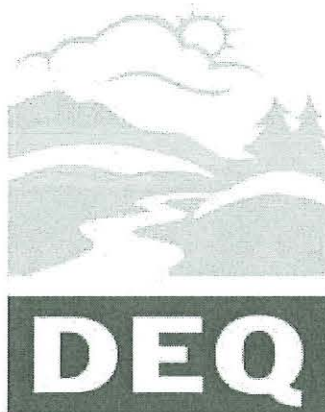


6/24/1977

OREGON

ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS



State of Oregon
**Department of
Environmental
Quality**

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Environmental Quality Commission Meeting

June 24, 1977

Harris Hall, Large Conference Room

125 East 8th Street

Eugene, Oregon

- 9:00 a.m. A. Minutes of May 27, 1977 EQC Meeting
- B. Monthly Activity Report for May 1977
- C. Tax Credit Applications
- PUBLIC FORUM - Opportunity for any citizen to give a brief oral or written presentation on any environmental topic of concern. If appropriate the Department will respond to issues in writing or at a subsequent meeting. The Commission reserves the right to discontinue this forum after a reasonable time if an unduly large number of speakers wish to appear.
- 9:15 a.m. D. Chevron U.S.A., Inc., Portland - Request for variance to allow sale and distribution of residual fuel oil with a sulfur content greater than 1.75%, OAR 340-22-010
- 9:30 a.m. E. Ochoco Pellet Plant, Prineville - Request for variance from particulate emission limitations, OAR 340-21-015, 21-030, and 21-040
- F. Vehicle Emission Testing Rules - Consideration of adoption of proposed amendments to light duty motor vehicle inspection standards, OAR 340-24-300 through 24-330
- G. Critical Situation Policy - Consideration of policy on procedures for dealing with water quality controls during situations of drought or other comparable natural disasters
- H. Sewage Works Priority Criteria - Status report on Criteria for Priority Ranking of Sewage Works Construction Needs
- 10:30 a.m. I. Subsurface Rules, Lane County - Proposal to amend the Subsurface Sewage Disposal Permit Fee Schedule for Lane County, OAR 340-72-015
- J. NPDES July 1, 1977 Compliance Date - Status Report and Proposed Actions for industries and municipalities

Because of the uncertain time spans involved, the Commission reserves the right to deal with any item, except items D, E and I at any time in the meeting. Anyone wishing to be heard on an agenda item that doesn't have a designated time on the agenda should be at the meeting when it commences to be certain they don't miss the agenda item.

The Commission will breakfast (7:30 a.m.) at the Eugene Hotel (Dining Room), 222 E. Broadway. Lunch will be at the Pearl Street Station, 412 Pearl St., Eugene

MINUTES OF THE EIGHTY-SEVENTH MEETING
OF THE
OREGON ENVIRONMENTAL QUALITY COMMISSION
June 24, 1977

On Friday, June 24, 1977, the eighty-seventh meeting of the Oregon Environmental Quality Commission convened in Harris Hall, 125 East Eighth Street, Eugene, Oregon.

Present 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 on behalf of the Department were its Director, Mr. William H. Young, and several members of the Department's staff.

Staff reports presented at this meeting which contain the Director's recommendations mentioned in these minutes, are on file in the Director's Office of the Department of Environmental Quality, 1234 S. W. Morrison Street, Portland, Oregon.

Minutes of the May 27, 1977 EQC Meeting

Commissioner Phinney asked about the references in the minutes to the Director's recommendations. She suggested that the minutes should clearly state where these recommendations were filed. Chairman Richards agreed and asked for a staff recommendation at the next meeting on how this should be handled. It was MOVED by Commissioner Somers, seconded by Commissioner Hallock, and carried unanimously that the minutes for the May 27, 1977 EQC meeting be approved.

Monthly Activity Report for May 1977

Chairman Richards asked for staff opinion on how the Indirect Source Rule was working. Mr. E. J. Weathersbee of the Air Quality Division, said that he felt the program was running smoothly at this time. Mr. Weathersbee said that the Department was still negotiating formal adoption of the short form application, and appear to be making progress. It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and unanimously carried that the Monthly Activity Report for May 1977 be approved.

Tax Credit Applications

Chairman Richards questioned the wording on T-890: "The claimed facility is operating in a satisfactory manner." Chairman Richards asked if these facilities were in compliance as opposed to the wording: "The claimed facility is operating in compliance." Chairman Richards was told that the facilities were operating in compliance and that this was just a variance in wording from author to author. Chairman Richards asked if T-896, Astoria Plywood, was on a compliance schedule, since the staff report stated that the fugitive emissions sometimes exceeded 20% opacity. Mr. E. J. Weathersbee said he would check into the matter and report to Chairman Richards. It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and unanimously carried that the tax credit applications be approved.

The Commission then took action on T-860, Bohemia, Inc. It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and unanimously carried that the tax credit application for Bohemia, Inc. be approved.

Recognition of Commissioner Crothers' Retirement

Chairman Richards made a presentation on behalf of Governor Straub to Commissioner Crothers in recognition of his term on the Commission. Commissioner Crothers retired from the Commission as of June 30, 1977 when his term expired.

Chevron U.S.A., Inc., Portland - Request for Variance to Allow Sale and Distribution of Residual Fuel Oil with a Sulfur Content Greater than 1.75%, OAR 340-22-010.

Commissioner Somers said that he was familiar with the staff report, however, from the information he had, North Slope crude was not low sulfur fuel. Mr. Tom Bispham of the Department's Portland Region Staff, said that the Alaskan crude ran about 1.04% sulfur compared to the Arabian which was about 1.5%. Mr. Bispham said that the Alaskan crude was cleaner than the heavy Arabian fuel which Chevron had been handling in the past. Commissioner Somers asked how Chevron met its obligations in California without a variance. Mr. John Hartup, Chevron, U.S.A., Inc., Wilbridge Terminal Manager in Portland, replied that Chevron was handling low sulfur fuel in California for the utilities which were equipped to use it. Mr. Hartup said that the use of this fuel required special handling. Mr. Hartup said that the operating conditions were different in California than they were in Oregon. Mr. Hartup said that by blending the Alaskan with their other crude stocks, they will be able to meet the 1.75% standard. Chairman Richards asked Mr. Hartup to comment on the staff position that this would be a final variance request, and that the Company would not ask for a variance extension. Mr. Hartup said that the Company would not ask for a variance extension and that they would solve the problem by January 1.

Chairman Richards asked Mr. Bispham about the statement in the staff report that the granting of this variance would have no significant impact on the airshed. Mr. Bispham said that the use of this fuel would not have a measurable impact on the airshed.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and carried with Commissioners Somers and Crothers dissenting, that the variance request be approved.

Public Forum

Mr. Roy Burn, representing the Lane County Board of County Commissioners, read into the record a resolution regarding the matter of establishing a moratorium on construction permits for subsurface sewage disposal systems in Dexter, Oregon. Copies of this resolution are on file in the Director's Office of the Department of Environmental Quality.

It was MOVED by Commissioner Somers, seconded by Commissioner Crothers, and carried unanimously that a hearing be set on this matter in accordance with Department hearing procedures.

Ochoco Pellet Plant, Prineville - Request for Variance from Particulate Emission Limitations, OAR 340-21-015, 21-030 and 21-040

Mr. Robert E. Shimek of the Department's Central Region staff presented the staff report and supporting slides on this matter. Commissioner Crothers asked in regard to item 2.d. of the Director's Recommendation, what criteria was used to determine a "nuisance condition." Mr. Shimek replied that nuisance conditions were determined by the number of compliants received on a source. Chairman Richards responded that a broad definition of nuisance is the utility of the use compared to the amount of the harm. Commissioner Phinney asked why a control strategy did not have to be submitted until October 1, 1978. Mr. Shimek replied that the Department's information indicated that the plant could change locations and the production could be expanded significantly within the next two years, which might make a control system which was adequate at this time not adequate a year from now.

Mr. James L. Zimmerlee, owner of the Ochoco Pellet Plant, said they felt a schedule could be worked out and included in a permit with a variance of 60% for five years. Mr. Zimmerlee said that they would be happy to meet with staff to formulate such a schedule. Mr. Zimmerlee then presented some of their history of ownership over the last two and one-half years and also some information to support the financial hardship that immediate compliance would have on the Company. Mr. Zimmerlee said that they were asking for the five year variance to allow them time to complete a payment contract so that there would be funds available to upgrade the plant and install emissions control equipment. Mr. Zimmerlee said that without the variance the plant would not be able to operate. Chairman Richards asked Mr. Zimmerlee if he had been asked for financial information by the staff. Mr. Zimmerlee replied that he had prepared financial information approximately a year before, but was told that it was not necessary at that time. Mr. Zimmerlee said they were subsequently asked to have it available at the public hearing on June 6, 1977. He said the information was not presented at that time, and they were told they could present it at this meeting.

Mrs. James Zimmerlee testified that the hearing on June 6th showed that there was a need in the area for a plant like theirs. Mrs. Zimmerlee said that their opacity problem came when they ran damaged hay on a custom basis from ranchers. Mrs. Zimmerlee said that when they ran hay they bought themselves, the plant ran at approximately 40% opacity. Mrs. Zimmerlee said that 60% of their production is in damaged hay. In response to a question by Chairman Richards, Mrs. Zimmerlee indicated that if they were forced to comply with the 20% opacity standard right now, the plant would have to shut down because their customers would not pay the higher cost they would have to charge for processing the hay in order to purchase the needed emission control equipment. Mrs. Zimmerlee said they would like to control the emissions problem if they could afford to, however, at the present time they were financially unable to do so.

Commissioner Somers stated for the record that he had reviewed the financial statement submitted by Mr. and Mrs. Zimmerlee's accountant and concluded that it would be financially impossible for them to take on any more expenses at this time in view of the debts they have.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and carried unanimously that the Director's recommendation be approved amending item 2.c. to reflect a compliance date of June 1, 1978 instead of October 1, 1978.

Subsurface Rules, Lane County - Proposal to Amend the Subsurface Sewage Disposal Permit Fee Schedule for Lane County, OAR 340-72-015

Commissioner Somers asked if lowering the fee schedules would result in decreased revenues such that the Department would have to take over the Lane County program. Mr. Roy Burn of Lane County responded that that would not happen. Mr. Burn said that the fee reduction was being asked for as an incentive for prompt action by individual homeowners, rather than using the costly method of enforcement action.

It was MOVED by Commissioner Somers, seconded by Commissioner Crothers and carried unanimously that the Director's recommendation in this matter be approved.

Vehicle Emission Testing Rules - Consideration of Adoption of Proposed Amendments to Light Duty Motor Vehicle Inspection Standards, OAR 340-24-300 through 24-330

Mr. Ron Householder of the Department's Vehicle Inspection Section presented the Director's recommendation on this matter. In addition, Mr. Householder said that the Department had passed its first inspection cycle and was gearing up for the next, and that a continued amount of citizen involvement in the program was anticipated. Mr. Householder said that they expected to start enforcing some aspects of the anti-tampering law in the inspection program. Mr. Householder said also that the enforcement tolerances had been increased on certain make's model years due to design faults on these particular vehicles.

Commissioner Somers asked about the feasibility of testing vehicles for noise along with the emissions test. Mr. Householder replied that it would not be difficult, and that the Department had done that on a small scale already, in conjunction with the City of Portland. Mr. Householder said that testing for noise would slow the inspection down, and preferably it should be done on a voluntary basis. Mr. Householder said that it may, in some cases, require more inspectors. Commissioner Somers asked that by the next meeting a proposal be made regarding the testing of vehicles for noise.

It was MOVED by Commissioner Somers, seconded by Commissioner Hallock and carried unanimously that the Director's recommendation be adopted.

Critical Situation Policy - Consideration of Policy on Procedures for Dealing with Water Quality Controls During Situations of Drought or Other Comparable Natural Disasters

It was MOVED by Commissioner Somers, seconded by Commissioner Phinney and unanimously carried that the Director's recommendation be adopted.

Sewage Works Priority Criteria - Status Report on Criteria for Priority Ranking of Sewage Works Construction Needs

Mr. C. Kent Ashbaker of the Department's Water Quality Division presented the staff report and stated that the priority list would be forthcoming within a week to the Commission. No action by the Commission was necessary.

NPDES July 1, 1977 Compliance Date - Status Report and Proposed Actions for Industries and Municipalities

Mr. C. Kent Ashbaker of the Department's Water Quality Division presented the staff report on this matter. No action by the Commission was necessary.

There being no further business, the meeting was adjourned.



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item B, June 24, 1977, EQC Meeting
May Program Activity Report

Discussion

Attached is the May 1977 Program Activity Report.

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 pages 11 and 12 of the report.

William H. Young

WILLIAM H. YOUNG
Director

RLF:eve
6/13/77



Contains
Recycled
Materials

Department of Environmental Quality
Technical Programs

Permit and Plan Actions

May 1977

Water Quality Division

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Plan Actions Completed - Listing	2
43. . . Plan Actions Pending - Summary	1
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187. . . Permit Actions Pending - Summary	9

Air Quality Division

20. . . Plan Actions Completed - Summary	1
Plan Actions Completed - Listing	11
28. . . Plan Actions Pending - Summary	1
. . . Permit Actions Completed - Summary	13
Permit Actions Completed - Listing	14
. . . Permit Actions Pending - Summary	13

Solid Waste Management Division

7 . . . Plan Actions Completed - Summary	1
Plan Actions Completed - Listing	16
15 . . . Plan Actions Pending - Summary	1
31 . . . Permit Actions Completed - Summary	17
Permit Actions Completed - Listing	18
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DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air, Water & Solid
Waste Management Divisions
(Reporting Unit)

May 1977

(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	23	146	20	131		1	28
Total	23	146	20	131		1	28
<u>Water</u>							
Municipal	146	1,105	131	1,004			40
Industrial	11	137	14	136		4	3
Total	157	1,242	145	1,140		4	43
<u>Solid Waste</u>							
General Refuse	1	47	1	56		6	5
Demolition	1	9	1	7		1	2
Industrial	6	25	5	25			7
Sludge		3		2			1
Total	8	84	7	90		7	15
<u>Hazardous Wastes</u>		4		4			
<u>GRAND TOTAL</u>	188	1,476	172	1,365		12	86

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division

May 1977

PLAN ACTIONS COMPLETED - 145

County	Name of Source/Project/Site and Type of Same	Date Rec'd	Date of Action	Action	Time to Complete Action
<u>Municipal Sources - 131</u>					
10	ROSEBURG OAK PARK VILLAGE	J050677	050177	PROV APP	05
27	INDEPENDENCE ASHBROOK ADD PHASE III	K042977	050277	PROV APP	03
03	MILWAUKIE SHASTA ESTATES - SUBD	J042677	050277	PROV APP	06
24	SALEM OXFORD DITCH STORM DRAIN	J042077	050277	PROV APP	12
34	USA ROCK CR CONTR NO 46	V042977	050377	PROV APP	04
34	USA ROCK CR CONTR NO 48A & 48B	V042977	050377	PROV APP	04
30	UMATILLA 2ND ST FR OLIVER ST E 350	K050277	050377	PROV APP	07
20	EUGENE SAILOR FLATS SUBD REV.	K050277	050377	PROV APP	01
34	HILLSBORO BARBERRY CT	J042677	050377	PROV APP	07
34	HILLSBORO BROOKFIELD SS	J042677	050377	PROV APP	07
34	HILLSBORO HILLAIRE #5 SS	J042677	050377	PROV APP	07
34	HILLSBORO NE 17TH AVE	J042677	050377	PROV APP	07
21	GLENEDEN SD STN 11.00 TO STN 21.00 FM	J042577	050377	PROV APP	31
15	MEDFORD PACIFIC ISLES ESTATES	J042277	050377	PROV APP	06
26	GRESHAM RANDALLIS HOLLYBROOK	K050277	050377	PROV APP	01
36	YAMHILL SEWER SYSTEM IMPROVEMENTS	V020177	050377	PROV APP	60
26	MULT CO SW VESTA ST	J042977	050377	PROV APP	04
24	SALEM WAL-WEST SUB	K050277	050477	PROV APP	08
03	OREGON CITY J Q ADAMS ST EXT	K042977	050477	PROV APP	05
24	SALEM PATTERSON ST NW	K042977	050477	PROV APP	05
24	SALEM FERRY ST, CHURCH - FRONT ST	J042577	050477	PROV APP	09
24	SALEM N SALEM HIGH TRUNK	J042577	050477	PROV APP	09
34	TUALATIN TERRACE VIEW APTS	J050377	050477	PROV APP	01
30	UKIAH ADDENDUM NO 2	V050277	050477	APPROVED	02
15	ROGUE RIVER LAB BUILD-ROGUE R STP	V050377	050477	PROV APP	01
03	CCSD #1 CARTER CREEK SUBDIV	K042977	050477	PROV APP	05
26	TROUTDALE TROUTDALE LID 1-76	J042777	050677	PROV APP	09

