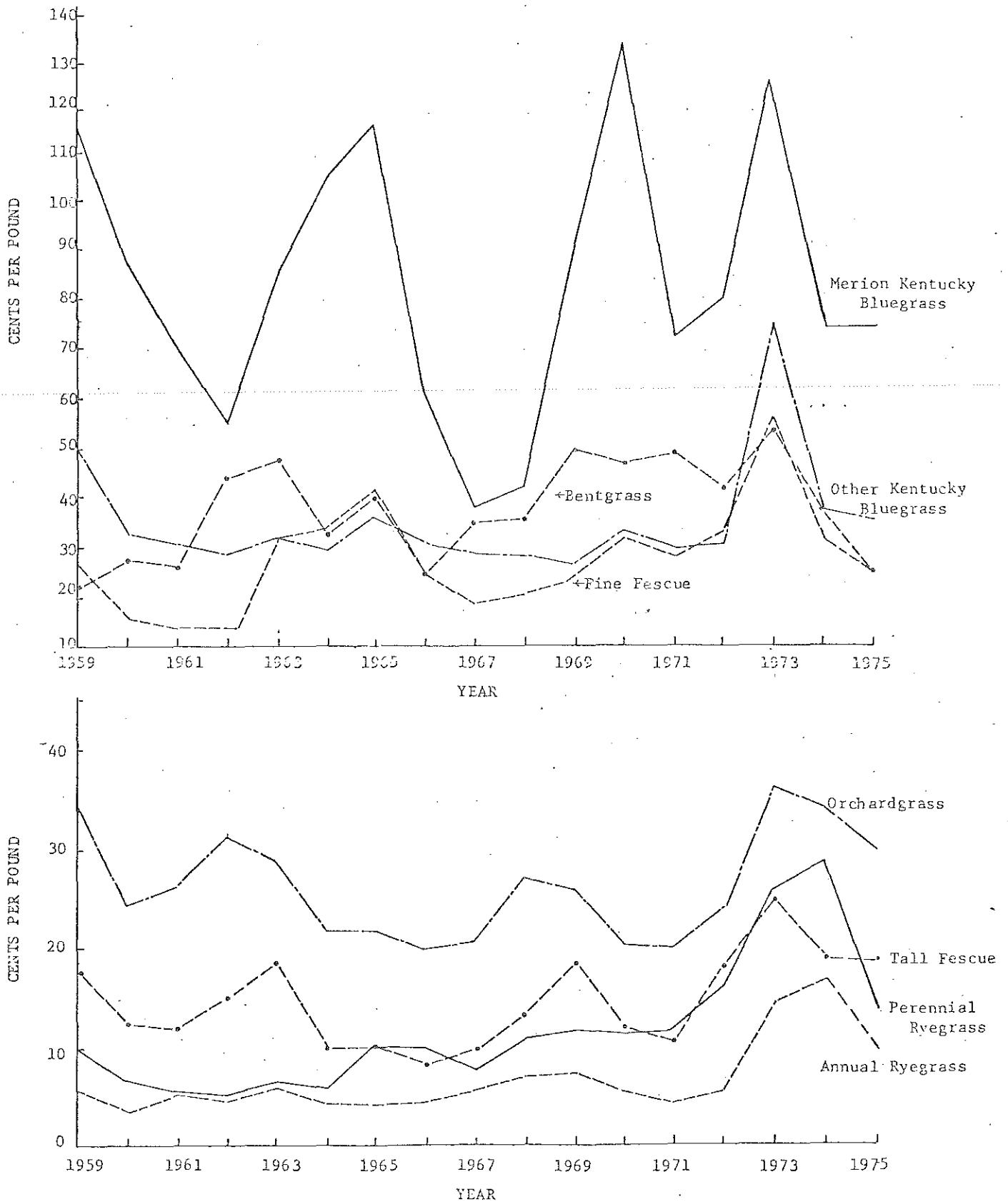


Figure 1. Average price per pound received by Oregon growers by grass seed type, 1959-1975.

SOURCE: Statistical Reporting Service, U.S.D.A. and Oregon State University Cooperating.

year period from 1959 through September 1975. A tabular presentation is shown in Appendix Table 1. Figure 1 shows that wide variations in farm gate price occur from year to year as a regular market phenomenon. While record or near record high grass seed prices were realized in 1959, 1969, and 1973 for most grass seed types, they were followed by record or near record price lows in 1961, 1967, 1971, and 1975. Boom or bust farm price situations prevail in the Oregon grass seed market, not unlike other segments of Oregon and U.S. agriculture. The relative magnitude of price variation is presented in Appendix Table 2. Annual and perennial ryegrasses had the lowest average farm gate prices with 6.52¢ and 11.54¢ per pound, respectively. Merion Kentucky bluegrass had the highest average farm price at 83.18¢ per pound. Annual and perennial ryegrasses were the most risky of the grass seeds on the basis of relative price changes over time. Orchardgrass and bentgrass were the least price risky. The magnitude of the coefficient of variation term for each grass seed type shown in Appendix 2 measures relative price riskiness.

There is a characteristic of farm sales of grass seed not evident from annual price quotations which is worthy of noting. Nearly all grass seed sales reported within a specific calendar year represent grass seed produced in the previous calendar year. For example, most of the 1975 crop production is held in farm and dealer storage until after January 1, 1976 and sold during the 1976 calendar year. This is because very little demand exists for grass seed for turf, cover crop, and pasture purposes until in the spring. Only very limited amounts of grass seed used for winter overseeding in the southeastern and southwestern U.S. move into market channels in the late fall and winter months following seed harvest.

#### Average Annual Yield

Grass seed, like other non-irrigated crops, is subject to considerable year-to-year yield variability because of weather and other natural forces. Seed growers themselves contribute to yield variation over time by adopting new seed varieties, changing the level of fertilizer and herbicide use, and changing cultural practices to meet changing social and economic conditions.

A graphic presentation of average annual yields from 1959 through 1974 for the eight major seed types grown in the Willamette Valley is shown in Figure 2. A tabular presentation of the yield data is given in Appendix Table 3. Yield averages for other Kentucky bluegrass and orchardgrass seed types are for the eleven-year period from 1964 through 1974 since yields were not reported for those two crops prior to 1964. Annual ryegrass had the highest average yield of 1,263 pounds per acre, while bentgrass had the lowest with 277 pounds per acre. The relative magnitude of year-to-year yield variation is presented in Appendix Table 4. While absolute yield variability measured by standard deviation was quite different between seed types, relative yield variability measured by the coefficient of variation was remarkably similar for each of the eight grass seed types. This very likely reflects similar seed type growth responses to weather changes and similar field cultural practices across grass seed types.

A linear trend line was calculated for each seed type and shown in Figure 2 as the straight line passing through the erratic yield line. The variation around the line represents weather influences primarily while the slope of the trend line represents, for the most part, the yield effect from technology change over time. Annual ryegrass shows the greatest positive yield effect from technology of 24 pounds per year average increase. Other Kentucky bluegrass exhibited no positive yield trend. Perennial ryegrass was the only seed type exhibiting a negative yield trend. This reflects the continuing grower shift from public to proprietary varieties which have lower average yields and greater yield variability but much higher market quality characteristics than do the public varieties of perennial ryegrass.

#### Average Gross Returns

Annual price and annual yield data are combined to generate annual gross returns. Annual gross return results are presented in tabular form in Appendix Table 5. Of greatest interest is average gross returns and its seasonal variation over the seventeen-year period for each seed type. This result is presented in Table 1. Annual and perennial ryegrasses are, relatively speaking, the most risky grass seed types in terms of the combined yield and

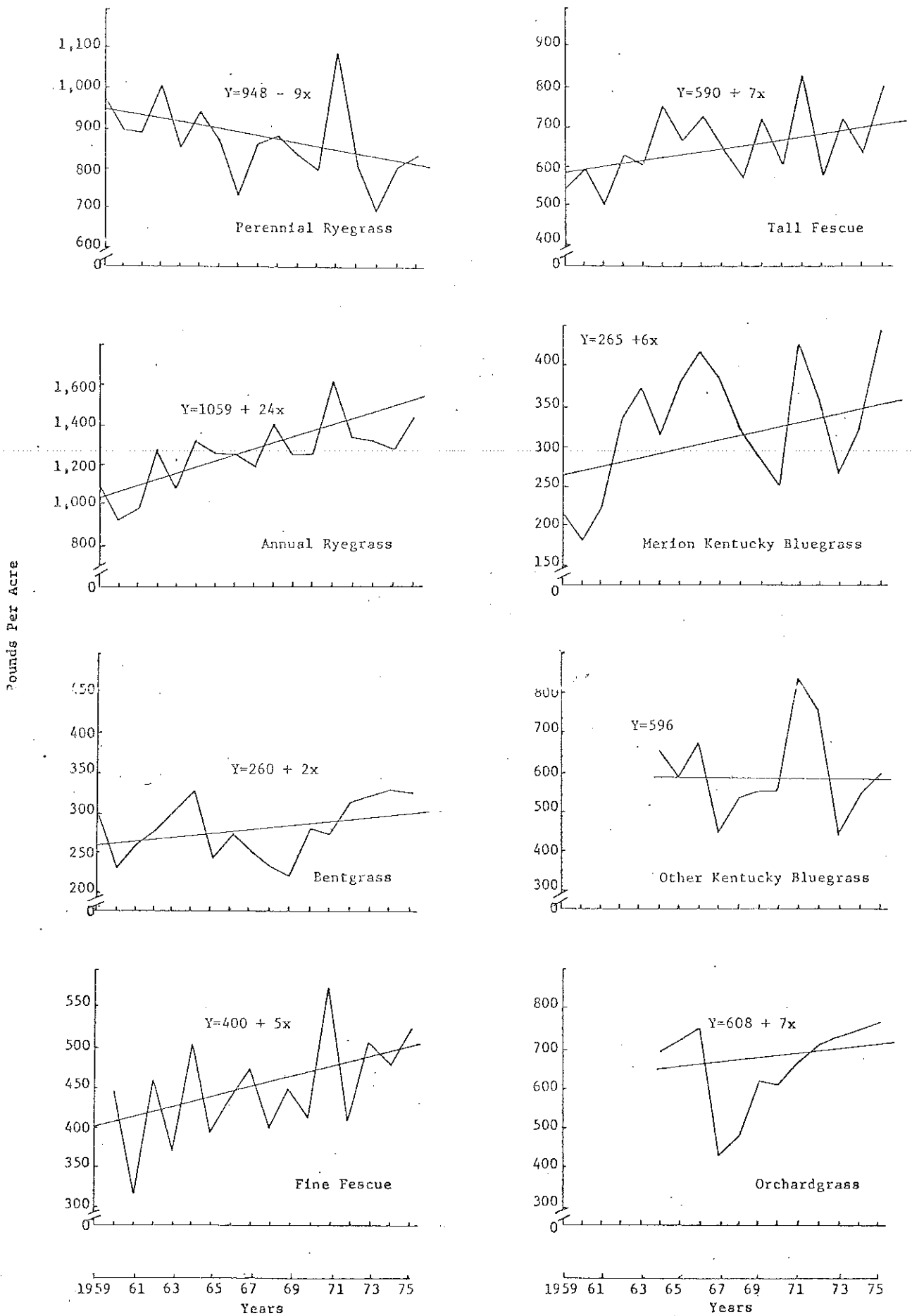


Figure 2. Average annual yields per acre for eight selected grass seed types grown in the Willamette Valley, Oregon, 1959-1975.

price variability effects. Other Kentucky bluegrass, orchardgrass, and bentgrass were, relatively speaking, the least risky. In general, however, all grass seed types were quite risky in terms of the combined effect of price and yield variability. Coefficient of variation comparison between Appendix Tables 2 and 4 indicate that market price is a much larger contributor to income instability than is production.

