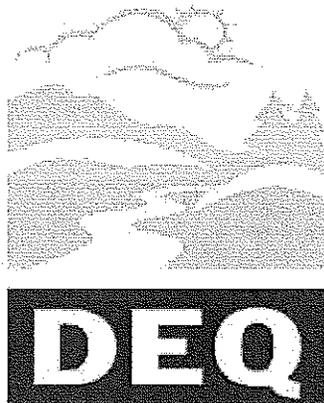


EXCMEETING 3/10/1977

MARCH 10, 1977 EQC MEETING

3/10/1977

**OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS**



**State of Oregon
Department of
Environmental
Quality**

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MINUTES OF THE SPECIAL MEETING
of the
Oregon Environmental Quality Commission
March 10, 1977

At 11:00 a.m. on Thursday, March 10, 1977 a special conference telephone call meeting was convened of the Oregon Environmental Quality Commission.

Connected by conference telephone call were all Commission members: Mr. Joe B. Richards, Chairman; Dr. Morris Crothers, Vice-Chairman; Dr. Grace Phinney; Mrs. Jacklyn Hallock; and Mr. Ronald Somers. Present at DEQ offices on behalf of the Department were its Director, Mr. William H. Young, and several of the Department's staff.

REPORT OF THE ENVIRONMENTAL QUALITY COMMISSION TO THE 59th LEGISLATIVE ASSEMBLY ON FIELD BURNING

Commissioner Crothers expressed his feeling that the conclusions drawn in the report weren't consistent with the facts that were set forth in the body of the report. Commissioner Crothers stated he thought the Commission should have a face-to-face meeting regarding the report and that he was not prepared to vote on it at this time.

Chairman Richards asked the staff if it was likely that the Legislature would act regarding field burning before the next scheduled meeting of the EQC; or would a special face-to-face meeting need to be called in the interim. Director Young and Jim Swenson replied that due to the Legislative process, it was unlikely that any action would be taken on the field burning issue before the next regularly scheduled EQC meeting on April 1, 1977. Commissioner Phinney said that it would be good to have the report in before hearings on specific bills were held.

Chairman Richards expressed concern that the statement in the report that the most significant problem of field burning was visibility might be minimizing citizen complaints of odor and breathing problems. Commissioner Hallock said she shared Chairman Richards' concern; and also that she had something she wished to add to the report.

Commissioner Phinney MOVED, and Commissioner Hallock seconded that the Field Burning Report to the Legislature be postponed until the next regular EQC meeting. The motion passed with Commissioner Somers dissenting.

PROPOSED TEMPORARY RULE FOR DEQ AND EQC AUTHORITY DURING CRITICAL SITUATIONS

Chairman Richards said he had been contacted by OSPIRG, who expressed concern about not being sufficiently notified of this phone meeting and wanted the Commission to defer action. Chairman Richards asked the staff if they felt the need for this temporary rule was as great as it had been in past weeks and if staff felt that EQC action was needed immediately.

Mr. Harold Sawyer said that the circulation of the draft rule was one way to clarify the EQC's position about what combinations of existing authority would be used to deal with these matters. Mr. Sawyer said he didn't feel it was critical to adopt the rule immediately.

Commissioner Hallock said she had talked with Mr. Larry Williams of the Oregon Environmental Council who felt that the public should have a chance to comment. Commissioner Hallock said she also wanted EPA to have a chance to comment.

Commissioner Somers said that a simple solution to inquiries would be to refer questioners to standard clause G12 of NPDES Permits. Commissioner Somers also cited federal standards and said he felt that the rule really wasn't needed. Commissioner Somers said the permits were designed to take into account acts of nature. Commissioner Somers suggested that the EQC give the Director a policy statement to call attention to condition G12 of the permits.

Chairman Richards said he understood that the Legislature had shown some interest in enacting legislation to deal with critical situations. Chairman Richards said the staff felt that they already had the authority under present legislation that could just be clarified by a temporary rule. Chairman Richards asked if the staff was just responding to a legislative inquiry by proposing this temporary rule. Jim Swenson replied that the rule was perhaps a response to some concerns expressed in the House, but he was not sure that it was the response which was necessary; and perhaps a reaffirmation of present Commission authority would be all that was needed.

It was MOVED by Commissioner Crothers and seconded by Commissioner Hallock that this matter be deferred to the next regular meeting and that notice be issued to interested parties. The motion was adopted unanimously.

There being no further business, the meeting was adjourned.