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division

May 1977

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date Rec'd	Date of Action	Action	Time to Complete Action
3	CCSD #1 FOX CREEK EST	J042777	050677	PROV APP	09
26	GRESHAM WINTERFIELD	J050277	050677	PROV APP	04
24	SALEM-WILLOWL SERRA TERRA	J050277	050677	PROV APP	04
23	ONTARIO JONES SUBD #1	K050277	050677	PROV APP	10
26	GRESHAM WINTERFIELD SUBDIV	K050277	050677	APPROVED	04
24	SALEM SERRA TERRA SUBDIV	K050277	050677	APPROVED	04
26	PORTLAND JOHNS LANDING N OF SW SWEENY	J050377	050977	PROV APP	06
03	OAK LODGE SD LINDENBROOK	J042777	050977	PROV APP	12
17	GRANT PASS VENTURA SUBD-REVISED	J050277	050977	PROV APP	07
26	GRESHAM STARWOOD SUB	J050377	050977	PROV APP	06
10	N ROSEBURG SD AIRPORT WEST SUBD	J042877	050977	PROV APP	11
03	WEST LINN ROBINWOOD ESTATES NO II REV	J042977	050977	PROV APP	10
26	TROUTDALE NORTHRIDGE PHASE II	J050477	050977	PROV APP	05
26	PORTLAND SE MILL BTW SE 80TH & SE 32D	J050477	050977	PROV APP	07
26	PORTLAND SW LOBELIA ST	J050477	050977	PROV APP	07
26	PORTLAND SW 59TH AVE N OF BEAV-HILLS	J050477	050977	PROV APP	07
34	USA ALOHA SHADOW CREEK 558	K050377	051177	PROV APP	08
34	USA ALOHA AVALA APTS 556E	K050377	051177	PROV APP	08
34	USA DURHAM GREENWAY #7-561	K050377	051177	PROV APP	08
34	USA ALOHA EVERGREEN TERRACE #2	K042977	051177	PROV APP	12
34	USA ALOHA MCLAIN WEST NO 4	K050677	051177	PROV APP	05
34	USA ALOHA EXECUTIVE OAKS -566E-	K050677	051177	PROV APP	05
34	USA DURHAM MEIER & FRANK EXP WASH SQ	K050677	051177	PROV APP	05
34	USA ALOHA ROWLEY EST -559-	K050677	051177	PROV APP	05
34	USA DURHAM ELIANDER SS	K050677	051177	PROV APP	05
34	USA ALOHA RIDGEQUIN OAKS -557-	K050677	051177	PROV APP	05
34	USA ALOHA SOMERSET MEADOWS NO 2	K050577	051177	PROV APP	06

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division

May 1977

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date Rec'd	Date of Action	Action	Time to Complete Action
34	USA ALOHA AUTUMN RIDGE NO 3 -564-	K050477	051177	PROV APP	07
29	N TILLAMOOK C-410226 CHANGE B-7	V050977	051177	APPROVED	02
34	USA ROCK CR LANDSCAPING & IRRIG CONT 47	V050977	051177	PROV APP	02
34	USA ROCK CR PAINTING CONTR 49	V050977	051177	PROV APP	02
30	UKIAH ADDENDUM NO 3	J050677	051177	APPROVED	05
24	KEIZER SD TIMBERVIEW SUB LATS B,B1,&	CJ050577	051277	PROV APP	07
15	MEDFORD SELLARDS SUB	J050677	051277	PROV APP	06
24	MT ANGEL INDUST RD EXT	J050577	051277	PROV APP	07
04	ASTORIA SONORA AVE & W NIAGARA EXTS	K050677	051377	PROV APP	07
24	E SALEM SD #1 SWEGLE RD EXT	J050677	051377	PROV APP	07
24	SALEM BATTLE CREEK RD	J051177	051377	PROV APP	02
34	USA DURHAM DURHAM CHANGE 35 & 36	K051277	051377	APPROVED	01
34	USA DURHAM C & C INVESTMENT CO	J051277	051377	PROV APP	01
24	SALEM SOUTH OF BROWNING AVE	J050977	051677	PROV APP	07
24	SALEM-WILL L WILLOW CR PARK	J050977	051677	PROV APP	07
03	WILSONVILLE WILSONVILLE RD EXT	J051077	051677	PROV APP	06
15	MEDFORD ROGUE VALLEY IND PARK #3	J051177	051677	PROV APP	05
26	GRESHAM MARPOL RIDGE SUBD	J050977	051677	PROV APP	07
03	ESTACADA INDUST PARK DEV ESTACADA	K050577	051677	PROV APP	11
02	CORVALLIS CH ORD NO 46 DRWG A103	V051377	051677	APPROVED	03
26	LAKE OSWEGO CUMBERLAND PL LID 156	K050977	051777	PROV APP	08
34	USA DURHAM RAZBERRY PATCH	K050577	051777	PROV APP	12
24	SALEM N LIBERTY & BELMONT ST NE	J051677	051777	PROV APP	01
34	TUALATIN ARIKARA	J051277	051777	PROV APP	05
26	PORTLAND SW LOWELL CT	J051277	051777	PROV APP	05
24	SALEM JOHNISEE ADD	J051677	051877	PROV APP	02
10	GLENDALE GLENDALE STP - REVISED	V050277	051977	PROV APP	17

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division

May 1977

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date Rec'd	Date of Action	Action	Time to Complete Action
10	GLENDAL	GLENDAL COLL SYS REPLACE	V050277	051977	PROV APP 17
17	HARB-FRUIT SD	BEN AIRE SUB LAT H-11	K050977	052077	PROV APP 11
36	MCMINNVILLE	NEONEX 1977-7	J051677	052077	PROV APP 04
24	SALEM	SUNNYRIDGE ESTATES	J051677	052077	PROV APP 04
24	SALEM	ALLEY BTW 21ST & 22ND ST NE	J051677	052077	PROV APP 04
24	SALEM	ALLEY BTW CHEM & CT, CH & COT	J051777	052077	PROV APP 03
24	SAL-WILLOW L	WILLOW LAKE EXP CHANGE NO.	7V051977	052077	APPROVED 01
24	E SALEM	MACRAY SUBD	J051977	052077	PROV APP 01
36	MCMINNVILLE	VILLAGE MILL 2ND ADD	J051677	052377	PROV APP 04
34	USA DURHAM	86TH AVE EXT-570-	K051677	052477	PROV APP 08
34	USA ALOHA	COMPLEX 204	K051177	052477	PROV APP 13
34	USA ALOHA	MCLAIN WEST NO 3	K051177	052477	PROV APP 13
34	USA DURHAM	ROSEWOOD 72ND AVE LID 193	K051177	052477	PROV APP 13
20	EUGENE	BACKLUND PARK REVISED	K051077	052477	PROV APP 14
03	MOLALLA	HEINTZ ST - PRELIM -	K050977	052477	PRELIM APP 15
12	CANYON CITY	CANYON CITY SS	K042077	052477	PROV APP 34
05	CLATSKANIE	HIDDEN VALLEY	K051177	052577	PROV APP 14
08	BROOKINGS	SEA-CLIFF TERRACE	J051677	052577	PROV APP 09
24	SALEM	DALE DECKER MINIWAREHOUSE	J051877	052577	PROV APP 07
20	CRESWELL	COMM PARK, INC EXT	V041377	052577	PROV APP 42
26	CCSD	SEPTEMBER SUN	J052377	052577	PROV APP 02
03	CCSD #1	WILDERNESS ESTATES	J052377	052577	PROV APP 02
26	PORTLAND	SW 59TH REVISED	J052377	052577	PROV APP 02
26	PORTLAND	SE 23RD AVE & SE LONG ST	J052077	052577	PROV APP 05
04	ASTORIA	17TH ST - ALDERBROOK AREA	J052077	052577	PROV APP 05
20	SPRINGFIELD	SP-251 VAL-MAR ESTATES	K051877	052677	PROV APP 08
34	HILLSBORO	RIVER RD IND PARK EXT	K051777	052677	PROV APP 09

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division

May 1977

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date Rec'd	Date of Action	Action	Time to Complete Action
34	HILLSBORO WOODBRIDGE SUB EXT	K051777	052677	PROV APP	09
17	GRANTS PASS 7TH STREET	K051677	052677	PROV APP	10
17	GRANTS PASS LYNDA LANE	K051677	052677	PROV APP	10
17	GRANTS PASS EVELYN AVE	K051677	052677	PROV APP	10
16	MADRAS MADRAS EXTS	K051677	052677	PROV APP	10
27	MONMOUTH E MONMOUTH EXT	K051677	052677	PROV APP	10
20	SPRINGFIELD THURSTON PARK 4TH ADD	K051677	052677	PROV APP	10
03	CCSD SUNRISE ESTATES	J052077	052677	PROV APP	06
36	NEWBERG HOWARD STREET	J052377	052677	PROV APP	03
20	SPRINGFIELD MCKENZIE MEADOWS	K052377	052677	APPROVED	03
24	SALEM-WILLOW BATTLECREEK EST NO. 3	J051977	052677	PROV APP	07
10	HAKKI CREEK SPENDTHRIFT MOBILE PARK	V050277	052777	VERBAL CMTS	25
02	CORVALLIS CORVALLIS EXP CHANGE 36	V052577	052777	APPROVED	02
15	BUTTE FALLS CHANGE 6 FOR SCHS. I & III	V052577	052777	APPROVED	02
10	TRI CITY SD ARROW ST & INDIAN LN	J051177	053177	PROV APP	20
24	SALEM SUNNYRIDGE HTS NO 11	J042877	053177	PROV APP	03
15	BCUSA PEACH ST	J051877	053177	PROV APP	13
10	WINSTON WILLIAM B GLEN	K051077	053177	PROV APP	21
24	SALEM WILL L SUNNYRIDGE HTS NO. 10	J052577	053177	PROV APP	06
10	TRI-CITY WD ADAMS TRACTS	J052577	053177	PROV APP	06
34	USA ROCK CR CONTRACT 46 ADDS 1 & 2	V052077	053177	APPROVED	11
34	USA ROCK CR CONTRACTS 48A & 48B ADDS 1&2	V052077	053177	APPROVED	11
24	MT ANGEL PERSHING ADDTN	J051377	060177	PROV APP	18

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 1977
(Month and Year)

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Waste Sources - 15</u>			
Douglas	Georgia-Pacific Corp., Sutherlin Oil/Water Separator	5/ 2/77	Approved
Lane	Hines Lumber, Westfir Log Easy Letdown Device	5/ 2/77	Approved
Douglas	Champion Building Prod., Roseburg Veneer Plant Log Pond Overflow	5/ 2/77	Approved
Marion	House That Jack Built, Salem Zinc Plating Waste	5/ 2/77	Withdrawn
Linn	Teledyne Wah Chang Albany Neutralization Acid	5/ 2/77	Approved
Union	Union Pacific Railroad, La Grande Oil Spill Prevention	5/ 2/77	Approved
Marion	Agripac, Inc., Salem Cooling Water Recirculation	5/ 6/77	Approved
Clackamas	Publishers Paper, Oregon City Install 3 Aerators (100 horsepower) In Stabilization Basin	5/11/77	Approved
Linn	Teledyne Wah Chang Albany MIBK Stripper	5/12/77	Approved
Hood River	White Salmon Bridge, Hood River Repairs	5/13/77	Approved
Clatsop	Astoria Plywood, Astoria Veneer Dryer Washdown Water	5/16/77	Approved
Columbia	Kaiser Gypsum, St. Helens Oil Containment Dike	5/17/77	Approved
Washington	Tektronix, Inc., Beaverton Electron Captive Device for Gas Chromatograph	5/18/77	Approved

Monthly Activity Report

Water Quality Division
(Reporting Unit)

May, 1977
(Month and Year)

PLAN ACTIONS COMPLETED (145 continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Industrial Waste Sources - continued</u>			
Columbia	Longview Fibre, Clatskanie Sorting Yard Settling Pond	5/23/77	Approved
Clackamas	Hugh Brown, Jr., Mulino Manure Storage & Disposal	5/24/77	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 1977
(Month and Year)

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>										
New	1 0	3 3	0 3	7 9	3 2					
Existing	0 0	0 2	0 1	2 5	0 3					
Renewals	1 0	75 14	0 3	36 6	85 7					
Modifications	1 0	22 1	0 0	32 3	9 0					
Total	3 0	100 20	0 7	77 23	97 12			300 66	303 71	
<u>Industrial</u>										
New	0 0	7 10	0 0	3 9	6 4					
Existing	0 1	1 4	0 0	6 11	1 3					
Renewals	3 0	54 11	2 2	31 14	50 4					
Modifications	1 0	35 2	3 0	48 4	9 0					
Total	4 1	97 27	5 2	88 38	66 11			431 98	438 95	
<u>Agricultural (Hatcheries, Dairies, etc.)</u>										
New	0 0	2 1	0 0	4 0	1 0					
Existing	0 0	0 0	0 0	0 2	0 0					
Renewals	0 0	1 0	0 0	0 1	0 0					
Modifications	0 0	9 0	0 0	11 0	0 0					
Total	0 0	12 1	0 0	15 3	1 0			65 9	66 9	
GRAND TOTALS	7 1	209 48	5 9	180 64	164 23			796 163	807 175	

* NPDES Permits

** State Permits

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

May, 1977
(Month and Year)

PERMIT ACTIONS COMPLETED - 14

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Klamath	Weyerhaeuser Company Klamath Division	5/19/77	NPDES Permit Modified
Deschutes	Hiatt House Apartments Sewage Disposal	5/19/77	State Permit Renewed
Deschutes	Sunriver Properties Sewage Disposal	5/19/77	State Permit Renewed
Harney	Harney County School District Crane School - Sewage Disposal	5/19/77	State Permit Issued
Marion	Willamette Lutheran Homes Sewage Disposal	5/25/77	State Permit Renewed
Malheur	City of Adrian Sewage Disposal	5/25/77	State Permit Issued
Union	City of Cove Sewage Disposal	5/25/77	State Permit Issued
Clackamas	City of Ukiah Sewage Disposal	5/25/77	State Permit Issued
Clackamas	Wesley G. King Mining & Aggregate Processing	5/25/77	State Permit Renewed
Linn	Stokely Van Camp Canfery Waste	5/25/77	State Permit Renewed
Coos	Menasha Corporation Pulp & Paper Division	5/25/77	NPDES Permit Renewed
Lincoln	Depoe Bay Fish Newport Facility	5/25/77	NPDES Permit Renewed
Coos	City of Coquille Water Filtration Plant	5/30/77	Modification Denied
Coos	Lakeside Water District Filtration Plant	5/30/77	Modification Denied

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality
(Reporting Unit)

May 1977
(Month and Year)

PLAN ACTIONS COMPLETED - 20

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources (20)</u>			
Linn (828)	Champion Building Products, Lebanon. Two baghouses.	5/9/77	Approved.
Clatsop (858)	Pacific Fabricator. Fabricate offshore structures.	5/9/77	Approved.
Hood River (874)	Cascade Orchards. Orchard fans.	4/27/77	Approved for tax credit only.
Hood River (885)	Lage Orchard. Orchard fans.	4/27/77	Approved for tax credit only.
Multnomah (890)	Rich Mfg. Co. of Oregon. Induction melt furnace.	5/11/77	Approved.
Lane (891)	National Metallurgical. Coal charge dust control system.	3/21/77	Approved for tax credit only.
Multnomah (892)	Publishers Paper Company. Chip blanker and chip bin system.	4/28/77	Canceled.
Linn (897)	Air Products & Chemicals, Inc. Nitrogen Plant.	5/11/77	Approved.
Hood River (903)	Donald L. Goe. Orchard fans.	4/27/77	Approved for tax credit only.
Clackamas (907)	Publishers Paper. Chip bins and cyclones.	5/11/77	Approved.
Yamhill (908)	Publishers Paper. I. R. meter for SO ₂ .	5/18/77	Approved.
Clackamas (909)	Oregon Portland Cement. Baghouse on rail outload.	5/11/77	Approved.
Multnomah (911)	Western Farmers Association. Distillate boiler.	5/20/77	Approved.
Linn (912)	Boise Cascade Corporation Energex burner system.	5/20/77	Approved.

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality
(Reporting Unit)

May 1977
(Month and Year)

PLAN ACTIONS COMPLETED (20 - continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>Direct Stationary Sources</u> (continued)			
Clackamas (918)	Estacada Rock Products. Replacement ready-mix plant.	5/11/77	Approved.
Washington (919)	Tualatin Valley Paving Inc. Pre-cleaner on baghouse.	5/9/77	Approved.
Linn (920)	Champion Building Products. Modification of dryer heat source.	5/18/77	Approved.
Lane (921)	Georgia Pacific Corporation, Eugene. Stainless steel veneer dryer pipe.	5/10/77	Approved for tax credit only.
Lane (922)	The Kingsford Company. Dry briquets with ACC exhaust.	5/17/77	Approved for tax credit only.
Clackamas (923)	Joe Bernert Towing Company, Inc. Add crushers to gravel plant.	5/12/77	Approved.