Table 1. Average Gross Return Per Acre and Dispersion Characteristics by Grass Seed Type, Willamette Valley Oregon, 1959-1974.

Seed Type	Mean <sup>a/</sup> gross income (per acre)	Standard <sup>b/</sup> deviation	Coefficient <sup>c/</sup> of variation
Annual ryegrass	81.57	46.82	.57
Perennial ryegrass	95.69	49.09	.51
Tall fescue	91.59	31.02	.34
Orchardgrass	166.63	50.19	.30
Bentgrass	190.32	33.05	.30
Fine fescue	127.18	56.26	.44
Merion Kentucky bluegrass	235.49	103.31	.44
Other Kentucky bluegrass	217.76	58.75	.28

SOURCE: Data from which the mean price, standard deviation and coefficient of variation were derived is from Appendix Table 1.

<sup>a/</sup> Average for the 17 year period 1959-1975, Willamette Valley, Oregon.

<sup>b/</sup> Standard deviation ( $S_x$ ) measures how far from the mean each item within a frequency distribution is located, a  $\pm S_x$  measures the expected range of dispersion within which an element will be two-thirds of the time.

<sup>c/</sup> Coefficient of variation =  $\frac{S_x}{\bar{x}}$  = standard deviation expressed as a percent of the mean.

## Estimated Production Costs

Determination of production costs is complex. There are several reasons for this. First, the prices of the components which make up production costs change over time. Secondly, the relative importance of specific components in the production process change over time and thirdly, production practices and costs between seed types and between growers producing the same seed type often differ considerably. These factors result in large cost differences between grass seed producers. It is no small surprise that when cost of production is referred to that issues of (1) what cost components are being specified, and (2) whose production costs are to be considered, become appropriate questions.

The relative price changes for selected production components used in production of grass seed are treated first. This is followed by a presentation of the procedure used in estimating annual production costs, then concludes with specification of production costs over time by seed type and production cost level reflecting production practice differences between growers of the same seed type.

### Change in Price of Purchased Inputs

Annual price changes are presented in tabular form for selected production cost categories from 1959 through 1975 in Appendix Table 6 and expressed as index numbers using 1969 as the base year.

From 1959 through 1971, increases in the prices of purchased inputs were minimal, averaging 1 to 2 percent per year. The absolute price of fertilizers declined while those for herbicides and gas and oil used in machine operations stayed nearly constant. Labor and land value prices showed the largest increases averaging 3 to 4 percent per year.

Since 1971, strong inflationary pressures in the U.S. have influenced the price of purchased inputs. Price increases since 1969 for selected production inputs are shown graphically in Figure 3. Fertilizer price increases were the most dramatic. The oil crisis in the fall of 1973 precipitated a 136 percent increase in the price of fertilizer from 1973 to 1974. Relatively speaking however, the oil crisis was far less dramatic on gasoline and oil prices for machinery than some people thought. These prices increased only



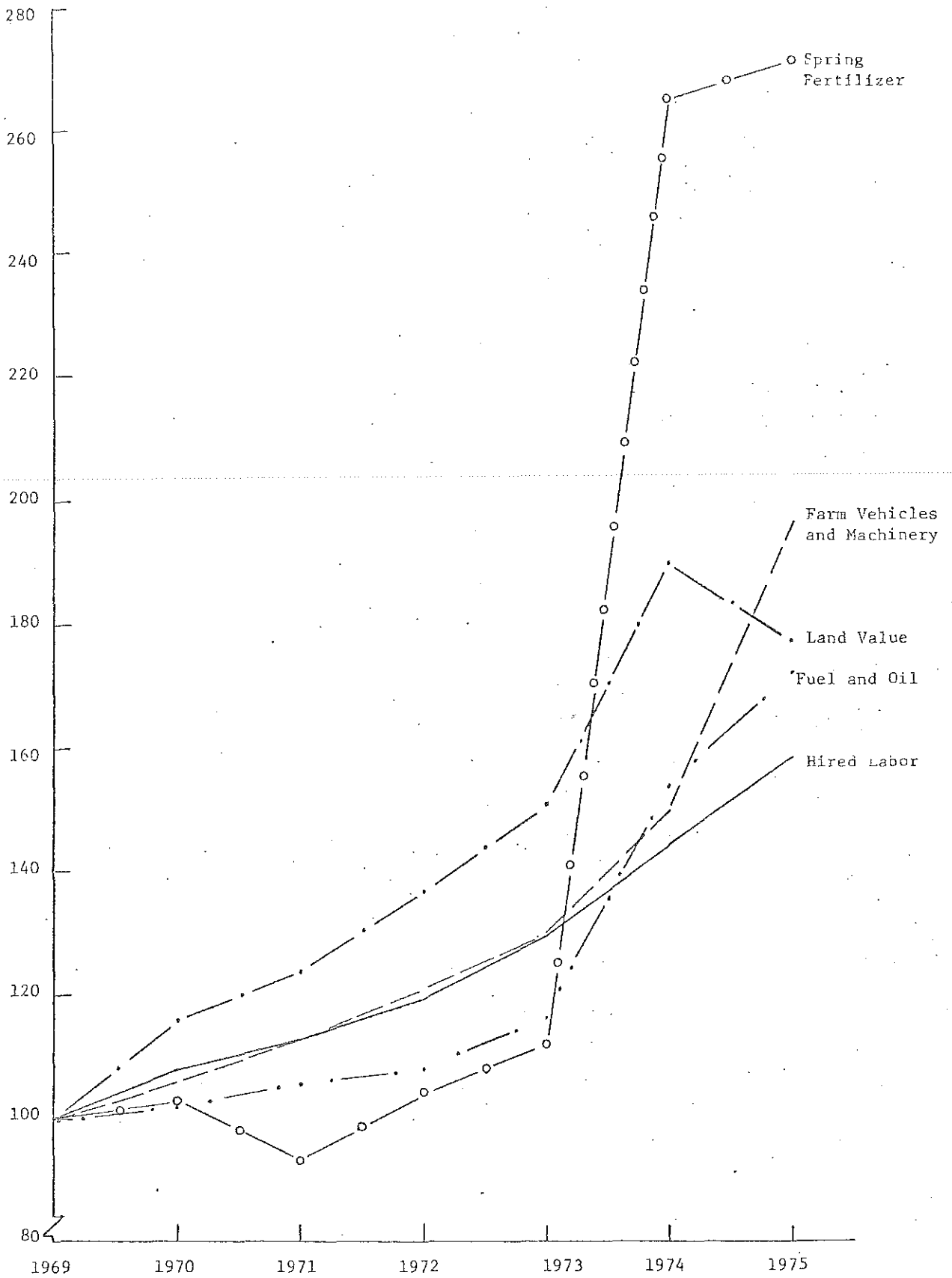


Figure 3. Relative prices paid by grass seed producers for selected production inputs, 1969-1975 [1969=100].

SOURCE: Agricultural Prices, Annual Summary 1973, Pr 1-3(74) and Pr 1 (12-74) Monthly Summary, Crop Reporting Service, U.S.D.A., Washington, D.C.

NOTE: Fertilizer and land values are quoted for Oregon. The remainder represent U.S. averages.

slightly more rapidly than did labor prices which, of the major production inputs, had the smallest rate of increase since 1969.

Land as an input increased in price relative to other inputs at a rate slightly higher than the other inputs from 1959 through 1974, thereby increasing its absolute role in determination of total production costs of grass seed. In 1975, the absolute price of Oregon non-irrigated land declined, the only input to do so since 1971. The marked drop in price of grass seed and other Oregon grown crops such as wheat since 1973 has very likely been a contributing factor. Land rents, a proxy for land value, show the same trend. On Benton County lands, rents declined some \$4 to \$11 per acre from 1974 to 1975 for Class I, II, and III non-irrigated land used for grass seed production. In Linn County, which has somewhat better drained land than Benton County for those land classes, a constant or slight increase in rental values from 1974 to 1975 occurred [5]. The extent to which this one-year dip can be viewed as a trend is speculative. Market conditions for Oregon produced crops, availability of cost-reducing technology for grass seed growers, use of land as a capital gains hedge against inflation, and urbanization pressures will likely be important forces influencing Willamette Valley land values in the future.

#### Estimation of 1975 Production Costs

Price indexes discussed in the previous section are used to update production costs from the 1969 field survey for each of eight cost categories. To demonstrate the computational procedure used, 1975 production costs are shown in detail in Table 2 for annual ryegrass. This procedure, with exception of one cost component, is the same as that used by Conklin and Wilson in reporting annual ryegrass costs from 1959 through 1974 [3]. A cleaning and processing cost component was added to this study which was inadvertently excluded from the 1969 field survey. Cleaning and processing costs are a legitimate production, rather than marketing, cost for Pacific Northwest produced seed since it is sold at the farm gate on a cleaned and bagged basis with market price quotations reflecting that condition. In other parts of the U.S. farm gate price represents grass seed sold on a field run or "in the dirt" basis. Cost estimate for cleaning and processing are derived from 1975 Enterprise Cost Study estimates.