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality
(Reporting Unit)

May 1977
(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	3	23	1	21	12		
Existing	4	45	5	71	17		
Renewals	4	141	5	148	78		
Modifications	8	117	6	114	20		
Total	19	326	17	354	127*	1708	1737
<u>Indirect Sources</u>							
New	2	22	1	22	12		
Existing							
Renewals							
Modifications		4		4			
Total	2	26	1	26	12	53	
<u>GRAND TOTALS</u>	21	352	18	380	139	1761	

* Sixty-four sources are on public notice or are ready to go on public notice.

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality
(Reporting Unit)

May 1977
(Month and Year)

PERMIT ACTIONS COMPLETED (18)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Benton	3-G Lumber 02-2481 Sawmill & Planing Mill Renewal	5/10/77	Permit Issued
Clackamas	Holden Apartments 03-2564 Fuel Burning Equipment Modification	5/10/77	Permit Issued
Clackamas	Salvage Smelter 03-2662 Smelting & Refining Existing	5/10/77	Permit Issued
Deschutes	Kerns RTF 09-0036 Modification	4/25/77	Addendum Issued
Jackson	Down River Forest Products 15-0027 Particle Board Mfg. Modification	5/10/77	Permit Issued
Jackson	Minnesota Mining & Mfg. 15-0029 Existing	5/23/77	Permit Issued
Jackson	Special Products of Oreg. 15-0098 Millwork Existing	5/10/77	Permit Issued
Linn	Tomco, Inc. 22-1501 Sawmill & Planing Renewal	5/10/77	Permit Issued
Marion	National Wood Industries 24-0023 Millwork Existing	5/10/77	Permit Issued
Marion	Riverbend Sand & Gravel 24-5945 Ready Mix Concrete Modification	5/10/77	Permit Issued
Multnomah	Reynolds Metals Co. 26-1851 Primary Aluminum Reduction Renewal	5/10/77	Permit Issued
Multnomah	Ace Galvanizing, Ind. 26-2982 Galvanizing Modification	5/10/77	Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Air Quality
(Reporting Unit)

May 1977
(Month and Year)

PERMIT ACTIONS COMPLETED (18 - continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Polk	McCormick-Shires Millwork 27-6022 Millwork Renewal	5/10/77	Permit Issued
Wasco	Martin Marietta Aluminum 33-0001 Modification	5/4/77	Addendum Issued
Wasco	J. H. Baxter & Co. 33-0003 Wood Preserving Existing	5/10/77	Permit Issued
Washington	Wilsonville Concrete Products 34-2640 Ready Mix Concrete New	5/10/77	Permit Issued
Linn	Albany Planing Mills, Inc. 22-1504, Mill Work (Renewal)	5/10/77	Permit Issued
<u>Indirect Sources (2)</u>			
Clackamas	(Sunnyside Road (County Road access to Clackamas Town Center)	5/10/77	Final Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1977
(Month and Year)

PLAN ACTIONS COMPLETED (7)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Benton	Willamette Industries Philomath Site Existing Site Operational Plan	5/13/77	Approved.
Linn	Willamette Industries Griggs Site Existing Site Operational Plan	5/13/77	Approved.
Linn	Willamette Industries Foster Site Existing Site Operational Plan	5/13/77	Approved
Multnomah	Esco Steel Corporation New Site Operational Plan	5/17/77	Approved.
Washington	Lakeside Reclamation Existing Site Operational Plan	5/16/77	Provisional approval.
Malheur	Jordan Valley Disposal Site Development and Operational Plan	5/17/77	Approved
Lincoln	Georgia-Pacific Toledo Existing Site Operational Plan	5/23/77	Approved.

DEPARTMENT OF ENVIRONMENTAL QUALITY
TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1977
(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	11	2	8	3	(* -2)	
Existing		1	1	27	22	(*)	
Renewals	2	10		14	3		
Modifications		7	1	16			
Total	3	29	4	65	28		192 193
<u>Demolition</u>							
New	1	3		3	1		
Existing	1	2		3	1	(*)	
Renewals		2		1	2		
Modifications		1		2			
Total	2	8	0	9	4		14 15
<u>Industrial</u>							
New		4		6			
Existing		3		7	8	(* -4)	
Renewals	1	14		14	5		
Modifications		4	3	7			
Total	1	25	3	34	13		84 88
<u>Sludge Disposal</u>							
New		3		3	1	(*)	
Existing							
Renewals		1		2	1		
Modifications		2		3			
Total	0	6	0	8	2		7 7
<u>Hazardous Waste</u>							
New							
Authorizations	14	114	24	114	1		
Renewals							
Modifications							
Total	14	114	24	114	1		1 1
<u>GRAND TOTALS</u>	<u>20</u>	<u>182</u>	<u>31</u>	<u>230</u>	<u>48</u>		<u>298</u> <u>304</u>

*Sites operating under temporary permits until regular permits are issued.

TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1977
(Month and Year)

PERMIT ACTIONS COMPLETED (31)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
<u>General Refuse (Garbage) Facilities</u> (4)			
Douglas	Lookingglass Transfer Station New Facility	5/10/77	Permit issued.
Douglas	Reedsport Landfill Existing facility	5/16/77	Permit issued (renewed)
Jackson	South Stage Landfill Existing Facility	5/19/77	Permit amended.
Sherman	Sherman Co. Landfill New facility	5/19/77	Permit issued.
<u>Demolition Waste Facilities</u> - none			
<u>Sludge Disposal Facilities</u> - none			
<u>Industrial Waste Facilities</u> (3)			
Polk	Boise Cascade, Independence Existing facility	5/3/77	Permit revoked*
Lincoln	Georgia-Pacific, Toledo Existing facility	5/23/77	Permit amended
Polk	Willamette Ind., Dallas Existing facility	5/26/77	Permit revoked*
*Solid waste disposal is adequately addressed in company's NPDES permit.			
<u>Hazardous Waste Facilities</u> (24)			
Gilliam	Chem-Nuclear Systems, Inc. Existing facility	5/2/77	Eight (8) verbal authorizations for small quantities of chemical wastes were confirmed in writing.

TECHNICAL PROGRAMS

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

May 1977
(Month and Year)

PERMIT ACTIONS COMPLETED (continued)

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Gilliam	Chem-Nuclear Systems, Inc.	5/5/77	Disposal authoriza- tion approved (aerosol pesticides).
Gilliam	" " " "	5/11/77	Disposal authoriza- tion approved (PCB).
Gilliam	" " " "	5/16/77	Eight (8) verbal authorizations for small quantities of chemical wastes were confirmed in writing.
Gilliam	" " " "	5/17/77	Disposal authoriza- tion approved (PCB).
Gilliam	" " " "	5/19/77	Two (2) disposal authorizations approved (PCB's).
Gilliam	" " " "	5/25/77	Two (2) disposal authorizations approved (acids, paint & solvent sludges).
Gilliam	" " " "	5/31/77	Disposal authorization amended (aerosol pesticides).



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

TO: Environmental Quality Commission
FROM: Director
SUBJECT: Agenda Item No. C, June 24, 1977, EQC Meeting
Tax Credit Applications

Attached are review reports on seven (7) 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 tax credit requests as follows:

Issue certificates for seven applications: T-880, T-889, T-890, T-893, T-894, T-895, T-896.

WILLIAM H. YOUNG

/cs
6/10/77

Attachments

Tax Credit Summary
Tax Credit Review Reports (7)



Contains
Recycled

TAX CREDIT APPLICATIONS

<u>Application/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>
Georgia-Pacific Coos Bay	T-880 (WQ)	Floating containment boom	\$ 10,323.62	80% or more	Issue
Weyerhaeuser Klamath Falls	T-889 (AQ)	Multiclone to control emissions from 4 boilers	979,846.00	80% or more	Issue
Weyerhaeuser Klamath Falls	T-890 (AQ)	Western Precipitation Multiclone	75,362.00	80% or more	Issue
Western Foundry Portland	T-893 (AQ)	Baghouse	123,937.00	80% or more	Issue
Western Foundry Portland	T-894 (AQ)	Venturi-rod scrubber	282,174.00	80% or more	Issue
Western Foundry Portland	T-895 (AQ)	Baghouse	54,246.00	80% or more	Issue
Astoria Plywood Astoria	T-896 (AQ)	Veneer dryer emissions control system	114,620.00	80% or more	Issue

TAX CREDIT SUMMARY

Proposed June 1977 Totals:

Air Quality	\$1,629,185.00
Water Quality	10,323.62
Solid Waste	-0-
	<u>\$1,639,508.62</u>

Calendar Year Totals to Date:
(Excluding June 1977 Totals)

Air Quality	\$3,601,724.66
Water Quality	943,298.78
Solid Waste	345,658.51
	<u>\$4,890,681.85</u>

Total Certificated Awarded (Monetary Values)
Since Beginning of Program (excluding June 1977 Totals):

Air Quality	\$99,327,224.79
Water Quality	71,607,678.38
Solid Waste	12,817,356.30
	<u>\$183,752,259.47</u>

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

1. Applicant

Georgia-Pacific Corporation
Coos Bay Division
Post Office Box 269
Coos Bay, Oregon 97420

The applicant owns and operates a chip loading facility at Coos Bay, Oregon in Coos County.

The application was submitted March 4, 1977.

2. Description of Claimed Facility

The claimed facility consists of an Acme "OK" improved floating containment boom. The boom is used to circumvent chip spills during ship loading operations. The spilled chips are then contained so they can be removed from the bay.

The claimed facility was purchased and placed in operation December 19, 1975.

Certification must be made under the 1969 Act and the percentage claimed is 100 percent.

Facility costs: \$10,323.62 (Accountant's certification was submitted).

3. Evaluation of Application

Prior to the purchase of the containment boom, spilled chips could not be contained and many were lost before they could be cleaned up. With the boom, chips can be quickly contained before they scatter.

Though there is no written documentation showing the Department approved purchase of the boom, the files contain a memo which states the boom was discussed and verbally approved by a member of the staff. Because no notice of construction procedures were developed for waste water treatment systems at the time the boom was verbally approved, we believe the verbal approval should fulfill the notice of construction requirements of ORS 468.175, as were in affect at the time.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the costs of \$10,323.62 with 80 percent or more of the cost allocated to pollution control be issued for the facility claimed in Tax Application T-880.

State of Oregon
Department of Environmental Quality

Tax Relief Application Review Report

1. Applicant

Weyerhaeuser Company
P. O. Box 9
Klamath Falls, Oregon 97601

The applicant owns and operates sawmill, plywood, particleboard and hard-board facilities in Klamath Falls, Oregon.

2. Description of Facility

The facility claimed in this application consists of a multiclone to control emissions from 4 boilers. The facility costs consist of:

a. Breeching, dampers and ductwork	\$198,952
b. Damper replacement	36,535
c. Dust collector	104,730
d. Ash classifiers and conveyors	70,937
e. Fan and drive	105,951
f. Cinder reinjection equipment	41,892
g. Dempster-Dempster system	52,928
h. Miscellaneous iron and supports	22,781
i. Foundations	50,618
j. Electrical installation	19,428
k. Piping removal and relocation	8,491
l. Piping and insulation	53,977
m. Instruments and controls	150,633
n. Relocation of oil house	28,555
o. Substation	17,519
p. Motor control center	15,919

Construction of the claimed facility was started in March, 1973 and completed and placed in operation March 1974. Notice of Construction was approved January 31, 1973.

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

Facility cost: \$979,846 (Accountant's certification provided).

3. Evaluation of Application

In order to meet Department emission regulations from the boilers, the applicant has installed a multiclone and associated equipment. The multiclone collects fly ash and char in the boiler exhaust stream. A small percentage of the collected material is reinjected into the boiler but the majority is routed to bins and finally to an approved solid waste disposal site. Some existing plant facilities had to be moved to provide room for the control and handling equipment. The appropriate portion of the cost of items which serve more functions than pollution control has been removed from the claimed cost by the applicant.

The claimed facility operates in a satisfactory manner.

The operating cost of the claimed facility is greater than the value of the char reinjected into the boiler. It is concluded that 100% of the cost of this facility is allocable to pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$979,846 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application #889.

RP:lb

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

1. Applicant

Weyerhaeuser Company
P. O. Box 9
Klamath Falls, Oregon 97601

The applicant owns and operates a lumber, plywood, hardboard and particleboard complex in Klamath Falls, Oregon.

2. Description of Facility

The facility claimed in this application consists of a Western Precipitation Multiclone, Model 12VU35-105-7. The costs consist of:

a) Cost of collector	\$39,257
b) Construction costs	36,105

Construction of the claimed facility was started August 25, 1973 and completed September 25, 1973. The facility was placed in operation November 25, 1973. The Notice of Construction was approved March 26, 1973.

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

Facility cost: \$75,362 (Accountants certification provided.)

3. Evaluation of Application

In order to meet Department regulations for emissions from boilers, the permittee replaced an existing multiclone with the claimed facility. The multiclone collects fly ash and char generated in boiler #5.

The claimed facility is operating in a satisfactory manner. The collected material has no value. It is concluded that 100% of the cost of this facility is allocable to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$75,362 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application #T-890.

State of Oregon
Department of Environmental Quality

Tax Relief Application Review Report

1. Applicant

Western Foundry Company
P. O. Box 23278
Portland, Oregon 97223

The applicant owns and operates an iron and steel foundry, metal castings plant, located at 8200 S. W. Hunziker Road, Tigard, Oregon.

2. Description of Facility

The facility claimed in this application consists of an Industrial Clean Air, Inc., Rees Division baghouse to control the sand handling processes and the casting cleaning room. The facility costs consist of:

a.	ICA model 20-800 baghouse	\$64,555.80
b.	Concrete footing	1,050.00
c.	Engineering	800.00
d.	Ductwork	22,596.00
e.	Installation-industrial machine erectors	21,898.43
f.	Western Foundry Company labor	9,630.00
g.	Freight and miscellaneous	3,406.69

Construction of the claimed facility was started in May 1975 and completed in May 1977. The facility was placed in operation in May 1977. A "Notice of Construction and Application for Approval" was filed and was subsequently approved by the Department on October 10, 1974.

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

Facility cost: \$123,937.00 (Accountant's certification was provided).

3. Evaluation of Application

Western Foundry Company was required by their Air Contaminant Discharge Permit to control emissions from the sand shakeout, the sand mullers and the casting cleaning room. An exhaust system was installed at each source of emissions which routes the air contaminants through the central baghouse.

The claimed facility operates in compliance with their air permit.

The material collected by the claimed facility is of no economic value. It is concluded that 100% of the cost of this facility is allocable to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$123,937.00 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-893.

State of Oregon
Department of Environmental Quality

App# T-894

Date 6/7/77

Tax Relief Application Review Report

1. Applicant

Western Foundry Company
P. O. Box 23278
Portland, Oregon 97223

The applicant owns and operates an iron and steel foundry and manufactures metal castings. The plant is located at 8200 S. W. Hunziker Road, Tigard, Oregon.

2. Description of Facility

The facility claimed in this application consists of a venturi-rod scrubber for the cupola. The facility costs consist of:

a. Engineering	\$42,639.87
b. Sludge tank	13,431.20
c. Blower motors	19,861.50
d. Riley model A33, 26000 ACFM Venturi-rod scrubber	35,001.00
e. Steel plate roof and installation	4,363.89
f. Polymer pumps and mixers	1,801.00
g. Duct work	13,811.45
h. Two 22650 ACFM fans	36,000.00
i. Pump and plumbing	9,843.78
j. Four motor starters	10,944.00
k. Electrical controls and supervisory panel	13,324.16
l. Refractory, decks and columns	7,432.12
m. Western Foundry Company labor	23,130.75
n. Installation	41,728.89
o. Freight and miscellaneous	8,860.72

Construction of the claimed facility was started in May 1975 and completed in April 1977. The facility was placed in operation in April 1977. A "Notice of Construction and Application for Approval" was filed and was subsequently approved by the Department on November 1, 1974.

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

Facility cost: \$282,174.00 (Account's certification was provided).

3. Evaluation of Application

Western Foundry Company was required by their Air Contaminant Discharge Permit to control emissions from a new installation iron melting cupola to meet highest and best practicable control. An existing inefficient scrubber system was replaced by a 80 inches water gauge pressure drop venturi-rod scrubber. The inlet volume to the scrubber is 30,091 ACFM. The inlet air temperature to the scrubber is lowered by equal dilution air and by 130 gallons per minute of quench water.

The claimed facility operates in compliance with their air permit.

The material collected by the claimed facility is of no economic value. It is concluded that 100% of the cost of this facility is allocable to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$282,174.00 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-894.

RP:ds
6/7/77

State of Oregon
Department of Environmental Quality

Tax Relief Application Review Report

1. Applicant

Western Foundry Company
P. O. Box 23278
Portland, Oregon 97223

The applicant owns and operates an iron and steel foundry and manufactures metal castings. The plant is located at 8200 S. W. Hunziker Road, Tigard, Oregon.

2. Description of Facility

The facility claimed in this application consists of an Industrial Clean Air, Inc., Rees Division baghouse on the electric arc furnace. The facility costs consist of:

a. ICA model 10-800 baghouse	\$26,780.00
b. Concrete footing	665.00
c. Western Foundry Company Labor	4,632.25
d. Electrical subsystem	19,640.53
e. Freight, sheet metal and miscellaneous	2,528.05

Construction of the claimed facility was started in January 1975 and completed in June 1975. The facility was placed in operation in June 1975. A "Notice of Construction and Application for Approval" was filed and was subsequently approved by the Department on October 10, 1974.

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

Facility cost: \$54,246.00 (Accountant's certification was provided).

3. Evaluation of Application

Western Foundry Company was required by their Air Contaminant Discharge Permit to control emissions from their electric arc furnace to within the limits allowed by Rule. An existing inefficient scrubber system was replaced by a baghouse filter. Dilution air is used to lower the temperature of the furnace exhaust so as not to damage the filter bag material.

The claimed facility operates in compliance with their air permit.

The material collected by the claimed facility is of no economic value. It is concluded that 100% of the cost of this facility is allocable to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$54,246.00 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application No. T-895.

Tax Relief Application Review Report

1. Applicant

Astoria Plywood Corp.
PO Box 117
Astoria, Oregon 97013

The applicant operates a plywood plant in Astoria, Oregon.

2. Description of Facility

The facility claimed in this application consists of a veneer dryer emissions control system. The facility costs consist of:

- | | |
|--|----------|
| a. Veneer dryer emissions incineration system | \$95,612 |
| b. Steel support towers, assembly, electrical, controls and air piping | \$19,008 |

Construction of the claimed facility was started in July, 1975 and was completed in July, 1976. It was placed in operation in August, 1976. A Notice of Construction was approved May 23, 1975. Preliminary certification is not required.

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

Facility costs: \$114,620 (accountant's certification was provided).

3. Evaluation of Application

Air permit regulations required that the emissions from the veneer dryers be reduced. This was accomplished by routing all exhaust stacks except the cooling section stacks from the dryers to the existing boiler. The hydrocarbon emissions from the dryer are incinerated in the boiler.

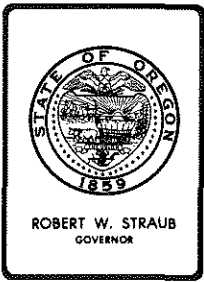
This control system is completed and is operating properly, however the two veneer dryers are not yet in compliance. The fugitive emissions from the dryers and the cooling section stack on the Coe dryer at times exceed 20% opacity. The regional office is working with the company to correct these problems.

These problems should not affect the application as they are not a result of the installation and the control equipment was not designed to control these emissions.

The operating cost of the claimed facility is greater than any economic value gained from the operation of this control system. It is concluded that 100% of the cost of this facility is allocable to air pollution control.

4. Director's Recommendation

It is recommended that a Pollution Control Facility Certificate bearing the cost of \$114,620 with 80% or more allocated to pollution control be issued for the facility claimed in Tax Credit Application #T-896.



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Addendum 1 to Agenda Item No. C, June 24, 1977, EQC Meeting
Tax Credit Applications

Attached is Tax Credit Application No. T-860, Bohemia, Inc.
for your consideration.

Director's Recommendation

The Director recommends approval of Tax Credit Application No. T-860
in the amount of \$473,247.67.

William H. Young

/cs
6/22/77
Attachment (1)



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

1. Applicant

Bohemia, Inc.
P. O. Box 1819
Eugene, Oregon 97401

The applicant owns and operates a veneer and lumber mill and a bark extraction plant at Coburg in Lane County, Oregon.

2. Description of Facility

The facility claimed in this application consists of 600,000 square feet of black top paving over the plant log storage, handling and scaling yard.

The construction of claimed facility started in July 1975 and was completed in November 1976.

Certification is claimed under the 1973 Act as amended in 1975 with 100 percent of the cost allocated to pollution control for utilization of solid waste.

Facility costs: \$473,247.67 (accountant's certification was attached to application).

3. Evaluation of Application

Bohemia, Inc. submitted a Request for Preliminary Certification for Tax Credit to the Department, which was approved on July 2, 1976.

Prior to the paving of the Bohemia Coburg plant log yard 21,000 tons per year of wood waste, mud and rock was landfilled. The paving eliminated the mud problem, dust emissions and landfill disposal of solid waste. The clean recoverable portion of the waste is now picked up off the yard and fed into Bohemia's wood products utilization facility, to be utilized as raw bark for the bark extraction plant or hog fuel.

Bohemia, Inc. submitted to the Department on June 13 and 16, 1977, full, up-to-date information, prepared from 1976 operational data. The new cost saving analysis prepared by Bohemia, Inc. indicates that value of the bark (\$33,771) recovered from paved Coburg log yard is greater than annual operational savings (\$26,021).

The Department requested its legal counsel for informal opinion on the following issues as related to this application:

1. Whether or not "The Substantial Purpose of Claimed Facility" as defined in the ORS 468.165 can be measured through cost benefits analysis.
2. Whether the circumstances prior to construction of claimed facility or the circumstances at the time of final application preparation are governing.

The legal counsel agreed with the Department's interpretation of ORS 468.165(1)(b)(A) and confirmed the interpretation of "The Substantial Purpose of Claimed Facility" can be measured through cost benefits analysis. Furthermore, it is legal counsel's opinion that circumstances at the time of final application preparation are governing.

In future applications for paved log yards, the Department will require cost saving analysis similar to those prepared by Bohemia, Inc. for Coburg log yard as follows:

1. Annual Cost Savings

a. Annual Rock Replacement	\$33,600
b. Annual Clean-up Cost	89,048
c. Annual Equipment Maintenance	<u>26,348</u>
TOTAL	\$148,996

2. Annual Cost of Paving

a. Interest Expense 10 Years at 9 percent (Average)	\$26,605
b. Pavement Maintenance 20¢ per sq/yd	13,333
c. Property Taxes	10,262
d. Depreciation 10 Years Straight Line 5 Percent Salvage	<u>45,278</u>
TOTAL	\$95,478

Pre-tax Savings (cost savings - cost of paving) \$53,518

Corporation Income Taxes at 51.38 percent \$27,497

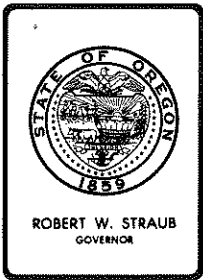
Net after Tax Savings \$26,021

In conclusion the claimed facility eliminated generation of 21,000 tons per year of solid waste, mud problems, dust emissions, and substantially reduced the need for new landfill sites. Considering that the value of the recovered bark is greater than the annual operational savings, it appears that the substantial purpose for the construction of the claimed facility was pollution control and utilization of solid wastes.

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

4. 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-860, such certificate to bear the actual cost of \$473,247.67.



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Addendum to Agenda Item D, July 15, 1977, EQC Meeting, Woodex, Inc.
Preliminary Tax Relief Certification Request Review Report

The Department received a telephone call from Mr. Rudy Gunnerman on 6/12/77. He requested a delay in the consideration of his request for preliminary tax credit certification because he would not be able to attend this meeting.

The Department has considered the matter. Because the 60-day time limit which would automatically approve the application expires prior to the next Environmental Quality Commission meeting, it is recommended that action be taken at this 7/15/77 Environmental Quality Commission meeting.

If the Environmental Quality Commission denies the request, the Department is willing to consider another application on the same facility provided additional information is submitted. If the Department's recommendation remains the same after consideration of the second application, it would be presented to the Environmental Quality Commission at a later meeting.

Bill

William H. Young

/mh
7/12/77
Attachment (1)



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State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: File 22-1034

Date: June 12, 1977

From: Ed Woods

Subject: Woodex, Inc. Request for Preliminary Tax Credit Certification

On 6/12/77 Mr. Rudy Gunnerman called concerning the request for construction approval and preliminary tax credit certification for the new dryer and cyclone at the Woodex facility in Brownsville.

A letter dated 6/11/77 had already been mailed which explained the status of the request. Mr. Gunnerman was informed that the Department had approved construction subject to EQC confirmation of the project but would recommend denial of the request for preliminary tax credit certification to the EQC at its meeting on 7/15/77.

Mr. Gunnerman called again and requested that this item be delayed to another meeting. Because of the short notice he would not be able to attend the 7/15/77 meeting. He was told that the Department would consider his request and would notify him the same day of its decision.

Mr. Gunnerman was informed by telephone that this item would remain on the agenda for the 7/15/77 meeting. However, the Department would inform the EQC that the Department would not be opposed to considering a similar application for the same facility. It was suggested to Mr. Gunnerman that he submit a letter to the EQC that should his application be denied, he requests that the EQC consider a similar application for the same facility at a future meeting.

Mr. Gunnerman was also informed that the Department did not speak for the EQC but only made recommendations and that all recommendations to the EQC received prior review by legal counsel and therefore may be subject to change.

Mr. Gunnerman indicated that he would send a request to the EQC in care of the Department.

EW:mh

State of Oregon
Department of Environmental QualityDate 7-7-77Preliminary Tax Relief Certification Request Review Report

Applicant

Woodex Inc.
Route 1, Box 33
Brownsville, Oregon 97327

The applicant owns and operates a wood waste drying and pelletizing facility in Brownsville. The applicant has applied for preliminary certification for tax credit for a proposed dryer and cyclone (Notice of Construction No. 936).

Evaluation of Request

The applicant has an existing dryer and cyclone. Emissions from the cyclone were to be source tested and the results submitted to the Department by March 1, 1976. The test results were not submitted as required and the applicant was sent Notices of Violation on July 26, 1976 and December 27, 1976, and a Notice of Intent to Issue Civil Penalty on April 22, 1977.

On February 10, 1977, the Department approved NC 869 and granted preliminary certification for modifications to the existing process which were to reduce the cyclone emissions. These modifications were made and visual emissions were reduced. However, rather than source test the existing cyclone to demonstrate compliance with all regulations, the company has proposed to replace the system with a used larger dryer and a new cyclone. The existing unit will be placed on standby.

The proposed cyclone and dryer will double the existing plant production. The maximum capacity of the proposed dryer will be ten tons per hour but the actual operating capacity will be approximately eight tons per hour.

The dried wood material is to be transferred from the dryer to the existing pellet mill via the proposed cyclone. Emissions from the cyclone go through the induced draft fan to the atmosphere.

The proposed dryer and cyclone have been reviewed by the Department and will be approved for construction. However, the applicant has also requested preliminary tax credit certification for the cyclone. The Department recommends this request be denied.

The cyclone is part of the air transfer system, the primary purpose of which is to transport the dried material from the dryer to the pellet mill. The existing cyclone is not being retained as it is too small to handle the increased volume of material from the proposed dryer. It is likely that the new cyclone will meet Department regulations, although there does not appear to be any special features of the cyclone to reduce air pollution. The material handled by the cyclone goes directly into the end product and it is therefore beneficial for the company to capture as much dried material as possible.

The Department has concluded that the substantial purpose of the cyclone is to process dried material (process equipment) and not to serve as an air pollution control device.

Director's Recommendation

It is recommended that the Environmental Quality Commission take the following action:

1. Enter a finding that the cyclone proposed for installation in Notice of Construction No. 936 does not comply with the definition of "pollution control facility" as set forth in ORS 468.155(1).
2. Issue an order denying certification pursuant to ORS 468.175(3).

EW:sw

WILLIAM H. YOUNG



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 No. D, June 24, 1977 EQC Meeting

Variance Request - Chevron U.S.A., Inc. (formerly
Standard Oil Company of California) - Multnomah County

Background

Chevron U.S.A., Inc. (formerly Standard Oil Company of California) operates a petroleum tank farm at N.W. Front Avenue and Doane in Portland, Oregon.

At the November 19, 1976 EQC meeting, the Commission granted Chevron a variance to exceed the Department's 1.75% sulphur limitation for residual fuel oil for the period December 1, 1976 to June 1, 1977. By the attached letters dated March 23, 1977 and May 6, 1977, Chevron has reported that they will be unable to comply with the subject limitation due to the lack of availability of North Slope crude oil by June 1, 1977. They therefore have requested a final six-month variance extension from Oregon Administrative Rules, Section 340-22-010 (2), relative to the sulphur content in residual fuel oil.

Discussion

OAR 340-22-010 (2) states that after July 1, 1974 no person shall distribute, use or make available for use any residual fuel oil containing more than 1.75% sulphur by weight.

If you will recall, in November 1976 Chevron and McCall Oil Co. (a Chevron client) were faced with a problem of being unable to comply with the sulphur limitation rule. Supplies of clean crudes were in short supply and a strong dependence was placed upon heavy Arabian crude. At that time, these companies had expectations that North Slope crude would become available in the ensuing six months. Compliance was to be attained by June 1, 1977 through the receipt of this cleaner fuel. Considering the economic



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and environmental impact of the situation, the Commission granted Chevron and McCall variances from the subject limitation for the period December 1, 1976 to June 1, 1977. The variances were conditioned such that the companies were allowed to handle residual fuel oil up to 2.0% sulphur content. In addition, progress reports were required to define the efforts and/or accomplishments made to attain full-time compliance.

As outlined in the attached progress report dated March 23, 1977 and as discussed with the Department on March 24, 1977, Chevron's recent shipments have been 1.92%, 2.0% and 1.92% sulphur content in quantities ranging from 56,000 to 73,000 barrels each. Chevron also stated that low sulphur North Slope crude would not be available by the expiration date of the variance. The Company stated that it appears that North Slope crude would not be available until January 1, 1978. In that letter Chevron requested a six-month extension of the variance. The Department informed the Company that it would not support an extension unless it was based upon a firm commitment that 1.75% sulphur or better residual fuel oil would be supplied to Oregon by January 1, 1978.

By the attached letter dated May 6, 1977, Chevron renewed its request for an extension and added that this would be the last request for a waiver of the 1.75% sulphur limit.

The Department has conferred with McCall Oil Co. and confirmed that the Company is still dependent upon Chevron as its major fuel oil supplier. It should be noted that although McCall did not exceed the sulphur limit during the variance period (as a result of blending), its search for other new sources of low sulphur fuel were unsuccessful. The Department believes that the proposed variance adequately protects Chevron and its customers and therefore, a separate variance for McCall Oil Co. would not be required.

Conclusions

1. Chevron U.S.A., Inc. is faced with a short-term problem caused by the delayed availability of low sulphur North Slope crude.
2. The Company states that compliance will be attained by January 1, 1978 and this request will be their final variance request.
3. The Department does not believe that the granting of this particular variance for a limited duration would have any significant impact on the airshed.

4. Failure to obtain the variance would result in substantial curtailment or closing down of a business, plant or operation.
5. Oregon Revised Statutes (ORS) 468.345, 1974 Replacement Part, Variances From Air Contaminant Rules and Regulations, paragraph (1) states that:

"The Environmental Quality Commission may grant specific variances which may be limited in time from the particular requirements of any rule, regulation or order if it finds that special circumstances render strict compliance unreasonable, burdensome or impractical due to special conditions or cause; or strict compliance would result in the substantial curtailment or closing down of a business, plant or operation."

Recommendation

It is the Director's recommendation that the Commission make a finding that strict compliance would be unreasonable and impractical due to special circumstances; that strict compliance would result in the curtailment or closing down of a business, plant or operation; and that a variance from OAR 340-22-010 (2) from June 1, 1977 through January 1, 1978 be granted to allow Chevron U.S.A., Inc. to sell, distribute and make available for use in the area residual fuel oil up to 2.0% sulphur content by weight (and for the customers to use such delivered fuel oil), subject to the following conditions:

1. During the variance period, June 1, 1977 through January 1, 1978, the Company shall make every effort to comply with the sulphur content of fuel regulation (OAR 340-22-010 (2)).
2. On or before September 24, 1977 the Company shall submit a written progress report outlining the efforts made and/or accomplished to attain final compliance with the sulphur in fuel regulation.



WILLIAM H. YOUNG
Director



Chevron U.S.A. Inc.
P. O. Box 4168, Portland, OR 97208

J. D. Hartup
Terminal Manager
Willbridge
Marketing Operations

May 6, 1977

AQ - CHEVRON U.S.A. INC.
MULTNOMAH COUNTY
VARIANCE REQUEST
FILE NO. 26-2026

Department of Environmental Quality
1234 Southwest Morrison Street
Portland, Oregon 97205

Attention: Mr. Thomas R. Bispham

Gentlemen:

Supplementing my letter of March 23rd, Chevron respectfully requests an extension of its current variance to supply residual fuel up to 2% in the State of Oregon. The time extension would be from June 1, 1977 to December 31, 1977.