Table 2. Estimated Average Production Cost Per Acre for Annual Ryegrass in 1975, Using Price Indices and 1969 Actual Costs.

Cost components <sup>a/</sup>	1969		Price index (1969 = 100)	1975 <sup>b/</sup>	
	Actual cost <sup>a/</sup>	% of total		Estimated costs	% of total
Machine operating costs.....	\$10.24	29	172 <sup>c/</sup>	\$17.61	27
Machine overhead costs.....	15.37		196 <sup>d/</sup>	30.13	
Materials					
Fertilizer <sup>e/</sup> , Fall.....	3.60	18	267 <sup>f/</sup>	9.61	24
Spring.....	10.40		271 <sup>f/</sup>	28.18	
Herbicides.....	.38	10	169 <sup>g/</sup>	.64	8
Seed.....	1.44		229 <sup>h/</sup>	3.30	
Hired labor.....	1.66	10	159 <sup>i/</sup>	2.64	8
Operator labor.....	6.67	10	159 <sup>i/</sup>	10.61	8
SUB-TOTAL.....	\$49.76	57	(206) <sup>j/</sup>	\$102.72	59
Amortized establishment costs .....	2.98	3	206 <sup>k/</sup>	6.17	4
General overhead <sup>m/</sup> .....	2.64	3	176 <sup>n/</sup>	4.65	3
Land change <sup>o/</sup> .....	17.11	20	177 <sup>p/</sup>	30.28	17
Cleaning and processing <sup>q/</sup> .....	17.86	17	206 <sup>k/</sup>	30.61	17
TOTAL PRODUCTION COSTS.....	\$87.80	100	(197) <sup>j/</sup>	\$174.40	100

<sup>a/</sup> Component categories and costs taken from Table 13, page 53, of "Economic Characteristics of Farms Producing Grass Seed in Oregon's Willamette Valley," Agricultural Experiment Station Circular of Information 643, Oregon State University, November 1973 [2]. Costs for "average grower" conditions were used which represent the average of 44 sample farms producing annual ryegrass on Dayton (Whiteland) soils in Linn, Benton, and Lane Counties.

<sup>b/</sup> Because the study was conducted in September 1975, average 1975 calendar year price indexes were not yet available. The most current price indexes by USDA reported cost categories were used for 1975.

The USDA categories and their reporting dates are as follows:

"Motor Supplies" - July, 1975  
 "Farm Machinery" - September, 1975  
 "Fertilizer (Oregon)" - April 30, 1975  
 "Farm Supplies" - August, 1975  
 "Seed" - September, 1975  
 "Wages" - September, 1975  
 "Production Items" - September, 1975

<sup>c/</sup> "Motor Supplies" category [1].

<sup>d/</sup> "Farm Machinery" category [1].

<sup>e/</sup> Fall applied fertilizer is in the form of 16-20-0 while spring applied is 21-0-0 (ammonium sulphate).

<sup>f/</sup> Oregon prices for 16-20-0 and 21-0-0 [1].

<sup>g/</sup> "Farm Supplies" category [1].

<sup>h/</sup> "Seed" category [1].

<sup>i/</sup> "Labor" category [1].

<sup>j/</sup> Obtained as a direct calculation of the 1975 total as a percentage increase from the 1969 total.

<sup>k/</sup> An average annual seeding cost which reflects grasslanding for a 3-year period followed by complete seedbed preparation, including plowing, prior to seeding only once every four years [2].

<sup>l/</sup> Assumed to increase at the same rate as the average of the cost categories shown above.

<sup>m/</sup> Includes such general items as office expenses, dues, travel, income tax preparation, legal fees, etc.

<sup>n/</sup> Assumed to increase at the same annual rate as "Production items, interest, taxes, and wage rates" category [1].

<sup>o/</sup> Includes property tax and interest on average investment.

<sup>p/</sup> Estimated by the index of average values/acre of dryland in Oregon. Farm Real Estate Market Developments, CD-79, ERS, USDA, Washington, D.C., July, 1975.

<sup>q/</sup> Estimated from 1975 Enterprise Cost Studies, OSU Extension Service.

The 1975 cost components with annual ryegrass show a 59 to 171 percent cost increase from the 1969 base year. The largest increases, exceeding 160 percent, occurred with spring and fall applied fertilizers and seed. The smallest cost increases were in the hired and operator labor categories with a 59 percent change. The materials component increased its share of total production cost by a few percentage points due primarily to the oil crisis. Because fuel and oil used in machine operations comprise such a small percentage of total production costs, 14% in 1969 and 12% in 1975 for annual ryegrass, their relative importance has declined in spite of increased fuel prices.

Estimated 1975 production costs were calculated for the "low", "average", and "high" cost producer categories used in the 1969 field survey. Low and high cost extremes were obtained by averaging cost data from the four sample farms in the survey within each seed type which had the lowest and highest operating costs respectively for each seed type. Merion Kentucky bluegrass and other Kentucky bluegrass seed types were lumped together for production cost purposes since the 1969 field survey did not treat them separately. The 1969 base period actual costs are presented in Appendix Table 7. The 1975 estimated production costs are summarized in Table 3.

Comparison between "low", "average", and "high" cost producer categories shows a tremendous degree of cost variability among producers growing the same seed type. For each seed type the high cost producer had production costs per acre approximately double that for the "low" cost producer. Factors which contributed to the large cost differences between farms were diverse. A highly complex set of unique characteristics existed on each sample farm and the way in which they were combined influenced the income obtained. Consequently, the factors which made one grower a high cost operator could not be generalized as causing high costs for other operators. However, the high cost producers generally used more fertilizer and chemicals than did the low cost producers. As a result, they were more adversely affected by the oil crisis than were "low" cost producers.

#### Comparison With 1975 Enterprise Cost Studies

Price indices, as used in this study, measure changes in the general price level for inputs used in the production of grass seed. However, they do not

Table 3. Estimated 1975 Annual Production Costs Per Acre by Seed Type for "Low", "Average", and "High" Cost Producers, Willamette Valley Oregon.

Cost Components	Annual Ryegrass			Perennial Ryegrass			Bentgrass			Jull Fescue			Fine Fescue			Orchardgrass			Kentucky Bluegrass			
	low	avg.	high	low	avg.	high	low	avg.	high	low	avg.	high	low	avg.	high	low	avg.	high	low	avg.	high	
<b>Machine costs</b>																						
Operating.....	11.63	17.61	27.00	5.92	11.46	19.59	12.80	14.47	19.57	5.34	12.14	20.57	14.90	17.01	25.94	6.33	14.71	23.00	12.04	17.96	23.19	
Overhead.....	19.87	30.13	46.00	10.09	18.60	31.16	21.81	24.74	33.50	8.56	19.27	35.22	25.46	29.05	44.32	16.82	25.11	39.38	20.54	30.69	39.61	
<b>Materials</b>																						
Fertilizer - Fall....	2.35	9.61	2.38	2.46	7.48	25.63	3.12	8.52	26.97	7.85	15.19	20.29	0	15.46	30.49	2.35	17.00	37.27	5.50	13.46	25.15	
- Spring....	14.82	28.18	41.79	12.60	30.62	48.67	21.46	25.77	37.43	18.70	36.10	48.29	19.84	20.16	26.18	23.39	29.30	39.08	27.29	34.09	46.04	
Herbicides.....	.54	.64	2.10	4.11	5.49	14.62	4.07	8.79	18.39	6.88	13.25	17.75	5.92	10.61	12.96	7.01	11.34	22.71	12.91	16.56	32.28	
Seed.....	2.31	3.30	21.62	.92	.92	.92	.50	.50	.50	.52	.53	.53	.91	1.24	1.24	1.15	1.15	1.15	1.44	1.44	1.44	
<b>Labor</b>																						
Hired.....	1.11	2.64	3.82	1.48	2.31	2.58	1.64	2.15	3.59	2.37	3.20	4.55	.76	1.24	1.35	2.42	3.45	6.82	2.43	3.28	7.57	
Operator.....	4.39	10.61	15.28	2.73	5.09	6.71	6.52	8.59	14.36	3.86	5.31	7.44	6.87	11.21	12.26	3.61	8.05	10.26	7.30	9.79	11.40	
<b>Amortized Establishment Costs</b>																						
Costs.....	6.05	6.17	6.11	13.40	15.91	21.24	10.41	19.93	39.72	12.80	15.49	19.68	16.48	29.17	65.46	15.93	18.82	26.25	18.44	24.79	33.39	
<b>General Overhead</b> .....	2.46	4.65	6.88	2.02	3.78	6.69	3.38	4.66	7.96	2.55	4.77	7.04	3.84	5.63	8.99	3.06	5.17	8.41	4.10	6.27	23.53	
<b>Land Charge</b> .....	30.28	30.28	30.28	33.70	33.70	33.70	31.01	31.01	31.01	32.66	32.66	32.66	26.62	26.62	26.62	35.31	35.31	35.31	34.41	34.41	34.41	
<b>Cleaning &amp; Processing</b> .....	<u>30.61</u>	<u>30.61</u>	<u>30.61</u>	<u>19.76</u>	<u>19.76</u>	<u>19.76</u>	<u>17.26</u>	<u>17.26</u>	<u>17.26</u>	<u>22.15</u>	<u>22.15</u>	<u>22.15</u>	<u>26.79</u>	<u>26.79</u>	<u>26.79</u>	<u>32.73</u>	<u>32.73</u>	<u>32.73</u>	<u>28.36</u>	<u>38.40</u>	<u>46.43</u>	
<b>TOTAL PRODUCTION COSTS</b> ...	126	174	234	109	155	231	134	166	250	119	180	231	148	194	283	150	202	282	175	231	331	
Price Index ..... [1969 = 100]	196	199	200	195	202	206	196	197	201	192	203	199	194	197	201	199	200	202	204	199	223	

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measure absolute or relative changes which occur in the physical quantities of inputs used over time. Cost affects from technological change are an example. The price indices merely extrapolated physical relationships which existed at the time of the field survey in 1969. If a technological change occurs over time, price indices may overstate or understate actual costs. The Willamette Valley grass seed industry has been undergoing considerable change since 1970. More costly alternative field sanitation and residue removal cultural practices have begun to replace lower cost traditional open field burning which is no longer socially acceptable for environmental reasons.

The Enterprise Cost Study approach permits measurement of technical and economic relationships which exist at a particular moment in time. Its primary purpose is to provide a format and procedure to assist growers in determining cost of production by crop on their own farm for a given year. It is useful only secondarily as a source of comparative information. The basic information regarding farm size, production practices, machinery costs, labor requirements, material and other costs, are obtained from a small group of selected growers. It is generally not possible to determine the extent to which the selected growers are representative of the industry. At times, those selected may be the more progressive, innovative growers. The usual approach is to hold a meeting of the selected growers. The cost information is summarized in a budget format using a consensus approach in arriving at what is perceived by the group to be a typical cost estimate for each cost component. This approach, of course, does not allow for measuring the economic and physical variability which exists among farms.

The purpose for comparing the index number approach with the Enterprise Cost Study approach is to identify any discrepancies and/or deficiencies which occur with either approach. A summary of estimated 1975 production costs by seed type derived from the Enterprise Cost Study approach is presented in Table 4. A detailed specification of cost components and the basis for their calculation is presented elsewhere [4]. The results from Table 4 may be compared against the estimated 1975 production costs derived by price indices shown in Table 3. While the cost categories used in each approach are not identical, they are similar enough that cost comparisons can be made without great difficulty. An initial comparison of total costs generated by each

Table 4. Estimated 1975 Average Production Costs Per Acre by Grass Seed Type, from Enterprise Cost Studies, Willamette Valley Oregon.

Item	Annual ryegrass		Perennial ryegrass	Orchard-grass	Bentgrass	Merion bluegrass	Kentucky bluegrass	Tall fescue	Fine fescue
	(no-till)	(till)							
Fertilizers.....	\$ 50.90	\$ 50.90	\$ 47.80	\$ 53.40	\$ 31.00	\$ 70.75	\$ 70.75	\$ 57.12	\$ 46.27
Chemicals <sup>a/</sup> .....			7.25	28.67	20.06	54.16	43.86	14.06	22.08
Labor and management <sup>b/</sup> .....	14.22	23.54	13.34	18.34	14.60	30.86	22.99	13.34	18.64
Machinery <sup>c/</sup> .....	28.14	52.20	24.27	26.64	25.87	29.35	29.78	24.14	26.91
Land charge <sup>d/</sup> .....	76.80	76.80	79.10	94.97	84.6	94.81	94.81	84.6	89.61
Amortized establishment <sup>e/</sup> .....			15.50	37.23	28.19	70.83	54.03	31.04	61.65
Processing and cert. <sup>f/</sup> .....	30.61	30.61	19.76	32.73	17.26	28.36	48.43	22.15	26.79
Other <sup>g/</sup> .....	19.66	21.57	13.56	21.50	14.35	29.52	29.37	19.03	20.15
TOTAL PRODUCTION COSTS..	\$222.33	\$255.62	\$220.58	\$313.48	\$235.69	\$408.64	\$394.02	\$265.24	\$312.10

SOURCE: Nelson, Gene, Manning Becker, Steve Besse, Gale Gengrich, Gordon Herron, Hugh Hicherson, Dan Lowrie, Harold Werth, and Harold Youngbug. "Estimated Costs for Establishing and Producing Grass Seed Crops, Oregon's Willamette Valley," 1975.

<sup>a/</sup> Materials and custom application.

<sup>b/</sup> Hired and operator labor and management.

<sup>c/</sup> Depreciation, interest, taxes, insurance, repairs, fuel, and lubrication.

<sup>d/</sup> Interest and taxes including firebreaks.

<sup>e/</sup> Annual cost to amortize establishment of stand.

<sup>f/</sup> Cleaning, bags, seed tests, and commodity commission fees.

<sup>g/</sup> Operating capital interest, general overhead, field burning fee, seed for annual ryegrass, minus any credit for grazing.

approach shows the Enterprise Cost Study estimates to consistently higher. They either were comparable to the "high" cost producer category or they exceeded it. Comparison of individual cost components is necessary to evaluate the basis for specific cost differences.

Fertilizer costs from the Enterprise Cost Studies were within the range of the "low" and "high" cost producer categories for all seed types except annual ryegrass and the bluegrasses. Plowdown is increasing in importance as a cultural practice on annual ryegrass. The additional fertilizer cost on annual ryegrass may be explained by heavier use of nitrogen to enhance decomposition of the stubble after plowdown. For the bluegrasses, an increasing importance of proprietary varieties which require extra care including additional fertilization may explain the higher cost. Further, it must be recognized that small sample size in the 1969 field survey required combining of all bluegrasses into one seed type category thereby precluding measurement of cost differences between specific bluegrass types.

The contrast with chemical use was similar to that with fertilizer. Updating of the 1969 survey found chemical costs ranging only as high as \$20 per/acre across seed types. It ran as high as \$50 per/acre on bluegrasses in the Enterprise Cost Study estimates. This difference cannot be explained generally but may be related to the increases in proprietary varieties which, for economic reasons, may justify chemical sanitation and, for biological reasons, are more sensitive yield wise to weed competition than public varieties.

Hired and operator labor costs again showed the same contrast. The higher costs from the Enterprise Cost Studies reflect a higher wage per hour for machine operator labor, \$5 per hour, and the inclusion of a \$3 per acre management charge.

Machinery costs were consistently lower with the Enterprise Cost Studies by \$6 to \$20 per acre. This may reflect that some machinery, labor, and chemical input substitution has occurred from 1969 to 1975. Another possibility is that there are procedural differences in machine cost calculations between the two approaches. It is difficult to allocate the overhead cost (depreciation, interest, taxes, insurance and repairs) component of machine costs to individual enterprises. Any allocation scheme is somewhat arbitrary. The problem is



compounded as cost standardization procedures are used to "average" machine costs among many farms, as was done with both cost estimation approaches. Cost standardization, while having simplicity in its favor, totally negates between farm differences due to economies of size, machine utilization and field performance effects. It is impossible to tell which of the two procedures comes closest to providing a representative average of 1975 machine costs.

Comparison of amortized establishment costs indicates no great differences except for orchardgrass, fine fescue and the bluegrasses. Their difference is attributable, to a large degree, to the years of stand life assumed. The 1969 field survey had stand life on the perennial grasses ranging from 10 to 17 years. The Enterprise Cost Studies assumed 5 to 10 years. It is not unreasonable to assume that stand life will decrease as more acreage is devoted to proprietary grass seeds which are more sensitive to climatic and cultural practices changes than the traditional public varieties.

As stated earlier, a cleaning and processing cost component was added to the production cost list of this study. This omission from the 1969 field survey was detected in the initial comparison between the two cost estimates. Because the 1969 field survey update uses the Enterprise Cost Studies as its source, the cost quotation is identical in each approach for cleaning and processing.

A miscellaneous cost category is used in each approach. It is called "general overhead" in the 1969 field survey update and "other" in the Enterprise Cost Studies. The costs ranged from \$6 to \$9 per acre in the former and from \$14 to \$30 per acre in the latter. In the former it was intended to include such farm overhead costs as office expenses, dues, and travel. This was estimated at 5 percent of operating and establishment costs in 1969 and due to general price increases, was increased to about 7 percent in 1975. The "other" category from Enterprise Cost Studies was estimated at 9 percent of total cash costs and included general and crop insurance, general office expenses, field burning fee and miscellaneous supplies. The estimate from the 1969 field survey update appears to be somewhat conservative and a 9 percent rate seems to be more realistic. Since both approaches use a similar arbitrary procedure, their accuracy depends on the cash cost component to determine if any bias exists. If

cash costs are biased on the high side, a "miscellaneous" or "other" cost category compounds any upward cost bias.

The final comparison involves the land charge category. Here the contrast is the greatest. The Enterprise Cost Studies show a cost range of \$77 to \$95 per acre across seed types. This result is \$45 to \$60 per acre higher than the 1969 field survey update. Comparison of the results with 1975 and 1976 land rent values from Linn and Benton County tax assessors indicate that the 1969 update is accurate. The discrepancy can be explained in that ownership rather than land rental costs were used in the Enterprise Cost Study calculations. Assuming that the market values given for land are accurate and that the property tax charge is reasonable, then it would appear that landowners are willing to accept as cash rent a return on investment less than the 9 percent used in the Enterprise Cost Studies. Furthermore, land values are sticky. That is, they do not change rapidly with changes in market conditions affecting profitability of grass seed production. A number of market forces other than short term crop production profitability, such as urbanization, influence land values. Farm rental values, on the other hand, are responsive to changes in market conditions since they are tied directly to annual cropping decisions and a willingness to pay.

In summary, it appears that some technological changes have occurred from 1969 to 1975 for which the 1969 field survey update did not account. This appeared to show up on fertilizer and chemical cost comparisons. However, higher estimates persisted across all cost categories, except machinery, in use of the Enterprise Cost Studies. The yields reported in the Enterprise Cost Studies were close to the yield averages shown in Figure 2.

An extensive survey of a random sample of grass seed producers provides the best procedure for estimating production costs which are representative of the grass seed industry. In the absence of this information, the approach of updating a past survey or Enterprise Cost Studies could be used. A disadvantage of the Enterprise Cost Study approach is that the variation in product costs cannot be identified. This variation is an important characteristic of grass seed production. Another disadvantage is that there is no way of determining how representative the selected growers are of the total industry. In spite

of these limitations, the Enterprise Cost Study approach is useful in identifying changes over time in technology such as fertilizer application rates, chemical use, machinery operations, and years of stand life. The primary purpose of the Enterprise Cost Studies is to provide a guide to seed growers for estimating their own production costs.

#### Production Costs from 1959 through 1975

The annually reported indices of prices paid for production cost components (Appendix Table 6) permit updating of cost categories for each year of the seventeen year period from 1959 through 1975 for each grass seed type. These costs are totaled each year to obtain production costs per acre on an annual basis for the "low", "average", and "high" cost producer categories. Annual results for the "average" cost producer condition are presented graphically in Figure 4.