Our original variance was based on the assumption that North Slope crude would be available by June 1st. This has not materialized. It now appears that North Slope crude will be available by January 1, 1978 and our refineries will be in a position to process this crude. Therefore, we are requesting this 6 months extension.

Reviewing the situation with our San Francisco offices, this will be the last request for a waiver on the 1.75 maximum sulfur limit required by the State of Oregon.

Very truly yours,

JDH:ms

4/27/77 as the job



Chevron U.S.A. Inc.
 P. O. Box 4168, Portland, OR 97208

J. D. Hartup
 Terminal Manager
 Willbridge
 Marketing Operations

March 23, 1977

AQ - STANDARD OIL COMPANY
 MULTNOMAH COUNTY
 VARIANCE REQUEST
FILE NO. 26-2026

DEPARTMENT OF ENVIRONMENTAL QUALITY
 1234 S. W. Morrison Street
 Portland 97205

Attention: Mr. Thomas R. Bispham

Gentlemen:

In accordance with Item 4 of Chevron's variance to handle residual fuel oils up to a 2% sulfur limit, we are submitting the following progress report.

Chevron is still having to rely heavily on High Sulfur Arabian Crude to meet its customers' demand for #6 Industrial Fuel. Our Company planners tell us that this situation will continue through the spring and summer months of this year. Recent cargoes of industrial fuel and their percentage of sulfur are as follows:

<u>DATE</u>	<u>BARRELS</u>	<u>% SULFUR</u>
1/13	73,000	1.92
1/27	63,000	2.00
3/6	50,000	1.92

This situation will improve considerably when Arabian crude is replaced with North Slope crude in the fourth quarter of this year. At that time, there is a good chance Chevron industrial fuel will be below 1.75% sulfur.

As noted above, it appears that Chevron will not be able to furnish 1.75 fuel oil until early 1978. We would appreciate consideration of extending our variance from June 1st to December 31st, 1977. If the opportunity presents itself to import fuel meeting the 1.75% requirement prior to December 31st, Chevron will make every effort to do so.

Very truly yours,

JDH:ms



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 E, EQC Meeting June 24, 1977.
Variance Request From Ochoco Pellet Plant; Request For
Variance From Emission Standards And Regulations, Sections
21-015(2)(b) and 21-030(a) and Particulate From Process
Equipment 21-040

Introduction

The Ochoco Pellet Plant is a relatively small (3,200 tons/year) animal feed pelletizing plant located near the edge of an industrial area in Prineville. The facility is considered to be in violation of OAR 340-21-015(2)(b), 21-030(a) and 21-040 based on Department source tests and observations. The owners of the plant have requested a variance from these regulations until 1982.

Background

The facility makes pellets by rough chopping, grinding and extruding baled hay. After chopping, the hay is conveyed by air to a hammermill through a cyclone which separates the hay from the air. The hammermill grinds the hay. (It can also grind grain.) The ground material is again conveyed by air to the pelletizer through two cyclones in series. Only one of the cyclones emits to the atmosphere and it is this cyclone that is the main particulate emission problem. The pellets are air cooled and there is a cyclone on this air stream to remove dust. A flow diagram of the plant is attached as Attachment J.

A source test done by the Department in 1973 showed that the plant was not capable of meeting emission limits for particulates OAR 340-21-030(a) and 21-040. The plant was purchased in 1973 by the father of the current owner because the plant was to be sold and to be moved out of the Prineville area. An Air Contaminant Discharge Permit was issued which contained a schedule for achieving compliance by May 1, 1975 (see Attachment D, page 2, condition 3).

When the current owners purchased the plant in February of 1975 the emission control upgrading called for in the Permit was not in progress. The Department was not notified of the change in ownership.



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The Department has intensified its efforts since 1975 to work with plant owners toward attaining compliance (see summary list in Attachment C). To date, no significant improvements have been made in the emission control system.

A new Permit has been requested by the current owners but has not been issued because the Department and the plant owners have not been able to reach an agreement on a new compliance schedule.

A public hearing was held in Prineville on June 6, 1977 to receive testimony concerning the variance request of Ochoco Pellet Plant. At this hearing, seventeen people testified in favor and two testified in opposition to granting a variance. The Hearing Officer's report is provided herein as Attachment A.

Evaluation

1. Many components of this plant, particularly cyclones and air conveyance systems, are old and in need of repair. One cyclone on the hammermill system is scheduled to be replaced in 1978. It is anticipated that this will not significantly change emissions or ambient air conditions.
2. The owners of the plant have claimed that upgrading the emission control system to meet current standards would create an economic hardship. Although the owners continue to claim economic hardship, only limited financial data has been made available to the staff. Plant owners claim only that if controls are installed they must raise their prices (Attachments F, G, H, I). The cost for the necessary improvements to bring the plant into compliance with Department rules has been estimated by the company at between \$12,000 and \$20,000. The Department is of the opinion that this estimate is accurate when compared with other similar plants. A plant that is more than twice the size of Ochoco Pellet recently installed a baghouse at a cost of \$30,000.
3. The Department is not certain that it is economically impractical for the company to install the controls as soon as possible particularly if inflation, interest, tax credit, depreciation, material recovered and all other economic factors are considered. This could be better evaluated after the company submits additional economic data.
4. The Department staff has tried to assist the plant owners by suggesting ways for improving emissions from the existing operation (such as combining the hammermill exhaust and the pellet mill cooler exhaust) and conducting a technical evaluation to examine feasibility of different control systems. This work would normally be done by an outside consultant.

5. The hammermill cyclone has been observed repeatedly to be in violation of the 20% opacity standard. Maximum emissions (60-100% opacity) usually occur when the plant is processing rain damaged hay. Owners say they have little if any control on when this material is processed. The Department believes that the requested 60% opacity limit will be fairly rigid and will require some change in operation.
6. Department staff have observed other cyclones in the area (mainly wood products sources) to be in visual compliance. In addition, of the approximately 30 pellet plants located in Oregon, all are on approved compliance schedules or have been certified to be in compliance by Department staff. Three of these plants do not require regular permits because they are not in special control areas.
7. Ochoco Pellet is located within a block of a residential area (see Attachment B). Because of this close proximity to residences, the Department feels it is necessary to eventually reduce emissions to within regulatory limits. Three complaints regarding the dust emissions were received by the Department prior to the public hearing from residents in the vicinity of the plant. The Department considers these complaints to be valid.
8. The plant owners have been notified on several occasions verbally and by mail that violations were occurring.
9. The plant is utilized by agricultural interests in Central Oregon and in the Willamette Valley as substantiated by the Hearing Officer's Report.
10. There have been indications (Attachment A) that production may increase (possibly double) in the future and thereby improve economic conditions. Plant owners have indicated, in meetings with Department staff, a reluctance to take any emission control action that may cause a price increase or adversely affect production.
11. Because the Department and the owners of the Ochoco Pellet Plant could not reach an agreement on a schedule to achieve compliance, the plant owners have requested a variance from OAR Chapter 340-21-015(2)(b). They specifically requested a 60% opacity limit until the year 1982 in lieu of the regulatory 20% opacity limit.
12. Any variance consideration must include, in addition to the visible limitations, a provision for a variance from Oregon Administrative Rules Chapter 340-21-030(a) and 21-040 concerning grain loading and process weight respectively.
13. The Commission can grant a variance under ORS 468.345 which states... "The Environmental Quality Commission may grant specific variances which may be limited in time from the particular requirements of any rule, regulation or order...if it finds that...special circumstances render strict compliance unreasonable, burdensome or impractical due to special physical conditions or cause; or strict compliance would result in substantial curtailment or closing down of the business, plant or operation".

Conclusions

1. The Department has been attempting to improve the emissions from the Ochoco Pellet Plant since 1973.
2. No significant emission improvements have been made to date.
3. The plant on occasion has been the subject of complaints.
4. Evidence has been presented (Attachment A) that indicates current economic conditions could change favorably prior to 1982.
5. Inplant improvements and scheduled future equipment replacement may improve emissions from the hammermill cyclones from the 60% limit being requested.
6. Limited financial information has been made available for support of a variance from the opacity rule to allow 60% opacity until 1982 based on economic conditions. It is anticipated that the company will provide additional financial data at the Commission's meeting.
7. Input from the community and other sources (Attachment A) indicates a need for this type facility. Due to the age and condition of the plant and possible production increases, installation of sophisticated control equipment for the existing plant may not be timely.
8. Special circumstances exist including age and physical condition of plant and potential adverse economic impacts which make strict compliance burdensome and would result in substantial curtailment of the facility if customers were lost due to price increases.

Director's Recommendation

The Director recommends that the Environmental Quality Commission:

1. Enter a finding that strict compliance is inappropriate because the age and physical condition of the facility and the cost of controls make strict compliance burdensome and would result in substantial curtailment of the facility.
2. Grant a variance to Ochoco Pellet Plant to operate out of compliance with Oregon Administrative Rules, Chapter 340, Sections 21-015(2)(b), 21-030(a) and 21-040 until January 1, 1979 subject to the following conditions:
 - a. Visible emissions shall not exceed 60% at any time.
 - b. Emissions should be maintained at the lowest practical levels at all times.

- c. Ochoco Pellet Plant operators shall submit a proposed control strategy and compliance schedule to the Department no later than October 1, 1978.
- d. The facility operation shall not cause nuisance conditions at any residences near the plant.
- e. The variance shall not be considered for extension unless all reasonable efforts are made to reduce emissions, including fugitive emissions, from all parts of the existing facility.

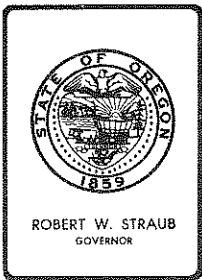
Bill

WILLIAM H. YOUNG
Director

RES:ds

Attachments:

- A - Hearing Officer's Report
- B - Prineville Map
- C - DEQ File Summary
- D - Air Contaminant Discharge Permit No. 07-0013
- E - Detailed Results of Source Test and Current Emission Standards
- F - March 31, 1976 Letter from James L. Zimmerlee to DEQ
- G - February 28, 1977 Letter from James L. Zimmerlee to DEQ
- H - May 2, 1977 Letter from James L. Zimmerlee to DEQ
- I - Statement from Ochoco Pellet Plant
- J - Flow Diagram



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

Memorandum

To: Environmental Quality Commission

From: Hearing Officer

Subject: Ochoco Pellet Plant
Prineville, Oregon
Information Gathering Hearing, 7:30 p.m., June 6, 1977
Ochoco Grade School, Prineville

Background

Mr. James L. Zimmerlee, owner of the Ochoco Pellet Plant in Prineville in a letter received on May 6, 1977 in the Central Regional Office of the Department of Environmental Quality (DEQ) requested a variance from the Air Quality Standards. The variance request was to 1982 and would be well above the acceptable emission rate of 20% opacity. Mr. Zimmerlee had also requested that the Commission hold their variance hearing for his plant in Prineville in order to allow his customers who would be affected by the Commission's decision to attend the meeting. This would also give them an opportunity to present their evidence and feeling on the request. Because the Commission was not scheduled at this time to hold meetings in the Bend-Prineville area and it is a difficult time of the year for a majority of those interested people to travel a great distance, therefore, the Department decided to hold an informational hearing in Prineville (on June 6, 1977) and present the hearing report to the Commission so it could be considered with the DEQ staff report on Ochoco Pellet Plant variance at their meeting in Eugene on June 24, 1977.

Introduction at the Meeting

The hearing officer reviewed the rule which outlines the reason or reasons which must be considered by the Commission in granting a variance from the air quality standards. Mr. Bob Shimek of DEQ summarized the present air quality standards and the history of the Department's activity related to the Pellet Plant.

James Zimmerlee, owner of Ochoco Pellet Plant, reviewed his need for the variance. Installing the equipment now would increase the costs of the pellet material to the farmers in the area (15% increase). Mr. Zimmerlee stated that they will be paying for the plant until 1982 and at that time that money could then be diverted to pay for the air control equipment. This allows for no increase in costs to local farmers using the product. Additional information will be provided to the Commission at their meeting on June 24, 1977.



Contains
Recycled
Materials

Summary

Mr. James E. Curtis of the Department of Economic Development (DED) Central Oregon Regional Office, Bend, by written testimony had the following comments and information regarding economic factors and public needs:

- (1) The Ochoco Pellet Co. provides a direct pelleting service for approximately 20 ranchers and farmers in the Prineville area. This includes custom pelleting for local farmers as well as buying hay and alfalfa for manufacture of pellets for export.
- (2) Approximately 3,200 tons of hay and alfalfa are processed yearly. This is about 15% of hay production in the area. About 30 - 40% of the pellet output is shipped to the Willamette Valley and other areas. Some grass hay from the Willamette Valley is shipped to Prineville for inclusion in some pellet mixes.
- (3) Approximately 20% of the hay which is pelletized is hay that would probably spoil and be unusable if it were not for the pellet plant.
- (4) At an average cost of \$100 per ton for the pellets, approximately \$320,000 per year is added to the Prineville/Crook County economy. In addition to the 4 employees of the plant, other truckers and retail feed businesses benefit from the pellet operation.
- (5) Our International Trade Division has received enquiries from brokers regarding potential sources of alfalfa pellets in Oregon. Ochoco Pellet Co. has received enquiries also from Japanese sources regarding a possible long term contract that could approximately double present output.
- (6) Crook County has had the highest or close to the highest unemployment rate in Oregon for the past two years. It currently has an unemployment rate of over 15%.

Mr. LaSalle E. Coles, manager of Ochoco Irrigation District, Prineville, who has worked near the plant for many years has not observed any particular problems from the plant and since the Zimmerlee's have owned the plant (1974), it is cleaner. He supports the variance. The District furnishes the water to the farmers who raise the hay.

Mr. and Mrs. James Zimmerlee, Sr., (father and mother of the owner), ranchers and sheep feeders, Prineville, reviewed their involvement in the plant. They purchased the plant in 1974 because of their need of the pellets (automatic feeders to the sheep). The owner of the plant at that time was in Portland and was proposing to sell the plant or to close up the operation at Prineville. The contract on the plant was transferred to his son in

February 1975. Mr. Zimmerlee feels the plant is cleaner today and the dust is natural and feels the dust emission should not cause a health problem. He supports the variance. He is concerned that any air quality control equipment installed would not be workable and the costs would be excessive. Other companies have had problems with these types of devices.

Mr. Roy Lidstrom, President of the Crook County Farm Bureau, Prineville, supports the variance on the basis of the information from the DED. He has sold hay and bought pellets from the plant. He pointed out that costs would be higher for the pellets if they had to be purchased from the closest plant in Madras.

Mr. Neil McLean, Prineville, supports the variance. He has used the plant process in the past.

Mr. Claude Williams, Hay Rancher in the Prineville Area and State Director, Oregon Hay Growers Association, supports the variance for Ochoco Pellet Plant. Mr. Williams showed interest on who had complained about emissions from the plant. He was told our files in the Bend office were open to the public. Mr. Williams pointed out that the current depressed livestock market situation today the processors can ill afford additional costs to the pellets. He too was concerned about acceptable control equipment and the costs. He was not aware of any health problems from the operation of the plant. He feels sometimes that the DEQ is not always spending their time on sources or problems which could benefit more people or the total environment. He felt this was not the hearing to relate all his concerns on this matter. That time will come. He doesn't use the pellet process now but the need and the potential is there and this type of industry is important to the Prineville area.

Mr. James B. Cox, Prineville, supports the variance. He processes hay at the plant and uses the pellets for his livestock.

Mr. William A. Sigman, Prineville, supports the variance. He processes about 70 tons of hay through the plant and uses the pellets for 100 steers and 150 to 200 lambs each year.

Mr. Alfred W. Meats, Prineville, supports the variance. He processes about 50 acres of hay through the pellet plant each year which results in about 1/3 of his income.

Mr. Paul Spellman, Powell Butte, supports the variance. He processes about 50-60 acres of hay through the plant each year and feeds 60 cows and 170 sheep with the pellets.

Mr. Walter Merrill, Prineville, feels the source is so small that the Department should not even be holding this type of hearing. He supports the variance for longer than 5 years. He does process hay.

Mr. Charles J. Schmutz, Prineville, supports the variance. He has used the plant to process hay and finds the type of pellets produced by Mr. Zimmerlee very beneficial to his arabian horses.

Dr. Harry Pollard ranches and practices medicine in Prineville. He supports the variance. It is his feeling that emissions from the plant should not affect anyone's health. People who have allergies from grass dust or alfalfa dust should not live in this area. He uses the pellets and it has been very beneficial to his livestock (150). His hay is pelletized in the plant (150 acres).

Mr. Charles A. Boyden, Manager of Pacific Power and Light in Prineville, expressed his concern on the diversity that is needed in Crook County in the industrial base. This plant provides part of that diversity. Also, he has not been aware of any complaints from the operation of this plant. He feels it is a minimal source and its location is different from similar plants in the Willamette Valley which are in compliance with the standards.

Mr. James Rice, Prineville, supports the variance. He has processed hay through the plant in the past.