Production cost increases for each grass seed type were gradual during the time period from 1959 through 1970, averaging 2 to 4 percent annually. Inflationary pressures produced a cost increase averaging 6 percent in 1970, 1971 and 1972 followed by a 9 percent increase in 1973. The effect of the oil crisis generated an overall 36 percent cost increase in 1974. This impact was dampened in 1975, resulting in an annual increase of about 12 percent.

#### Yield Variability

The 1969 field survey showed that yields for a given year varied considerably from one producer to another growing the same seed type. Physical, economic, technical and institutional forces contributed to these individual differences. Yield differences were reported on the basis of the "low", "average", and "high" cost producer categories and are shown in Table 5. In general, the "high" cost producers used more fertilizer than the "average" or "low" cost producers and their average yields also were higher. Perennial ryegrass, however, did not respond to the higher fertilizer rates reflecting the increased importance of proprietary varieties of perennial ryegrass and their low sensitivity to fertilizer response. A positive yield response, relative to the average, was reported for both the "low" and "high" cost producers of orchardgrass. Because the 1969

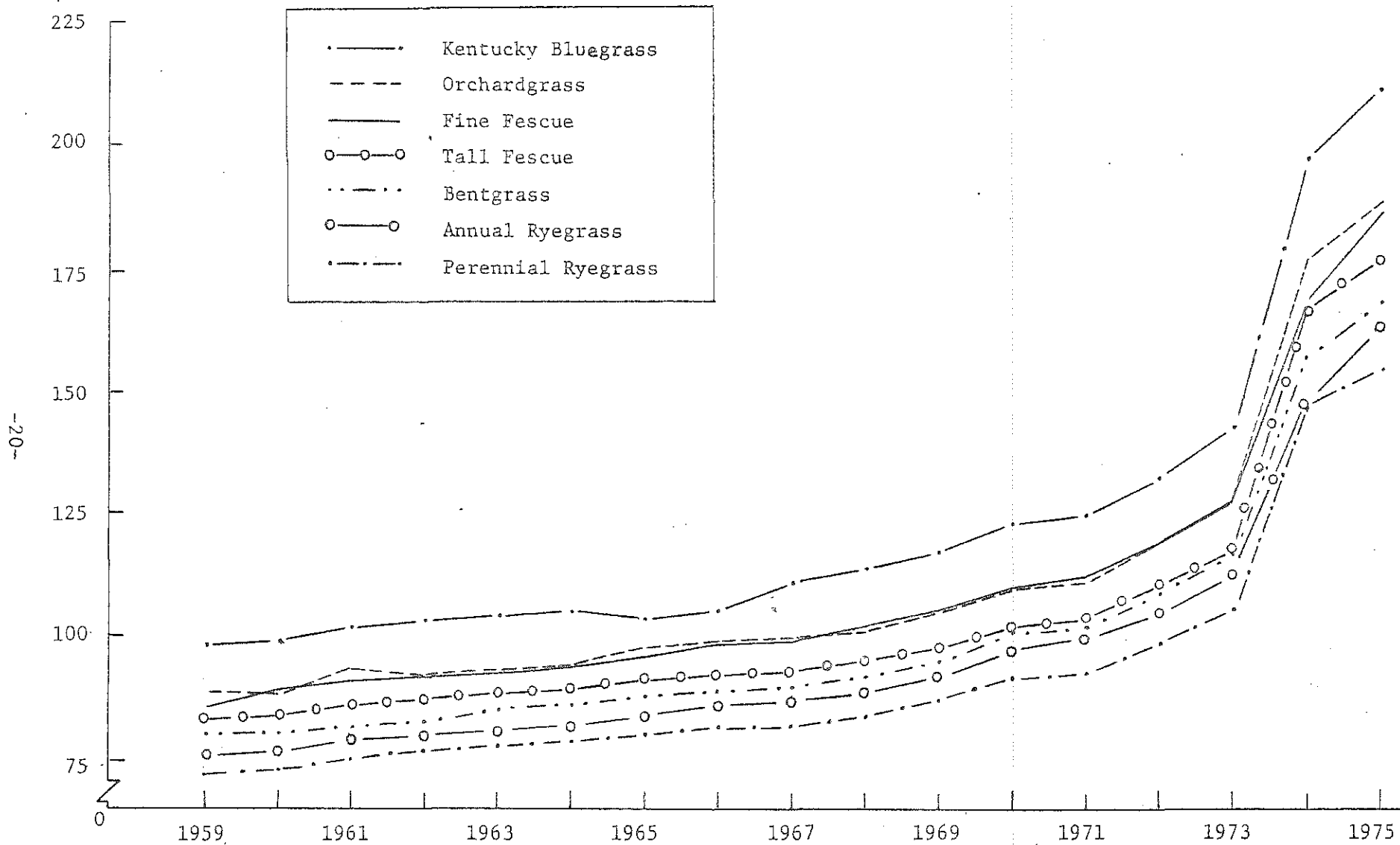


Figure 4. Estimated average production costs per acre for seven grass seed types over the seventeen year period from 1959-1975.

survey did not report the bluegrasses by separate categories, it was not possible to discern yield differences for Merion Kentucky bluegrass and other Kentucky bluegrass. For purposes of this study, it is assumed that the 1969 yield differences between "low", "average", and "high" cost producer categories, and shown in Table 5, prevailed throughout the 17 years covered in the study.

Table 5. Yield Differences For "Low Cost" and "High Cost" Producer Categories Expressed as a Deviation from Annual Yields Reported by "Average Grower" Conditions in 1969.

Seed type	Yield difference from average annual yield	
	"Low" cost	"High" cost
Annual ryegrass.....	-300#	+225#
Perennial ryegrass.....	0	0
Tall fescue.....	-150	+150
Orchardgrass.....	+100	+100
Bentgrass.....	0	+ 50
Fine fescue.....	0	+100
Merion Kentucky bluegrass <sup>1/</sup> .....	0	0
Other Kentucky bluegrass <sup>1/</sup> .....	0	0

SOURCE: Conklin, Frank S. and Douglas E. Fisher. "Economic Characteristics of Farms Producing Grass Seed in Oregon's Willamette Valley," Circular of Information 643, Agricultural Experiment Station, Oregon State University, Corvallis, November 1973.

<sup>1/</sup>1969 field survey did not report bluegrass by separate categories.

## Net Returns from 1959 through 1975

The final calculation of the study generates net returns. It provides an approximate measure of profit or loss in the production of grass seed. Net returns per acre represent gross income (price times yield per acre) minus production costs per acre. The average annual price is obtained from Appendix Table 1 for each seed type. The average annual yield is obtained from Appendix Table 2. Production costs for "low", "average", and "high" cost producer categories from the 1969 field survey were updated using annual index numbers of prices paid for selected production items shown in Appendix Table 6. Seed cleaning and processing costs were added to the 1969 list of production cost components.

Annual net returns were calculated each year from 1959 through 1975 to provide a dynamic perspective of how well grass seed producers generally, and each grass seed type specifically, have fared in an industry which has seen wide year-to-year variation in prices and yields and now sees significant inflationary effects upon production costs.

Net returns per acre from 1959 through 1975 are presented graphically in Figure 5 for each seed type. Results are presented as a band to reflect actual within year cost and yield variation between growers in the production of the same seed type. The upper part of each band reflects the "low" cost producer case generally, since that group consistently had a higher annual net return than did the "high" cost producer case. There was one exception to this situation. In 1974, the "high" cost producer of annual ryegrass had a higher net return than the "low" cost case because the value of the higher yield more than offset the higher cost of achieving it.

Several characteristics of annual net returns in grass seed production are observed by comparing each seed type. Annual net returns are erratic, and a consistent positive net return per acre does not occur. For annual ryegrass, the return has been, on the average, more negative than positive over the seventeen-year period from 1959 through 1975 and explains the rapid decline in number of grass seed producers in the Willamette Valley over the past two decades [2]. For all seed types, except Merion Kentucky bluegrass, some

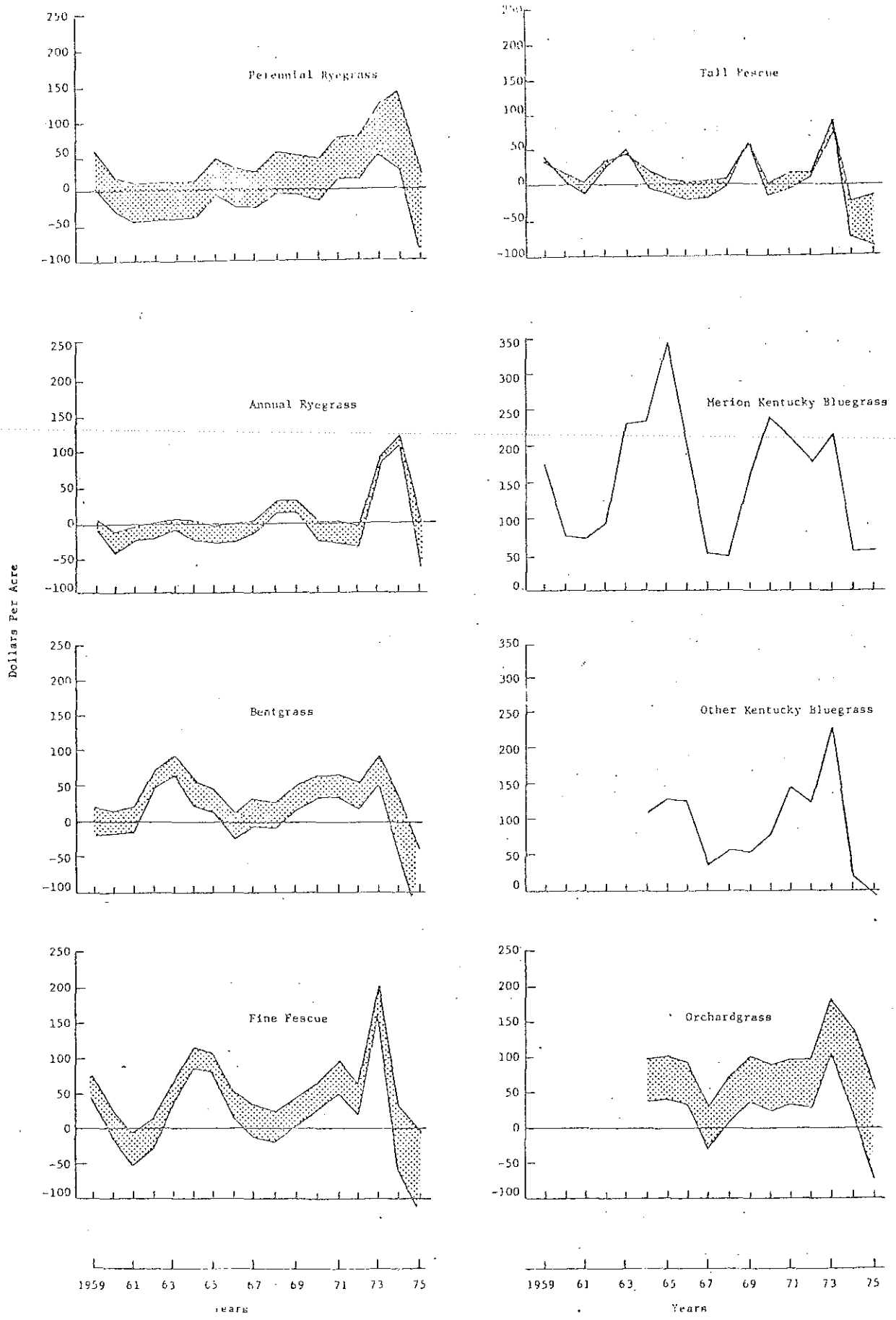


Figure 5. Estimated range in annual net return per acre for eight grass seed types, Willamette Valley, Oregon, 1959-1975.

negative net returns have occurred. On the average, profit margins have been low historically for annual ryegrass, perennial ryegrass, tall fescue, and highland bentgrass. Merion Kentucky bluegrass had a consistently higher profit margin than any other seed type. It must be kept in mind however, that it was the only proprietary grass seed type studied and that the acreage grown annually of it has been limited through 1975 by contractual arrangement to less than 4,000 acres in the Willamette Valley.

The year 1973 saw a record, or near record, net return per acre for each of the seed types. While that situation continued to persist into 1974 for annual and perennial ryegrasses, the market price began to fall precipitously for tall fescue, highland bentgrass, fine fescue, orchardgrass, and other Kentucky bluegrass. Conditions worsened in 1975 as farm gate prices declined further while production costs continued upward from inflationary pressures. Only Merion Kentucky bluegrass weathered the cost-price squeeze in 1975 with a positive net return. Unfortunately, Merion Kentucky bluegrass accounts for less than 2 percent of total Willamette Valley grass seed acreage, so is of little economic solace for the grass seed industry generally.

The current depressed state of farm gate prices for Oregon produced grass seed may continue for some time. On the supply side, total production remains high. This is due primarily to limited cropping alternatives to grass seed, especially on land devoted to ryegrasses, existence of cost economies which favor stable or increased production from larger but fewer farmers, and foreign producer subsidies which encourage increased grass seed production in several foreign countries. On the demand side, U.S. carryover stocks are high while additional trade barriers into Japan and the EEC, important export markets for Oregon grown grass seeds, are curtailing export demand.

#### Summary and Implications

Price and yield instability are a common phenomena of Willamette Valley grass seed production. They impose a significant uncertainty to producers of grass seed. Windfall gains and windfall losses result. This market uncertainty combined with rapidly rising production costs, which have been especially severe since the oil crisis in 1973, have resulted in an especially



serious cost-price squeeze for the grass seed industry in 1974 and 1975. At this writing, net returns are negative for all grass seed types except Merion Kentucky bluegrass, a proprietary variety grown under contract and accounting for less than 2 percent of the Valley's grass seed acreage. While some variability exists between seed types, they each face similar weather conditions, cultural practices, production costs, and market forces such that the effect to each seed type is similar.

Of fundamental importance is a recognition that net returns or "profits" of an industry cannot be based upon a single year's observation. While 1973 saw record or near record high farm gate prices on all grass seed types, 1975 saw a return to prices near the historical average but with significantly higher production costs.

What the future holds for the Willamette Valley grass seed industry is only speculative. However, a number of storm clouds on the horizon point toward continued difficulties. These include (1) limited crop production alternatives especially on ryegrass land, (2) an increase of restrictive trade barriers to the EEC and Japan as principal export markets for grass seed, (3) large volume of domestic carryover stocks of U.S. produced grass seed, and (4) increased production costs due to curtailment of open field burning. The trend is for individual growers to increase rather than decrease overall (industry) production of grass seed as a means for utilizing machine size economies to reduce unit production costs resulting in further industry adjustment to fewer and larger grass seed farms.

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Appendix Table 1. Average Price Received by Oregon Growers for Eight Major Grass Seed Types, 1959-1975.

Year	Perennial Ryegrass	Annual Ryegrass	Bentgrass	Fine Fescue	Tall Fescue	Merion Kentucky Bluegrass	Other Kentucky Bluegrass	Orchard-grass
----- Dollars per 100 Pounds -----								
1959	9.80	5.50	22.00	27.19	18.00	115.00	50.00	34.00
1960	6.60	3.50	28.00	16.45	12.50	86.00	33.00	24.20
1961	5.50	5.05	27.50	14.50	12.00	70.00	31.10	26.00
1962	5.10	4.03	44.50	14.87	15.00	55.00	29.00	31.00
1963	6.30	5.90	48.00	32.87	18.50	85.00	32.00	28.50
1964	5.90	4.15	33.50	34.40	10.00	104.00	29.70	21.70
1965	10.00	4.20	41.50	42.26	10.00	114.00	36.50	21.50
1966	10.00	4.60	25.50	25.50	8.50	60.00	31.50	19.70
1967	7.95	5.85	35.00	19.23	9.90	38.00	29.40	20.50
1968	10.70	7.00	36.50	21.47	13.50	42.50	28.50	26.75
1969	11.50	7.30	50.00	24.46	18.50	90.00	27.00	25.80
1970	11.16	5.70	47.00	32.25	12.20	135.00	33.00	25.05
1971	11.60	4.50	49.00	28.50	10.60	72.50	30.00	25.00
1972	16.40	5.50	42.00	33.50	18.00	80.00	31.00	24.00
1973	35.60	14.08	54.00	56.50	25.00	127.00	75.40	36.00
1974	28.00	15.50	44.00	30.50	15.00	70.00	36.40	34.00
1975 <sup>a/</sup>	17.20	10.00	26.50	23.80	13.60	68.50	30.35	26.35

SOURCE: Statistical Reporting Service, U.S.D.A. and O.S.U. Extension Service cooperating.  
1975 prices were obtained from grass seed dealers.

<sup>a/</sup> Preliminary.

Appendix Table 2. Average Oregon Farm Price and Dispersion Characteristics by Grass Seed Type, 1959-1975.

Seed type	Mean <sup>a/</sup> price	Standard <sup>b/</sup> deviation	Coefficient <sup>c/</sup> of variation
	.....cents per pound.....		
Annual ryegrass.....	6.52	3.40	.52
Perennial ryegrass.....	11.54	6.50	.56
Tall fescue.....	14.19	4.30	.30
Orchardgrass.....	26.45	4.84	.18
Bentgrass.....	38.41	10.09	.26
Fine fescue.....	28.20	10.52	.37
Merion Kentucky bluegrass....	83.18	28.21	.34
Other Kentucky bluegrass.....	35.09	11.60	.33

SOURCE: Data from which the mean price, standard deviation and coefficient of variation were derived is from Appendix Table 1.

<sup>a/</sup> Average for the 17 year period 1959-1975, Willamette Valley, Oregon.

<sup>b/</sup> Standard deviation ( $S_x$ ) measures how far from the mean each item within a frequency distribution  $x$  is located, a  $\frac{1}{2} S_x$  measures the expected range of dispersion within which an element will  $x$  be two-thirds of the time.

<sup>c/</sup> Coefficient of variation =  $\frac{S_x}{\bar{x}}$  = standard deviation expressed as a percent of the mean.

Appendix Table 3. Average Yield/Acre by Grass Seed Type, Willamette Valley, 1959-1975.

Year	Perennial Ryegrass	Annual Ryegrass	Bentgrass	Fine Fescue	Tall Fescue	Merion Kentucky Bluegrass	Other Kentucky Bluegrass	Orchard-grass
1959	981	1100	301	446	551	217	---	---
1960	897	930	232	448	599	184	---	---
1961	889	1000	260	319	507	224	---	---
1962	1007	1300	278	461	635	333	---	---
1963	850	1105	300	374	607	372	---	---
1964	940	1355	327	503	757	313	648	689
1965	870	1290	243	393	670	378	585	720
1966	730	1279	272	437	727	418	665	752
1967	860	1218	251	472	653	382	443	427
1968	880	1440	232	399	579	322	535	480
1969	835	1280	222	448	722	285	550	620
1970	800	1285	280	412	611	251	551	613
1971	1085	1643	274	577	833	427	828	664
1972	808	1355	312	409	582	358	753	711
1973	696	1338	321	508	720	263	467	730
1974	804	1285	330	473	630	326	534	740
1975 <sup>a/</sup>	822	1455	326	523	805	444	600	767

SOURCE: Statistical Reporting Service, U.S.D.A. and O.S.U. Extension Service cooperating.  
1975 prices were obtained from grass seed dealers.

<sup>a/</sup>Preliminary.

Appendix Table 4. Average Yield and Dispersion Characteristics by Grass Seed Type, Willamette Valley, Oregon, 1959-1974.

Seed type	Mean yield <sup>a/</sup>	Standard deviation <sup>b/</sup>	Coefficient of variation <sup>c/</sup>
	.....pounds/acre.....		
Annual ryegrass	1,263	170	.13
Perennial ryegrass	871	99	.11
Tall fescue	649	85	.13
Orchardgrass	650	108	.17
Bentgrass	277	35	.17
Fine fescue	277	35	.13
Merion Kentucky bluegrass	316	73	.23
Other Kentucky bluegrass	596	117	.20

SOURCE: Yield data from Appendix Table 2.

<sup>a/</sup> Average for the 16 year period 1959-1974, Willamette Valley, Oregon.

<sup>b/</sup> Standard deviation ( $S_x$ ) measures how far from the mean each item within a frequency distribution is located, a  $\pm S_x$  measures the expected range of dispersion within which an element will be two-thirds of the time.

<sup>c/</sup> Coefficient of variation =  $\frac{S_x}{\bar{x}}$  = standard deviation expressed as a percent of the mean.