D. R. and Doris Grendstaff from Mitchell, Oregon, submitted written testimony supporting the variance. They have processed hay through the plant and found the pellets very efficient feed.

Mrs. James Zimmerlee, half owner of Ochoco Pellet Plant, wanted to stress the point that their plant does custom pelleting using damaged hay. Only one other plant of this type is in compliance with the standards. She feels that there is no health problem associated with the plant.

Mr. Dallas Vernon, Prineville, has health problems (allergy and lung fungus) and works across the street from the plant. He feels the emissions should be controlled because of the location of the plant and it was his opinion that if there is a way for the emission to be controlled that sufficient time has been given for compliance. Mr. Vernon works outside on the downwind side of the pellet plant (about 500 feet away) and he has left the job covered in green. He stated that a large amount of dust is emitted from the plant. He also stated that other people have complained about the plant's emissions to him.

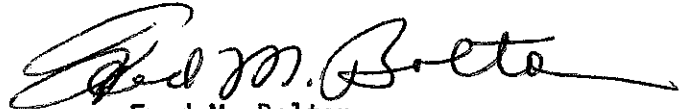
Mr. Leroy Gray of Prineville works at a lumber mill on the downwind side of the pellet plant (about 500 ft. away). He has worked for the mill for 3 years. He has both asthma and an allergy to grass. He has had to leave his job because the dust has been so bad. He is now taking shots for that specific dust. When there are heavy dust conditions from the plant he still has to leave the job.

Rocky Babcock, Prineville, who works at the plant commented that his white dog does not go home green.

Conclusion

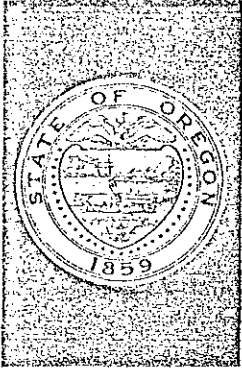
Approximately 30 people attended the hearing where 17 people who have lived in the Prineville area for many years stated they were in favor of the variance for Ochoco Pellet Plant and 2 people stated they felt better controls were needed.

The hearing adjourned at 9:00 p.m.



Fred M. Bolton
Hearing Officer

FMB:1b
6/9/77



DEPARTMENT OF ECONOMIC DEVELOPMENT

CENTRAL OREGON REGIONAL OFFICE

c/o CENTRAL OREGON COMMUNITY COLLEGE
N.W. COLLEGE WAY • BEND, OREGON • 97701 • Phone (503) 389-6261

ROBERT W. STRAUB
GOVERNOR

May 27, 1977

Mr. Fred Bolton, Director
Regional Operations
Dept. of Environmental Quality
1234 S. W. Morrison St.
Portland, Oregon 97205

Dear Fred:

I'm sorry that I will be unable to attend the hearing in Prineville on June 6th regarding the Ochoco Pellet Co's application for a variance. I have to attend an Economic Development Commission meeting in Portland on that date.

I would like, however, to offer the following comments and information regarding some economic factors and public needs that you should consider in your decision-making process:

- (1) The Ochoco Pellet Co. provides a direct pelleting service for approximately 20 ranchers and farmers in the Prineville area. This includes custom pelleting for local farmers as well as buying hay and alfalfa for manufacture of pellets for export.
- (2) Approximately 3,200 tons of hay and alfalfa are processed yearly. This is about 15% of hay production in the area. About 30 - 40% of the pellet output is shipped to the Willamette Valley and other areas. Some grass hay from the Willamette Valley is shipped to Prineville for inclusion in some pellet mixes.
- (3) Approximately 20% of the hay which is pelletized is hay that would probably spoil and be unuseable if it were not for the pellet plant.
- (4) At an average cost of \$100 per ton for the pellets, approximately \$320,000 per year is added to the Prineville/Crook county economy. In addition to the 4 employees of the plant, other truckers and retail feed businesses benefit from the pellet operation.


D

(5) Our International Trade Division has received enquiries from brokers regarding potential sources of alfalfa pellets in Oregon. Ochoco Pellet Co. has received enquiries also from Japanese sources regarding a possible long term contract that could approximately double present output.

(6) Crook county has had the highest or close to the highest unemployment rate in Oregon for the past two years. It currently has an unemployment rate of over 15%.

It is hoped that this information will be useful to you in your review of the variance request from Ochoco Pellet Co. as you examine the impact on the environment, the local economy, industry and public needs.

Sincerely yours,


James E. Curtis,
Economic Development Specialist

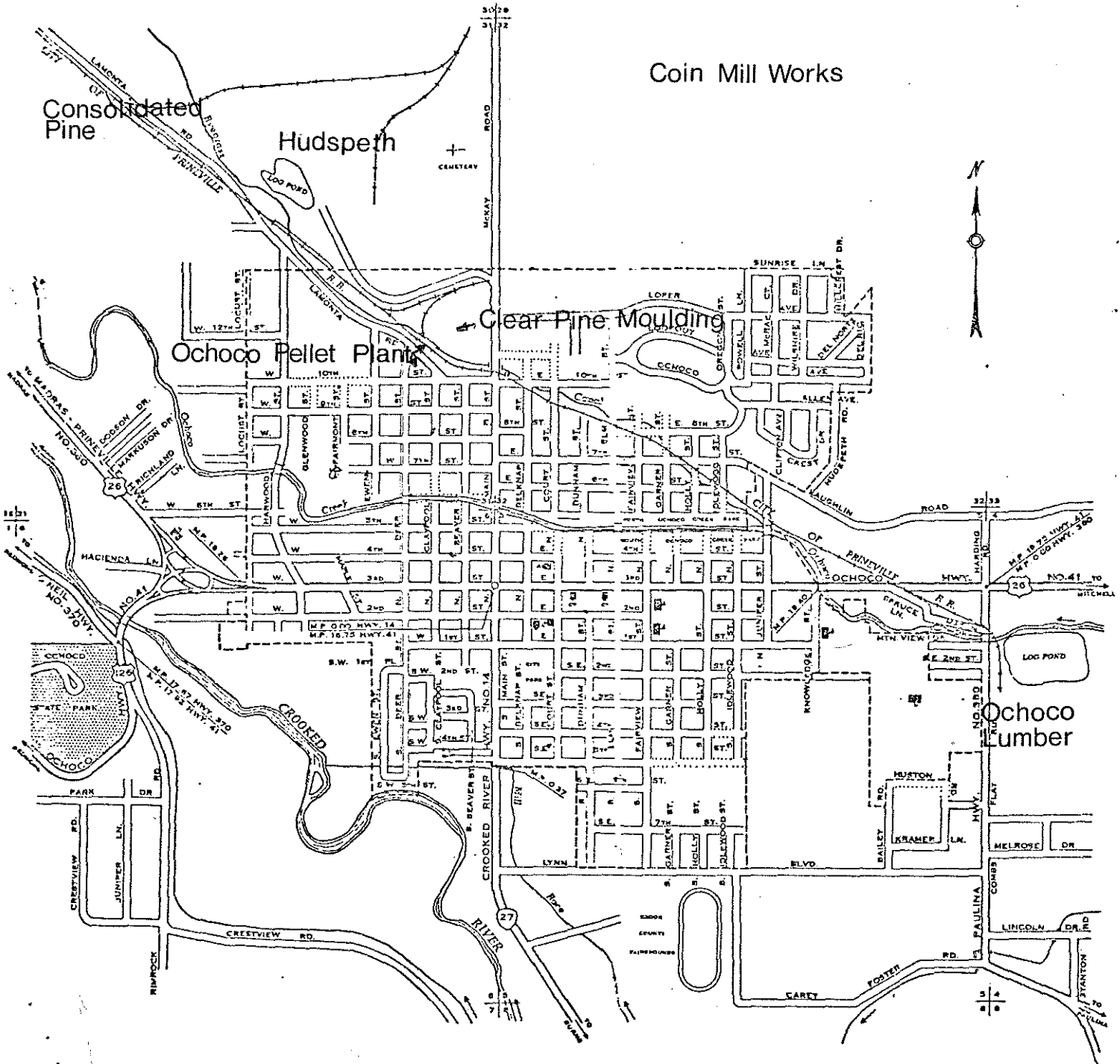
cc: John Borden ✓
Jim Zimmerlee
Dick Brown
Roger Eiss

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
JUN - 2 1977

BEND DISTRICT OFFICE

Pine Products



PRINEVILLE

CROOK COUNTY, OREGON

PREPARED BY THE OREGON STATE HIGHWAY DEPARTMENT

IN COOPERATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION BUREAU OF PUBLIC ROADS

Population 3,770

Scale in Feet

Revised April 1968

Attachment C

OCHOCO PELLET PLANT - PRINEVILLE
DEQ FILE SUMMARY


1. 5/31/73 Ochoco Pellet Plant (formerly Womco Mills) submitted Permit Application in name of James S. Zimmerlee
2. 9/11/73 Source test report showing gross non-compliance with emission limits
3. 6/28/74 Air Contaminant Discharge Permit #07-0013 issued with schedule for compliance by May 1, 1975
4. 10/4/74 Notified Ochoco Pellet Plant of excessive visible emissions, reminded them of compliance schedule, and advised of citizen complaints. Requested response; received none
5. 11/18/74 Observed plant in visible emission violation
6. 2/1/75 Change of ownership - not reported to DEQ
7. 5/9/75 Inspected plant - discussed emission problems with James Zimmerlee
8. 11/17/75 Complaint received re: dust
9. 2/23/76 Complaint received re; dust
10. 3/23/76 Notice of Violation sent to James Zimmerlee for not complying with compliance schedule and annual reporting conditions of permit
11. 3/31/76 Letter to DEQ from James L. Zimmerlee requesting time extension for emission controls and complaining about annual report requirement. Annual report not submitted
12. 4/14/76 Letter to James Zimmerlee explaining Department emphasis on cooperative problem solving and requesting specific compliance extension request. Also advised of enforcement alternative
13. 4/19/76 Observed plant in visual emission violation
14. 5/4/76 Letter from DEQ notifying of need to change permit name (to James L. Zimmerlee) or apply for new permit
15. 5/24/76 DEQ sent James L. Zimmerlee new permit application
16. 6/4/76 DEQ sent letter reiterating compliance options
 - a. Change name on old permit or
 - b. Apply for new permit or
 - c. Operate without permit and face enforcement actions

17. 7/16/76 Notice of Violation requiring decision and action on compliance options in 6/4/76 letter
18. 8/11/76 Inspection of plant by DEQ technical staff to aid Zimmerlee in formulating control strategy
19. 8/13/76 Plant observed in visual emission violation
20. 9/13/76 Report to James L. Zimmerlee of DEQ findings of 8/11/76. Requested information in Item 16, above by 9/25/76
21. 10/21/76 Plant observed in visible emission violation
22. 10/21/76 Verbally requested James L. Zimmerlee to submit permit application or take other action (change of name on existing permit) by 11/1/76
23. 11/1/76 No submittal received
24. 11/7/76 Dust Complaint received
25. 11/15/76 New permit application sent to Zimmerlee's attorney by Certified Mail
26. 12/1/76 Notice of Violation and Intent to Assess Civil Penalty sent for no permit and non-compliance with emission limits
27. 12/3/76 Permit application submitted
28. 12/28/76 Letter from James W. Durham to James L. Zimmerlee referring Zimmerlees to Senator Robert Smith and Representative Max Simpson
29. 1/21/77 Letter from DEQ to Senator Smith and Representative Simpson outlining DEQ involvement with Ochoco Pellet Plant
30. 2/4/77 Letter from DEQ to James L. Zimmerlee proposing schedule to attain compliance by 2/1/77
31. 2/28/77 Letter from James L. Zimmerlee to DEQ requesting general variance
32. 3/2/77 Plant observed in visible emission violation
33. 3/15/77 Meeting with DEQ (Air Quality and Central Region) and Mr. and Mrs. Zimmerlee to discuss variance
34. 4/18/77 Letter from DEQ to James L. Zimmerlee asking for revised variance request
35. 4/28/77 Plant observed in visible emission violation

36. 5/2/77 Letter from James L. Zimmerlee to DEQ with specific variance request
37. 5/31/77 Plant observed in visible emission violation
38. 6/6/77 Public information hearing held

AIR CONTAMINANT DISCHARGE PERMIT

Department of Environmental Quality
1234 S.W. Morrison Street
Portland, Oregon 97205
Telephone: (503) 229-5696
Issued in accordance with the provisions of
ORS 449.727

<p>ISSUED TO: OCHOCO PELLET PLANT Rt. 1, Box 826 Prineville, OR 97754</p> <p>PLANT SITE: La Monta Road Prineville, OR 97754</p> <p>ISSUED BY DEPARTMENT OF ENVIRONMENTAL QUALITY</p> <p> JUN 28 1974 Director Date</p>	<p>REFERENCE INFORMATION</p> <p>Application No. 0196</p> <p>Date Received June 8, 1973</p> <p>Other Air Contaminant Sources at this Site:</p> <table border="1"> <thead> <tr> <th>Source</th> <th>SIC</th> <th>Permit No.</th> </tr> </thead> <tbody> <tr> <td>(1)</td> <td></td> <td></td> </tr> <tr> <td>(2)</td> <td></td> <td></td> </tr> </tbody> </table>	Source	SIC	Permit No.	(1)			(2)		
Source	SIC	Permit No.								
(1)										
(2)										

SOURCE(S) PERMITTED TO DISCHARGE AIR CONTAMINANTS:

Name of Air Contaminant Source	Standard Industry Code as Listed
PREPARED FEEDS FOR ANIMALS AND FOWLS IN SPECIAL CONTROL AREAS	2048

Permitted Activities

Until such time as this permit expires or is modified or revoked, OCHOCO PELLET PLANT is herewith permitted to discharge treated exhaust gases containing air contaminants including emissions from those processes and activities directly related or associated thereto in conformance with the requirements, limitations, and conditions of this permit from its animal feed pelleting mill located in Prineville, Oregon.

The specific listing of requirements, limitations and conditions contained herein does not relieve the permittee from complying with all other rules and standards of the Department.

AIR CONTAMINANT DISCHARGE PERMIT PROVISIONS

Issued by the
Department of Environmental Quality for

Expiration Date: 6/1/79
Page 2 of 5
Appl. No.: 0196
File No.: 07-0013

OCHOCO PELLET PLANT (Prineville)

Performance Standards and Emission Limits

The permittee shall at all times maintain and operate all air contaminant generating processes and all contaminant control equipment at full efficiency and effectiveness, such that the emissions of air contaminants are kept at the lowest practicable levels, and in addition:

1. Particulate emissions from the materials handling systems identified below shall not exceed the following:

<u>Cyclone Identification</u>	<u>Point of Origin</u>	<u>Materials Conveyed</u>	<u>Allowable Discharges gr/SCF</u>	<u>Opacity</u>
A	Bale Buster	Chopped Hay	0.2	20%
	Hammer Mill	Chopped Hay and Grain	No Discharge	No Discharge
B	Hammer Mill	Chopped Hay and Grain	0.5	40% until May 1, 1975
B	Hammer Mill	Chopped Hay and Grain	0.2	20% after May 1, 1975
C	Pellet Mill	Pellets and Dust	0.2	20%

2. The permittee shall operate the process and control the cyclones such that particulate emissions do not exceed the following:

<u>Emission System Identification</u>	<u>Maximum Allowable Production</u>	<u>Allowable Particulate Emission</u>
Cyclones A, B, and C	6,000 lb/hr	35 lb/hr until May 1, 1975
Cyclones A, B, and C	6,000 lb/hr	7.37 lb/hr after May 1, 1975

Compliance Demonstration Schedule

3. The permittee shall reduce particulate emissions from the hammermill secondary cyclone ("B") to less than 0.2 grains per standard cubic foot and the total particulate emissions from all cyclones to less than 7.37 pounds per hour according to the following schedule:
 - a. Complete the necessary engineering for the control system(s) to reduce emissions by no later than August 1, 1974,
 - b. Issue purchase orders for the necessary equipment by no later than September 1, 1974,
 - c. Commence construction by no later than February 1, 1975,
 - d. Complete construction by no later than April 1, 1975,
 - e. Demonstrate compliance by no later than May 1, 1975 and
 - f. The permittee shall confirm to the Department of Environmental Quality when each of the above conditions has been completed.

AIR CONTAMINANT DISCHARGE PERMIT PROVISIONS

Issued by the
Department of Environmental Quality for

Expiration Date: 6/1/79
Page 3 of 5
Appl. No.: 0196
File No.: 07-0013

OCHOCO PELLET PLANT (Prineville)

4. The permittee shall obtain written approval from the Department of Environmental Quality for all facilities installed, in accordance with the Department's "Notice of Construction and Approval of Plans" regulation, OAR, Chapter 340, Sections 20-020 through 20-030.

Monitoring and Reporting

5. The permittee shall submit an annual report in January of each year giving the total plant production during the previous year.