Appendix Table 5. Average Gross Returns Per Acre by Grass Seed Type, Willamette Valley, Oregon, 1959-1975.

Year	Perennial Ryegrass	Annual Ryegrass	Bentgrass	Fine Fescue	Tall Fescue	Marion Kentucky Bluegrass	Other Kentucky Bluegrass	Orchard-grass
	Dollars per 100 pounds							
1959	96.14	60.50	66.22	121.27	99.78	249.55	---	---
1960	59.20	32.55	64.96	73.70	74.88	158.24	---	---
1961	48.90	50.50	71.50	46.26	60.84	156.80	---	---
1962	51.36	52.39	123.71	68.55	95.25	183.15	---	---
1963	53.55	65.30	144.00	122.93	112.30	316.20	---	---
1964	55.46	56.23	109.54	173.03	75.70	325.52	192.46	149.51
1965	87.00	54.18	100.84	166.08	67.00	430.92	213.52	154.80
1966	73.00	58.53	69.36	111.44	61.80	250.80	209.48	148.14
1967	68.37	71.25	87.85	90.77	64.65	145.16	130.24	87.54
1968	94.16	100.80	84.68	85.67	78.16	136.85	180.98	128.40
1969	96.02	93.44	111.00	109.58	133.57	256.50	148.50	159.96
1970	89.28	73.24	131.60	132.87	74.54	338.85	181.83	153.56
1971	125.86	73.94	134.26	164.44	88.30	309.58	248.40	166.00
1972	132.51	74.52	131.04	137.02	104.76	286.40	233.43	170.64
1973	178.18	188.39	173.34	287.02	180.00	334.01	352.12	262.80
1974	225.12	199.18	145.20	144.26	94.50	228.20	194.38	251.60
1975 <sup>a/</sup>	141.38	145.50	86.39	124.47	109.48	304.14	182.10	202.10

SOURCE: Calculated from price and yield data specified in Appendix Tables 1 and 2.

<sup>a/</sup> Preliminary.

Appendix Table 6. Index Numbers of Prices Paid for Selected Production Input Items used by Willamette Valley Grass Seed Producers, 1969 = 100.

Year	Machinery		Fertilizer		Herbicides	Seed	Labor	Land Value	All production items
	Operating	Overhead	Fall (16-20-0)	Spring (21-0-0) Amm. Sulphate					
1959	91	73	107	107	92	80	61	56	88
1960	92	75	107	107	92	83	62	57	87
1961	93	77	108	108	93	82	64	66	88
1962	92	78	108	108	93	85	66	68	89
1963	92	80	107	107	93	91	67	74	90
1964	92	81	106	106	94	90	69	78	89
1965	93	84	107	104	94	93	72	88	91
1966	93	87	107	103	95	91	78	90	93
1967	95	91	109	105	96	93	84	86	94
1968	97	95	108	104	98	98	91	90	96
1969	100	100	100	100	100	100	100	100	100
1970	102	106	101	103	102	104	108	116	104
1971	106	113	95	93	106	111	113	124	108
1972	108	121	103	104	109	119	119	137	115
1973	116	130	111	112	115	153	130	151	138
1974	154	151	243	265	143	209	145	190	162
1975	172	196	267	271	169	229	159	177	176

SOURCE: Agricultural Prices, Annual and monthly summaries [1] with exception of land values which were obtained for dryland in Oregon from Farm Real Estate Market Developments, CD-79, ERS, USDA, Washington, D.C.



Appendix Table 7. 1969 Actual Production Costs Per Acre by Seed Type for "Average Grower" Conditions.

Cost components	1969 costs (actual)						
	Perennial Ryegrass	Annual Ryegrass	Bentgrass	Fine Fescue	Tall Fescue	Kentucky Bluegrass	Orchard-grass
Machinery operating costs.....	6.66	10.24	8.41	9.89	7.06	10.44	8.55
Machinery overhead costs .....	9.49	15.37	12.62	14.82	9.83	15.66	12.81
Materials							
Fertilizer, Fall.....	2.80	3.60	3.19	5.79	5.69	5.04	6.37
Spring.....	11.30	10.40	9.51	7.44	13.32	12.58	10.81
Herbicides.....	3.25	.38	5.20	6.28	7.84	9.80	6.71
Seed.....	.40	1.44	.22	.54	.23	.63	.50
Hired labor.....	1.45	1.66	1.35	.78	2.01	2.06	2.17
Operator labor.....	3.20	6.67	5.40	7.05	3.34	6.16	5.06
Amortized establishment costs....	7.47	2.98	9.77	14.44	7.27	12.15	9.05
General overhead.....	2.15	2.64	2.65	3.20	2.71	3.56	2.94
Land change.....	<u>19.04</u>	<u>17.11</u>	<u>17.52</u>	<u>15.04</u>	<u>18.45</u>	<u>19.44</u>	<u>19.95</u>
TOTAL PRODUCTION COSTS....	67.21	72.94	75.84	85.27	77.75	97.52	84.92

SOURCE: Conklin, Frank S. and Douglas E. Fisher. "Economic Characteristics of Farms Producing Grass Seed in Oregon's Willamette Valley," Circular of Information 643, Agricultural Experiment Station, Oregon State University, Corvallis, November 1973.

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COMMITTEES  
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HOUSE OF REPRESENTATIVES  
SALEM, OREGON  
97310

April 26, 1976

Environmental Quality Commission  
1234 SW Morrison Street  
Portland, OR 97205

To The E.Q.C.

I am sorry that it will not be possible for me to attend the April 30th meeting and make my presentation to the Commission. My staff and I had set the 29th and 30th of April for meetings of the Joint Interim Committee on Natural Resources prior to notice of the E.Q.C. meeting.

I have asked Vernie Elder to read this letter expressing my concern, and making my suggestions.

As a member of the 1975 Legislature that extended the field burning from the 1975 cutoff passed in 1971, I believe I can express the intent of the Legislature.

(1) The Legislature tho enacting higher burning fees and imposing restrictions which I did not agree with, did by nearly two thirds vote of both houses extend open field burning. I believe this shows their concern for the industry, the people, and the economy.

(2) I found many of the Legislators who supported the acreage reductions believed there would be adequate alternatives to open field burning by the time reduced acreages were on the growers.

(3) When I expressed my concern to these Legislators that I was not satisfied that alternatives would be available, they responded, and I quote "The bill provides the Governor with the authority to allow open burning of additional acres if a hard ship exists."

You are certainly aware that alternatives to open field burning have not developed. It is also clear that the seed industry has been exerting every effort to find these elusive alternatives. The Governors own people have been in control of the entire program so the industry can not be blamed for dragging their feet, as they have been blamed in the past.

With full knowledge that this commission only has the authority to reduce acreage as set in the statutes as alternatives to open field burning are developed, I believe this commission has another responsibility. The E.Q.C. receives all of the information concerning open field burning and is knowledgable of the problems, I believe that since there are not sufficient numbers of field sanitizers or adequate sources of straw disposal the E.Q.C. has the responsibility to report this to the Governor.

I believe that if the E.Q.C. is concerned with following the intent of the legislature, that they will, while reporting to the Governor recommend that he grant additional acres to provide the farmers the opportunity to properly sanitize their fields.

This Legislator finds it hard to believe that the E.Q.C. or the Governor could feel comfortable with the 1977 Legislature if they had not followed the intent of the 1975 session in this critical issue. As a state built on agriculture, forestry, and fisheries it seems unreasonable that Oregon is the only state in the union that is so anti- agriculture. Last summer while traveling across Kansas they were burning their wheat fields. When I asked about it, I was told we would not think of stifling our industry with burning restrictions. These same answers came forth in California when asked about burning rice fields.

April 30, 1976

PRESENTATION TO THE ENVIRONMENTAL QUALITY COMMISSION

THE OREGON GRASS SEED PICTURE RELATED TO THE PRESENT AND FUTURE FOR FOREIGN EXPORT BUSINESS.

I appreciate the time that has been allotted me to review the Oregon grass seed picture as related to foreign exports.

Having been privileged to be associated with the Oregon Grass Seed Industry and the Foreign Export business since 1955, I have seen the foreign markets for Oregon grass seed products expand and in the last five years have seen these same markets go to our competitive foreign production areas of Holland, Denmark, New Zealand, Australia and Canada. We should also mention Oregon has strong competition from grass seed production from other states in the U.S. such as Washington, Idaho, Minnesota and Missouri.

The information that I have to present to you today will show no new trends other than up-to-date statistical information which I presented previously to "The Oregon Legislative Economic and Development Committee" in September 1974, to the "Senate Agriculture and Natural Resource Committee" in March 1975 and to Governor Straub in January 1976.

The Legislative Committee on Economic Trade and Development was interested in the seed industry of Oregon because of its importance in the foreign export business for the State of Oregon and to the Port of Portland. Comments were made at that time and questions were asked on the feasibility of Oregon establishing a foreign office to assist in developing additional export business for Oregon grass seed products.

In order to be as concise as possible and to focus directly on the foreign export of grass seed products from Oregon, attached to this presentation are various exhibits.

EXHIBIT A: The schedule on EEC subsidies for grass seed production which competes with Oregon grass seed production.

Subsidies paid for grass seed production in Denmark: As an example of the competition that the Oregon grass seed production is faced with, from the Danish grass seed production. It is noted on the report from the Agriculture Attache, Mr. Fred W. Traeger, in his report # DN-5038 on Policy, Programs and Prices of Danish Grass Seed Production, the following statement was made. "A recent amendment in the EEC Regulations included Kentucky bluegrass in the list of grasses that have to be certified before they can be marketed. This change will have a favorable effect on Danish sales at the expense of U.S. seed production. The EEC subsidy support to the 1974 crop total \$1,090,000 compared to \$748,000 paid for the 1973 crop. The boost in subsidy was mainly due to the larger volume eligible for the subsidy. 92% of the total quantity produced received subsidies. According to industry sources, the subsidy, which in 1974/75 amounted to one-half of the producer prices paid for some grass varieties."

EXHIBIT B: A report on the grass seed production acreage in Holland, Denmark, France and England for the crop 1974 and crop 1975.

EXHIBIT C: Our good neighbors to the north, Canada, continue to produce Red fescue which competes with the Oregon production of Red fescue for the U.S. and foreign markets. Every year, for the last 20 years, the strongest influencing factor for prices on Oregon Fine fescue have been determined by price and supply of Canadian production.

If we want to ask ourselves how much the Red fescue production from Canada competes with Oregon Fine fescue, an observation of the wholesaler's inventory in California, New York, Illinois, Ohio, Michigan, Florida and yes, even Oregon would find Canadian Red fescue being sold to the consumer instead of Oregon Red Fescue.

EXHIBIT "D": Foreign country imports grass seed crops:

As pointed out to the Legislative Committee for Economic Trade and Development and the various Senate hearings, the only way the Oregon grass seed industry can compete and survive is to maintain it's ability to produce and supply the world markets "quality seed". At this time our only avenue of producing "quality seed" is with the field sanitation practice of open field burning. When alternative practices are not only developed but are available to the seed grower to put into practice, then and only then can we adjust to these alternatives.

Oregon forage and turf seed production has set the standard for quality in the world market place. In the past 10 years the dealers, growers and the Oregon State University have worked together to not only maintain but recapture our markets in the EEC (European Common Market). The Oregon seedsmen and grower have worked together with the Oregon Department of Agriculture in developing new export markets whether these be to Japan, Korea, Australia, New Zealand and South America.

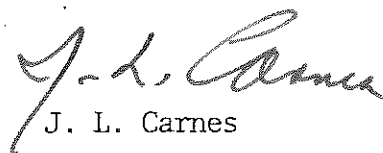
With the continual changes in the grass seed industry, which mankind depends on for food, land conservation, recreation and yes, to help improve our environment, the Oregon grass seed grower and dealer are adjusting to these changes to produce varieties which have more disease resistance and provide

more production of forage for the ultimate consumer. All we ask is to be allowed to sanitize our production fields under rigid smoke management control practices until other alternatives are developed for practical use. Any other alternatives considered for production field sanitation must be economically feasible for the seed grower.

The Japan seed industry is now on a program, instituted by the Japanese government, to develop a production program on Japan developed varieties of forage grasses. A time-table has been programmed by the government of Japan that by 1980, 35% of the forage grasses - which for the most part will be varieties of ryegrass and orchardgrass - will be Japan varieties. We know of one Japanese seed company that has already committed it's ryegrass production to New Zealand and the orchardgrass production to Denmark because of the uncertainty for the future of the multiplication of forage grasses in Oregon.

Ergot is a major problem in shipping grass seed products to Japan with a tolerance allowed of .003%. The sanitation practice of open field burning has served to eliminate and control this disease in the grass seed production fields of Oregon. With the decision, by this major Japanese firm, to place it's multiplication in other foreign production areas, it is our sincere hope and desire that this does not establish a trend and that in a period of eight years we find the market of Japan has also gone by the wayside.

We know that history will stand in judgment on decisions that are now being made. Without any emotion, I can factually state that there is a very real possibility that a debilitated seed industry will become the legacy of the decision makers of 1975 simply because they did not carefully consider all the facts. We do not have five years to correct that decision because when our foreign markets are gone, they will not return!

  
J. L. Carnes

GRAMINEAE (Grasses)

VARIETY	Common Name	Per 100 Pounds		April 1976	1975	Oregon Production Ave. in (000's)	If equal subsidy paid to Oregon Seed Grower, would equal
		1974 EEC Subsidy	1975	Oregon Grower price per 100 lbs	% EEC Subsidy to Oregon Grower Price		
Dactylis Glomerata	Orchardgrass	11.93	12.27	28.00	44%	15000	1,840,500
Festuca Aruadmacea	Tall fescue	11.93	12.27	13.00	94%	12000	1,472,400
Festuca Rubra	Red fescue	8.59	8.18	28.00	30%	15000	1,227,000
Lolium multiflorum	Annual/Italian rye grass	4.77	5.00	9.50	52%	155000	7,750,000
Lolium perenne	Perennial ryegrass, late	8.59	8.18	30.00	27%	10000	818,000
Lolium perenne	Perennial ryegrass	6.68	6.36	13.00	49%	25000	1,590,000
Lolium hybridum	Hybrid ryegrass	4.77	5.00	17.00	30%	300	15,000
Poa pratensis	Kentucky bluegrass	8.59	8.64	34.00	26%	8000	591,200
							Total \$ 15,404,100

EXHIBIT "A"



Grass Seed Production Acreage of E.E.C. which Grower and Dealer receives government subsidy which competes with Oregon Grass Seed Crops.

<u>Holland</u>	<u>Crop '75</u>	<u>Crop '74</u>
Perennial ryegrass	7,866 ha	6.147 ha
Italian ryegrass	2.138 "	1.556 "
Red fescue (incl. Chewings)	4.621 "	4.153 "
Kentucky bluegrass	3.763 "	3.523 "
Annual ryegrass	354 "	613 "
<hr/>		
<u>Denmark</u>		
Perennial ryegrass	20.923 ha	20.049 ha
Italian ryegrass	6.849 "	5.601 "
Red fescue	8.479 "	9.910 "
Kentucky bluegrass	5.200 "	5.413 "
Orchardgrass	4.278 "	4.225 "
<u>France</u>		
Perennial ryegrass	1.000 ha	588 ha
Italian ryegrass	10.000 "	6,550 "
<u>England</u>		
Perennial ryegrass	29.730 ha	32.036 ha
Italian ryegrass	7,465 "	7,821 "
 Total	 112,666 Ha (165,619 Acres)	 108,185 Ha (159,032 Acres)

EXHIBIT "B"

Canadian Production Red Fescue: [REDACTED] imported to United States.

This production competes not only in the U.S. market but also in our foreign market.

1974                    35,025,000 lbs

1975                    23,000,000 lbs

Canadian Red fescue exports to U.S.

July 1, 1974 - February 28, 1975:        8,215,400 lbs

July 1, 1975 - February 28, 1976:        8,276,100 lbs.

EXHIBIT "C"

## Grass Seed Situation and Outlook:

Australian pasture grass seed production during the 1974/75 harvest was somewhat above average, mainly because of the excellent 1974 winter and spring season. Production of ryegrasses, orchardgrass and similar varieties was at a near record level, partly boosted by farmers closing up pastures and harvesting seed on a catch-crop basis to increase their liquidity in the face of poor returns from livestock.

As a result of the depressed conditions in the grazing industry, demand for pasture seeds has generally been fairly weak during the 1975 planting season. Sales for most species have been below average on the domestic market, while poor beef prices also affected the demand for pasture seeds from traditional overseas buyers such as Uruguay and Argentina. Consequently, supplies are presently adequate to meet demand, and imports of seed during the coming year will be mainly confined to lawn grasses not produced in Australia. Carry-over of pasture grass seeds are fairly high, and an average or better crop seems in prospect for the coming season (1976) harvest.

Imports of seed during the 1974/75 fiscal year were substantially below those of 1973/74. Imports of brown top and bent grasses totalled only 60 tons, or 180 tons less than in 1973/74 and mainly supplied by the U.S. and New Zealand. The U.S. also supplied about 110 tons of Red fescue, compared to 320 tons in 1973/74.

Imports of Orchard grass seed totalled only 38 tons compared to 228 tons in 1973/74. The entire requirements were supplied by Denmark and New Zealand. Imports of Kentucky bluegrass seed were slightly over 150 tons, compared to 210 tons in 1973/74. However, whereas in 1973/74 all was supplied by the U.S., in 1974/75 substantial quantities were also purchased from the Netherlands and Canada. Imports of ryegrass seeds dropped particularly sharply, and totalled only 600 tons, compared to 1,787 tons in 1973/74. New Zealand continue to supply the bulk of these imports, but imports from the U.S. dropped from 395 tons in 1973/74 to only 16 tons in 1974/75. About 48 tons of other pasture seeds were imported, of which the U.S. supplied 14 tons.

With fairly large carry-overs of pasture seeds in Australia and demand likely to continue weak, it may be expected that imports during 1975/76 will continue at a lower levels established this past year and could even drop somewhat further. Trade sources indicate that virtually no ryegrass seed will be imported during the coming year. The current decline in home construction will probably also cause the market for lawn grasses to remain depressed. The recent devaluation of the New Zealand currency is expected to place producers in that country in a better competitive position, and U.S. suppliers will probably have some difficulty in maintaining their share of the market.

Harlan J. Dirks  
Agricultural Attache

SWEDEN: Seed imports in 1974

<u>Kind of seed</u>	<u>Total</u> <u>MT</u>	<u>From the U.S.</u> <u>MT</u>
Kentucky blue grass	772	207
Fescue	609	54
Bent grass	329	280

George Frostenson  
Agricultural Economist

JAPAN: Imports of Forage Seeds, CY 1973, 1974 and Jan-June 1975

<u>Type of Seed</u>	<u>CY 1973</u>		<u>CY 1974</u>		<u>CY 1975</u>	
	<u>Total</u>	<u>(U.S.)</u>	<u>Total</u>	<u>(U.S.)</u>	<u>Total</u>	<u>(U.S.)</u>
Orchardgrass	722	(348)	749	(560)	293	(229)
Italian ryegrass	3,930	(3,687)	3,605	(3,236)	1,600	(1,437)
Fescue seeds	2,490	(2,047)	2,221	(1,467)	580	(469)
Other forage seeds	2,802	(2,388)	2,994	(2,430)	1,825	(1,437)

EXHIBIT "D"

1130

April 14, 1976

Beaver Lumber Company  
P.O. Box 547  
Clatskanie, Oregon 97016

Attention: Mr. J. M. Luxford

Re: AQ - Beaver Lumber Company  
Columbia County, File No. 05-1773

Gentlemen:

Enclosed is a copy of the Department's staff report to the Environmental Quality Commission (EQC). Your variance request will be considered by the Commission at their April 30, 1976 meeting. The hearing will be held at:

Main Branch  
Albany City Library  
1390 S. Waverly Drive  
Albany, Oregon

The Company's variance request is tentatively scheduled as item K(2), and will be considered sometime after 2:00 p.m. We will notify the Company of any changes in this schedule. We would recommend that you or your representatives be present at the hearing to answer any questions the Commission may have.

If you have any questions or if we may be of further assistance, please feel free to contact this office at 229-5211.

Sincerely,

LONEN KRAMER  
Director

Paul J. Zilke  
Environmental Specialist  
Portland Region

PJZ/jms

Enclosure

cc: Air Quality Division - DEQ