AIR CONTAMINANT DISCHARGE PERMIT PROVISIONS

Expiration Date 6/1/79

Page 4 of 5

Appl. No.: 0196

File No.: 07-0013

Issued by the
Department of Environmental Quality for
OCHOCO PELLET PLANT (Prineville)

General Conditions

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

AIR CONTAMINANT DISCHARGE PERMIT PROVISIONS

Issued by the

Department of Environmental Quality for

OCHOCO PELLET PLANT (Prineville)

Expiration Date 6/1/79

Page 5 of 5

Appl. No.: 0196

File No.: 07-0013

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

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

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

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

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

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

<u>Amount Due</u>	<u>Date Due</u>
\$50.00	April 1, 1975
\$50.00	April 1, 1976
\$50.00	April 1, 1977
\$50.00	April 1, 1978
(See G12.)	April 1, 1979

Attachment E

DETAILED RESULTS:

	<u>Run 1</u>	<u>Run 2</u>	<u>Average</u>
CYCLONE #1			
Production rate, lb/hr*	5,000	5,000	5,000
Cyclone flowrate, scfm	3,247.39	2,877.32	3,062.355
Percent isokinetic, %	119.58	103.11	111.345
Particulate grain loading, grain/scf	0.154	0.166	0.16
Total particulate emissions, lb/hr	4.285	4.093	4.189

CYCLONE #2			
Production rate, lb/hr*	5,000	5,000	5,000
Cyclone flow rate, scfm	1,681.62	1,681.62	1,681.62
Percent isokinetic, %	111.06	112.41	111.735
Particulate grain loading, grains/scf	0.331	0.453	<u>0.392</u>
Total particulate emissions, lb/hr	4.77	6.52	5.645

Maximum Allowed 0.2 grains/scf

CYCLONE #3			
Production rate, lb/hr*	5,000	5,000	5,000
Cyclone flow rate, scfm	6,472.14	6,472.14	6,472.14
Percent isokinetic, %	114.06	114.52	114.54
Particulate grain loading, grains/scf	0.122	0.323	0.2225
Total Particulate emissions, lb/hr	6,766	17,915	12.34
Percent Molasses	8	5	6.5

Total production rate, lb/hr
Total average particulate emissions lb/hr

5,000
22.17

* Data furnished by company

Maximum Allowed
After May 1, 1975:
7.27 lb/hr

Attachment F

Ochoco Pellet Plant
Route 2, Box 609
Prineville, Oregon 97754

March 31, 1976

Department of Environmental Quality
2150 N.E. Studio Road
Bend, Oregon 97701

Gentlemen:

Under Condition 3 of our permit, engineering was to be completed by August 1, 1974, construction to begin on February 1, 1975 and so on. We purchased the plant on February 1, 1975. At that time we were told that everything concerning engineering, construction, etc. was being handled by Mr. A.B. Baardson of Red Crown Mill Supply of Portland and if we were contacted by the D.E.Q. we should notify Mr. Baardson and he would handle it.

Apparently, we have inherited a heck of a mess because nothing was done, and we are unable financially to do anything at this time about the emissions. A recent conversation with Mr. Baardson reveals he doesn't even know what was decided on from an engineering standpoint.

We are contacting other mills who have had similar problems to find out what solution they used. The barhouse system does not work in this climate. In addition, we have contacted two engineering firms for their recommendations. Would you please send us a list of pellet mills who do meet your standards.

We will need an extension on the compliance date so we will be able to study all the alternatives for meeting the emission standards. At this time I am unable to estimate a time to meet the standards. The only time it is feasible to do this construction work is from May to approximately September because of weather conditions and work schedules.

As for the report on our production, I think that whoever agreed to a maximum hourly production of 6000 pounds didn't have his head on straight. This is a control of my production and I think it stinks. If I can run 10,000 lbs. an hour, and many times I have, to meet production deadlines, then that is my business. I object to reporting my annual production to your office as you are not a commodity monitoring department.

Please note: our mailing address is Route 2, Box 609 not Route 1, Box 226.

Sincerely,

James L. Zimmerman

James L. Zimmerman

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
APR 19 1976
BEND DISTRICT OFFICE

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUN 15 1977
AIR QUALITY CONTROL

Attachment G

Ochoco Pellet Plant
Rt. 2 Box 609
Prineville, OR 97754

February 28, 1977

Department of Environmental Quality
2150 N.E. Studio Road
Bend, Oregon 97701

RE: Your letter
2/4/77

Gentlemen:

At this time we are unable to foresee any chance of compliance with the visual opacity standard of 20% prior to the summer of 1982. We will have completed a payment contract on Ochoco Pellet Plant which will make available, funds necessary to completely remodel the emission control equipment.

We have discussed with you before the financial bind we will be thrown into if we are required to meet the aforementioned standard now. We have also attempted to furnish your department with written facts concerning this dilemma but was informed that those facts and figures are unnecessary.

Also, we were given several options in your letter of 9/13/76 for meeting the standard. All the options are either very expensive or impractical or both. Even though your staff feels that other effective control measures are attainable as stated in the 9/13/76 letter, it still does not take into consideration whether the measures are economical or we can afford such measures. Our research of emission control equipment has shown that none of the suggested options in your letter of 9/13/76 are feasible. As far as we can find, nothing has been developed that will satisfactorily and economically control the emission we encounter. We can decrease the emission but not enough to satisfy the standard enforced by the department.

We are not nor have we been fighting against the department or emission control but fighting for survival of our business. Meeting the present regulation would be costly, both in purchases of the equipment and maintenance of same. This equipment would not increase production. In most cases it would decrease production causing higher operating costs. We have polled our customers to determine their to an increase in cost to them for the service our plant provides. Nearly 80% of our present customers would discontinue purchasing our service.

F

The conditions of the proposed schedule in your letter of 2/4/77 will present technical and economical difficulties. As we have told you before, we cannot possibly stand the expense of meeting the 20% opacity standard until after the summer of 1982.

We have had several conversations with Mr. Shimek concerning the emission problem. On several occasions, he has mentioned approval of a variance to the regulation, but all written correspondence with us indicates that any variance is not possible. We want, in writing, a letter telling us whether or not a variance can be approved. We are tired of being told one thing in conversation and then nearly the opposite in a letter several days later.

I cannot say it any more plainly why we are unable to meet the wishes of the D.E.Q. We know that other businesses have had variances approved but this is only a compromise with the D.E.Q., not a win for the D.E.Q. Complete compliance of these economy killing regulations would force ours and other businesses to close. If we are threatened with penalty we have not a choice but to close our business. This is not our wish.

We, therefore, are requesting that a variance be approved for our plant until the summer of 1982 at which time a concrete compliance schedule can be formulated.

Your prompt attention will be appreciated.

Sincerely,

James L. Zimmerles

James L. Zimmerles, owner
Ochoco Pellet Plant

cc: Rep. Max Simpson
Sen. Robert Smith
Department of Economic Development

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAR 2 1977

BEND DISTRICT OFFICE

Attachment H

Ochoco Pellet Plant
Route 2, Box 609
Prineville, Oregon 97754

Robert Schimeck
Department of Environmental Quality
2150 N.E. Studio Road
Bend, Oregon 97701

Dear Bob:

We have not been ignoring your recommendations but have been experimenting with the volume of material the fines return system will handle. With the help of an engineer who is very knowledgeable about Pelleting plants we have concluded the system will not handle the additional material from the cyclone B if a skimmer was installed.

At this time we are requesting a variance to operate Ochoco Pellet Plant at 60% opacity until the year 1982 at which time we will install the necessary equipment to meet a 20% opacity or better.

Also we insist that the hearing be held in Prineville to allow our customers who will all be effected by the Boards decision to attend the hearing. The majority of our customers are ranchers and farmers and it is most difficult for them to get away at this time of the year.

Sincerely,


James L. Zimmerlee

CC: Rep. Max Simpson
Dept. of Economic Development
Senator Robert F. Smith

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
MAY 3 1977

BEND DISTRICT OFFICE

Ochoco Pellet Plant

Ranchers who have hay pelleted for their own use will discontinue pelleting except for hay they can use no other way if the cost increases. Generally, this hay has been rain damaged and is moldy or has turned black from repeated rains before baling. This type of hay will definitely cause more dust when processed at the plant than will undamaged hay.

Feed stores will continue to sell feed pellets, however, at an increased price. At this time, it is impossible to project the loss of sales due to the increase.

To break down the class of livestock feeders we have as follows:

1. Cattlemen - the market is so poor he could no longer use pelleted feed as his business is marginal at present prices.
2. Horsemen - at present, he is in no apparent pinch because of high prices although operating a profitable business is his objective. Large increases in feed price will cut heavily into his profit too.
3. Sheepmen - pelleted feed is the prudent operators method of handling his feeding problem. Sheep are wasteful when fed baled hay. Also, they are susceptible to parasites picked up when fed by methods other than pelleted feed from a self feeder. Minerals and vitamins can be incorporated into feeds at the time of manufacture. It is nearly impossible to administer these to 800-1200 or more sheep by any other method and be sure of a healthy flock.
4. The rabbit business is affected greatly by feed prices. Our customer has stated that he will have to sell his business if feed prices are increased.

In summary, all our customers are prudent operators. They have figured carefully the advantages of pelleted feeds. They feel that a large increase in prices will shift the advantage to loose feeds even by figuring the loss in wasted feed by their livestock. It will no longer be economical to pellet feed for their stock.

An investment of \$12,000 for equipment at 10% interest would bring about an 8% increase in price of \$1.25 per ton which does not include the normal yearly increase in operating costs due to inflation. A \$20,000 expenditure brings a 12% increase of \$2.05 per ton. An annual 6% increase will raise the cost of pelleting an additional \$1.00 per year. In five years a cost of \$20 per ton is projected if current trends continue.

With the addition of \$12 to \$20 thousand in equipment for emission control we will price ourselves out of business. We do not deal in a commodity that is essential to our customers business. It is an impossible situation.

In 5 years our prices with a 6% increase per year would be \$23 per ton. At the end of five years it is anticipated that the emission control equipment will be ready for more extensive maintenance. The older the equipment the higher the maintenance. A decrease in price would not become a reality when the equipment has been paid for.

A poll of some of our customers shows the following:

Sigman Ranch - would pellet only damaged hay which cannot be fed any other way.

McKay Creek Ranch - Pellets are the best way to feed sheep. Would be forced to pay the higher cost.

Overland Ranch - No. Would go elsewhere

Joe Stahancyk - None or very little.

Cecil Stafford - Only poor quality material.

Robert Murphy - None for his own use, but continue to have them made for feed store.

Emerald Glen Ranch - No.

Adams Feed & Seed - No choice, except possibly go to another source

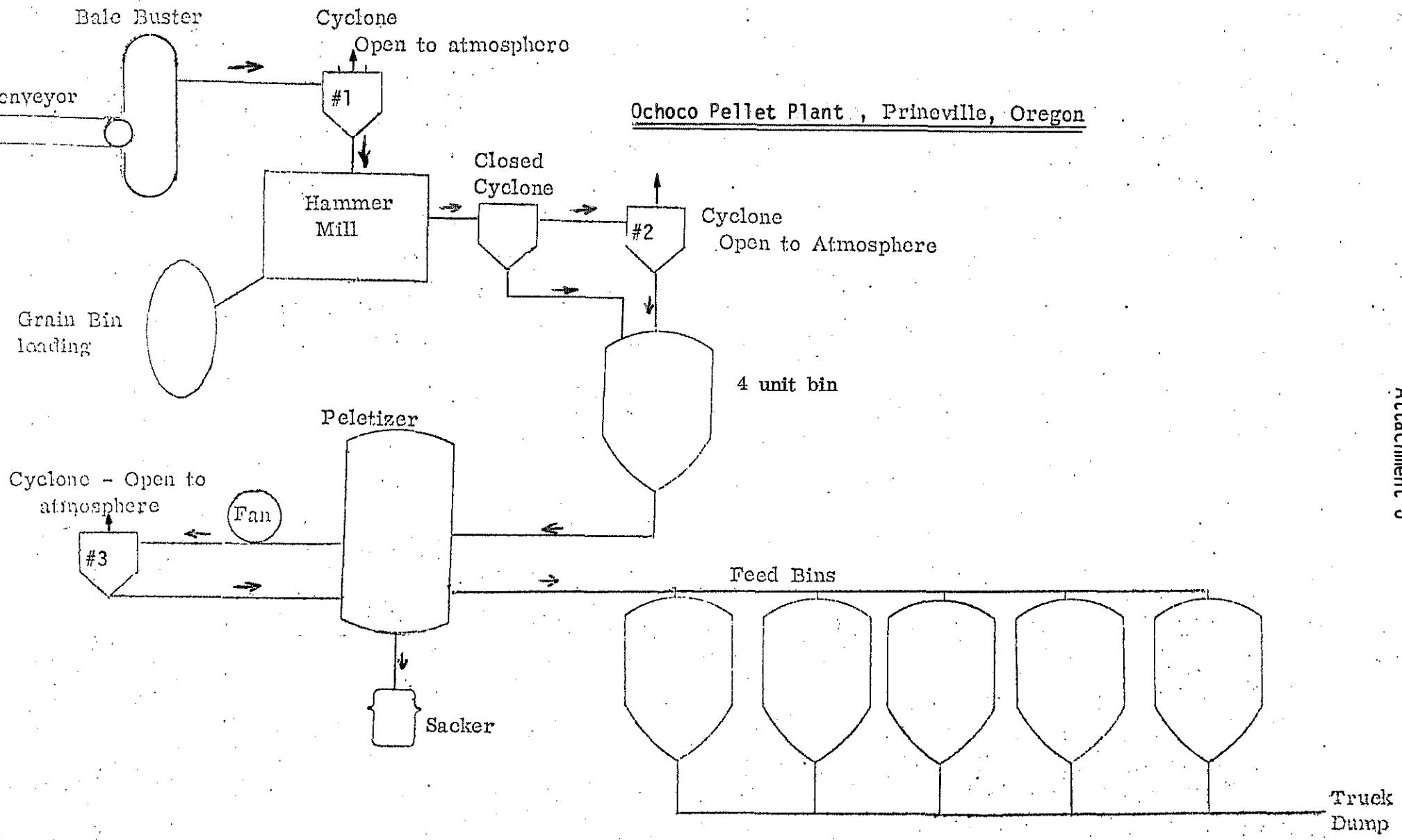
Diess Feed & Seed - No choice, except possibly go to another source

Red Barn Feed - No

Round Butte Seed Growers - Salvage material. Would probably continue as this is the only mill capable of handling their material.

Ochoco Feed & Farm Supply - Need feeds to run business.

Ochoco Pellet Plant , Prineville, Oregon



PRINEVILLE-CROOK COUNTY
CHAMBER OF COMMERCE

P. O. Box 546
Prineville, Oregon 97754



June 14, 1977

Dept. of Environmental Quality
1234 Morrison Street
Portland, Oregon 97208

Dear Sirs;

I'm writing this letter in support of a waiver so that a permit can be issued for the operation of the Ochoco Pellet Plant.

The plant is located in the industrial area of town and does not damage the liveability of our community, either temporarily or permanently. It uses local farm products and local labor to help our Prineville economic base and as such needs to be preserved.

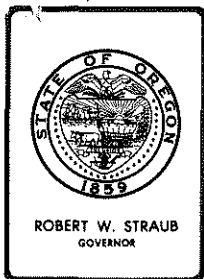
I urge you to consider Jim and Dee Zimmerlee's request for a variance to the present regulations.

Sincerely,

Paul Rowan, President
PRINEVILLE-CROOK COUNTY
CHAMBER OF COMMERCE



SUNNY PRINEVILLE OREGON



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. F, June 24, 1977 EQC Meeting

Vehicle Emission Testing Rules - Consideration of adoption
of proposed amendments to light duty motor vehicle inspection
standards, OAR 340-24-300 through 24-330.

Background

At the Environmental Quality Commission Meeting of April 1, 1977, authorization was granted to hold a public hearing to consider amendments to the inspection program rules. These proposed amendments are primarily the annual updating of the inspection program standards and are presented in Appendix A.

Discussion

The Public Hearing was held May 9, 1977 at the Department offices. The Hearing Officer's report is attached as Appendix B. The Staff discussions are presented in Appendix C. The two major points presented at the hearing were:

1. The test does not correlate with Federal certification tests.

The purpose of an emission inspection maintenance program is to reduce the air pollution contribution from the automobile by promoting proper maintenance. Federal law requires the automobile industry to manufacture motor vehicles which meet Federal emission standards. The compliance with these standards is determined by testing pre-production vehicles using the Federal Test Procedure. The Federal Test Procedure is a specific driving cycle



Contains
Recycled

which stimulates road use on a chassis dynamometer. The emissions from the car are collected and analyzed. In addition to the vehicle testing, these fleets of pre-production vehicles are required to maintain these statutory emission levels for 50,000 miles or 5 years life, determined by durability testing.

Provisions in the Clean Air Act allow for manufacturers responsibility for repair of consumer-owned vehicles, should these vehicles fail a correlatable short test, provided that the consumer has maintained the car in accordance with the manufacturer's recommendations. Currently, this warranty period is for 5 years or 50,000 miles. There is legislation now before Congress which could alter this provision.

In the Report to the Commission, March 28, 1975, it was stated:

EPA regulations specify the maintenance allowed under federal certification and also specify that those engine tune-up specifications and adjustments as recommended by the manufacturer be included on a permanent label readily visible in the engine compartment. Additionally, the manufacturers' documents to the federal government, under the terms of those regulations, that the maintenance instructions on that label are reasonable and necessary to assure compliance with the federal emission standards. These maintenance instructions specify the recommended engine tuning parameters. The vehicle owner's manual lists the manufacturers' recommended maintenance and intervals, and these maintenance recommendations include the checking and adjusting of those same engine parameters. The connection between properly maintained vehicles and the ability of a vehicle to pass the federal emission test is evident since the recommended vehicle maintenance includes those same adjustments and checks which the manufacturers perform during the vehicle certification. These base recommendations are substantially those presented on the engine labels of the vehicle when they are sold. These labels have been on all cars sold in the United States since the 1968 model year and have been permanently affixed and usually include the idle CO setting, since the 1972 model year.

The Commission policy adopted at that meeting allowed for the implementation of idle emission standards formulated for specific vehicle classes.

In the past, as Ford has presented in this testimony, the vehicle manufacturers have contended that the idle inspection test does not correlate with the Federal Test Procedure (FTP). But Ford has presented data which compares FTP test results with the corresponding idle test results. The data submitted indicates correlation exists. They cite, however, an error of commission level of 7.5%. An error of commission is described as an incorrect determination; i.e., the car failed the idle test but passed the Federal test. Other studies in progress have not shown an error level of above 5% when the Oregon standards are applied. As an aside, there is much discussion in both government and industry on the level of error of commission that is acceptable. It should be noted, as Ford stated, "that merely setting

the vehicles to specifications (no major repairs) produced HC and CO pass rates of 96% and 95% and average emission levels of 0.94 and 6.83 grams per mile respectively." These cars on an "as received" basis tested 86% and 82.8% pass rate with average emission levels of 1.04 and 10.84 grams per mile.

2. The tampering portion of the inspection should not be enforced.

Data indicates that correlation exists between the Federal Test Procedure and the idle test, but there is technical disagreement as to the degree and implications of that correlation. This leads to the discussion of the anti-tampering portion of the inspection program. Both Federal and State laws contain prohibitions on "tampering" with factory installed motor vehicle pollution control equipment. During the first inspection cycle, it was the Commission policy that a tolerance be applied to the enforcement of ORS 483.825 (Oregon's anti-tampering statute) in the inspection system. Consequently, during the first two years of the mandatory inspection program, motorists were informed that their vehicle was in violation of state law when pollution control equipment had been detected to have been removed, altered, or modified.

It is proposed in the rule amendments that this anti-tampering statute be enforced in the inspection system. The method of enforcement would be denial of the required Certificate of Compliance. A typical objection raised is that if the car can meet the idle inspection standards, the vehicle should be passed regardless of engine modifications. But without the pollution control equipment, be it hardware or design modifications, any correlation between the state idle test and the Federal test procedure is lost.

One major deviation from this position is also included in the proposed rule amendments. It is the exemption of the 1968 and 1969 model year vehicles from the tampering inspection. The only justifiable reason for this exclusion is that ORS 483.825 was passed by the Oregon legislature in 1969, after these model year vehicles were already on the road.

Other Changes

The following additional changes are proposed.

Section 24-305. The addition of definitions for gasoline and diesel engines.

Section 24-310(3). A section which allows the vehicle inspectors to refuse to test a vehicle when the vehicle condition is unsafe to test by reason of fuel, coolant, or lubricant leaks.

Section 24-310(6). A section allowing for the rejection of a vehicle without completion of the emission test when it does not have the functioning motor vehicle pollution control system required by law.

Section 24-330. Modifications to certain carbon monoxide enforcement tolerances. This was done because some older vehicle classes have engine systems which are quite sensitive to adjustments and maintenance. Even with two years of testing, some sections of the service industry are still having a measure of difficulty achieving compliance, even with the enforcement tolerance.

Conclusion

The modifications to the standards maintain the original Commission policy adopted in March of 1975. These annual updates and re-evaluation of the standards provide for orderly program operation.

Director's Recommendation

It is recommended that the Commission adopt the proposed rule amendments presented in Appendix A covering the Inspection Maintenance Program. The effective date of these rules would be July 1, 1977.



WILLIAM H. YOUNG

MOTOR VEHICLE EMISSION CONTROL INSPECTION TEST CRITERIA, METHODS, AND STANDARDS.

24-300 SCOPE. Pursuant to ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.325, the following rules establish the criteria, methods, and standards for inspecting [~~light-duty~~] motor vehicles, excluding motorcycles, to determine eligibility for obtaining a certificate of compliance or inspection.

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

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

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

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

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

emission control criteria, standards, and rules of the [c]Commission.

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

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

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

(8) "Diesel motor vehicle" means a motor vehicle powered by a compression-ignition internal combustion engine.

~~[(8)]~~ (9) "Director" means the director of the [d]Department.

~~[(9)]~~ (10) "Electric vehicle" means a motor vehicle which uses a propulsive unit powered exclusively by electricity.

~~[(10)]~~ (11) "Exhaust emissions" means substances emitted into the atmosphere from any opening downstream from the exhaust ports of a motor vehicle engine.

~~[(11)]~~ (12) "Factory-installed motor vehicle pollution control system" means a motor vehicle pollution control system installed by the vehicle or engine manufacturer to comply with federal motor vehicle emission control laws and regulations.

~~[(12)]~~ (13) "Gas analytical system" means a device which senses the amount of contaminants in the exhaust emissions of a motor vehicle, and which has been issued a license by the Department pursuant to section 24-350 of these regulations and ORS 468.390.

~~[(13)]~~ (14) "Gaseous fuel" means, but is not limited to, liquefied petroleum gases and natural gases in liquefied or gaseous forms.

(15) "Gasoline motor vehicle" means a motor vehicle powered by a spark-ignition internal combustion engine.

(16) "Heavy duty motor vehicle" means a motor vehicle having a combined manufacturer vehicle and maximum load rating to be carried thereon of more than 3855 kilograms (8500 pounds).

~~[(14)]~~ (17) "Hydrocarbon gases" means a class of chemical compounds consisting of hydrogen and carbon.

~~[(15)]~~ (18) "Idle speed" means the unloaded engine speed when accelerator pedal is fully released.

~~[(16)]~~ (19) "In-use motor vehicle" means any motor vehicle which is not a new motor vehicle.

~~[(17)]~~ (20) "Light duty motor vehicle" means a motor vehicle having a combined manufacturer ~~[weight-of]~~ vehicle and maximum load rating to be carried thereon of not more than ~~[8,400-pounds-(3820-kilograms)]~~ 3855 kilograms (8500 lbs.).

~~[(18)]~~ (21) "~~[Light-duty-m]~~ Motor vehicle fleet operation" means ownership, control, or management, or any combination thereof, by any person of 100 or more Oregon registered, in-use, ~~[light-duty]~~ motor vehicles, excluding those vehicles held primarily for the purposes of resale.

~~[(19)]~~ (22) "Model year" means the annual production period of new motor vehicles or new motor vehicle engines designated by the calendar year in which such period ends. If the manufacturer does not designate a production period, the model year with respect to such vehicles or engines shall mean the 12 month period beginning January of the year in which production thereof begins.

~~[(20)]~~ (23) "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground and ~~[weighing-less-than-7,500-pounds-(682~~

~~kilograms)~~] having a mass of 680 kilograms (1500 pounds) or less with manufacturer recommended fluids and nominal fuel capacity included.

~~[(21)]~~ (24) "Motor vehicle" means any self-propelled vehicle used for transporting persons or commodities on public roads.

~~[(22)]~~ (25) "Motor vehicle pollution control system" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or engine adjustment or modification which causes a reduction of pollutants emitted from the vehicle.

~~[(23)]~~ (26) "New motor vehicle" means a motor vehicle whose equitable or legal title has never been transferred to a person who in good faith purchases the motor vehicle for purposes other than resale.

~~[(24)]~~ (27) "Non-complying imported vehicle" means a motor vehicle of model years 1968 through 1971 which was originally sold new outside of the United States and was imported into the United States as an in-use vehicle prior to February 1, 1972.

~~[(25)]~~ (28) "Person" includes individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the state and any agencies thereof, and the Federal Government and any agencies thereof.

~~[(26)]~~ (29) "PPM" means parts per million by volume.

~~[(27)]~~ (30) "Public roads" means any street, alley, road, highway, freeway, thoroughfare, or section thereof in this state used by the public or dedicated or appropriated to public use.

~~[(28)]~~ (31) "RPM" means engine crankshaft revolutions per minute.

[~~{29}~~] (32) "Two-stroke cycle engine" means an engine in which combustion occurs, within any given cylinder, once each crankshaft revolution.

[~~{30}~~] (33) "Vehicle emission inspector" means any person possessing a current and valid license issued by the [d]Department pursuant to section 24-340 of these regulations and ORS 468.390.

24-310 LIGHT DUTY MOTOR VEHICLE EMISSION CONTROL TEST METHOD.

(1) The vehicle emission inspector is to insure that the gas analytical system is properly calibrated prior to initiating a vehicle test.

(2) The [d] Department approved vehicle information data form is to be completed [~~prior-to~~] at the time of the motor vehicle being inspected.

(3) Vehicles having coolant, oil or fuel leaks or any other such defect that is unsafe to allow the emission test to be conducted shall be rejected from the testing area. The emission test shall not be conducted until the defects are eliminated.

[~~3~~](4) The vehicle is to be in neutral gear if equipped with a manual transmission, or in "park" position if equipped with an automatic transmission.

[~~4~~](5) All vehicle accessories are to be turned off.

[~~5~~](6) An inspection is to be made to insure that the motor vehicle is equipped with the required functioning motor vehicle pollution control system in accordance with the criteria of section 24-320(3). Vehicles not meeting this criteria shall be rejected from the testing area without an emission test. A report shall be supplied to the driver indicating the reason(s) for rejection.

[~~6~~](7) With the engine operating at idle speed, the sampling probe of the gas analytical system is to be inserted into the engine exhaust outlet.

[~~7~~](8) The steady state levels of the gases measured at idle speed by the gas analytical system shall be recorded. Except for diesel vehicles, the idle speed at which the gas measurements were made shall also be recorded.

~~[(7)]~~(9) Except for diesel vehicles, the engine is to be accelerated with no external loading applied, to a speed of between 2,200 RPM and 2,700 RPM. The engine speed is to be maintained at a steady speed within this speed range for a 4 to 8 second period and then returned to an idle speed condition. In the case of a diesel vehicle, the engine is to be accelerated to an above idle speed. The engine speed is to be maintained at a steady above idle speed for a 4 to 8 second period and then returned to an idle speed condition.

~~[(8)]~~(10) The steady state levels of the gases measured at idle speed by the gas analytical system shall be recorded. Except for diesel vehicles, the idle speed at which the gas measurements were made shall also be recorded.

~~[(9)]~~ (11) If the vehicle is equipped with a ~~[dual]~~ multiple exhaust system, then steps ~~[(6)]~~ (7) through ~~[(8)]~~ (10) are to be repeated on the other exhaust outlet(s). The readings from the exhaust outlets are to be averaged into one reading for each gas measured for comparison to the standards of section 24-330.

~~[(10)]~~ (12) If the vehicle is capable of being operated with both gasoline and gaseous fuels, then steps ~~[(6)]~~ (7) through ~~[(8)]~~ (10) are to be repeated so that emission test results are obtained for both fuels.

~~[(11)]~~ (13) If it is ascertained that the vehicles may be emitting noise in excess of the noise standards adopted pursuant to ORS 467.030, then a noise measurement is to be conducted in accordance with the test procedures adopted by the ~~[c]~~ Commission or to standard methods approved in writing by the ~~[d]~~ Department.

~~[(12)]~~ (14) If it is determined that the vehicle complies with the criteria of section 24-320 and the standards of section 24-330, then,

following receipt of the required fees, the vehicle emission inspector shall issue the required certificates of compliance and inspection.

~~[(13)]~~ (15) The inspector shall affix any certificate of inspection issued to the lower left-hand side (normally the driver side) of the front windshield, being careful not to obscure the vehicle identification number nor to obstruct driver vision.

~~[(14)]~~ (16) No certificate of compliance or inspection shall be issued unless the vehicle complies with all requirements of these rules and those applicable provisions of ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.825.

24-320 LIGHT DUTY MOTOR VEHICLE EMISSION CONTROL TEST CRITERIA.

(1) No vehicle emission control test shall be considered valid if the vehicle exhaust system leaks in such a manner as to dilute the exhaust gas being sampled by the gas analytical system. For the purpose of emission control tests conducted at state facilities, except for diesel vehicles, tests will not be considered valid if the exhaust gas is diluted to such an extent that the sum of the carbon monoxide and carbon dioxide concentrations recorded for the idle speed reading from an exhaust outlet is 8% or less, and on 1975 and [~~later~~] newer vehicles with air injection systems 7% or less. [~~For purposes of enforcement through June 3, 1977, a 1% carbon dioxide tolerance shall be added to the values recorded.~~]

(2) No vehicle emission control test shall be considered valid if the engine idle speed either exceeds the manufacturer's idle speed specifications by over 200 RPM on 1968 and newer model vehicles, or exceeds 1,250 RPM for any [~~age~~] pre-1968 model vehicle. [~~For purposes of enforcement through June 3, 1977, a 100-RPM tolerance shall be added to the idle speed limits.~~]

(3) No vehicle emission control test [~~conducted after June 3, 1977,~~] for a [~~1968~~] 1970 or newer model vehicle shall be considered valid if any element of the following factory-installed motor vehicle pollution control systems have been disconnected, plugged, or otherwise made inoperative in violation of ORS 483.825(1), except as noted in subsection (5)[~~3~~]. Motor vehicle pollution control systems include, but are not necessarily limited to:

- (a) Positive crankcase ventilation (PCV) system
- (b) Exhaust modifier system
 - (A) Air injection reactor system
 - (B) Thermal reactor system

- (C) Catalytic converter system - (1975 and newer model vehicles only)
- (c) Exhaust gas recirculation (EGR) systems - (1973 and newer model vehicles only)
- (d) Evaporative control system - (1971)
- (e) Spark timing system
 - (A) Vacuum advance system
 - (B) Vacuum retard system
- (f) Special emission control devices

Examples:

- (A) Orifice spark advance control (OSAC)
- (B) Speed control switch (SCS)
- (C) Thermostatic air cleaner (TAC)
- (D) Transmission controlled spark (TCS)
- (E) Throttle solenoid control (TSC)

(4) No vehicle emission control test [~~conducted after June, 1977~~] for a [~~1968~~] 1970 or newer model vehicle shall be considered valid if any element of the factory-installed motor vehicle pollution control system has been modified or altered in such a manner so as to decrease its efficiency or effectiveness in the control of air pollution in violation of ORS 483.825(2), except as noted in subsection (5). For the purposes of this subsection, the following apply:

(a) The use of a non-original equipment aftermarket part (including a rebuilt part) as a replacement part [~~solely for purposes of maintenance according to the vehicle or engine manufacturer's instructions,~~

~~or-for-repair-or-replacement-of-a-defective-or-worn-out-part,~~] is not considered to be a violation of ORS 483.825(2), if a reasonable basis exists for knowing that such use will not adversely effect emission control efficiency. The [d]Department will maintain a listing of those parts which have been determined to adversely effect emission control efficiency.

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

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

(5) A [~~1968~~] 1970 [~~or~~] and newer model motor vehicle which has been converted to operate on gaseous fuels shall not be considered in violation of ORS 483.825(1) or (2) when elements of the factory-installed motor vehicle air pollution control system are disconnected for the purpose of conversion to gaseous fuel as authorized by ORS 483.825(3).

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

(7) Electric vehicles are presumed to comply with all requirements of these rules and those applicable provisions of ORS 468.360 to 468.405, 481.190 to 481.200, and 483.800 to 483.325, and may be issued the required certificates of compliance and inspection upon payment of the required fee.

24-330 LIGHT DUTY MOTOR VEHICLE EMISSION CONTROL IDLE EMISSION STANDARDS.

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

	<u>%</u>	<u>Enforcement Tolerance</u> <u>Through June, [1977] 1979</u>
<u>ALFA ROMEO</u>		
1975 [and-1976] <u>through 1977</u>	1.5	1.0
1971 through 1974	3.0	1.0
1968 through 1970	4.0	1.5
pre-1968	6.0	0.5
<u>AMERICAN MOTORS CORPORATION</u>		
1975 [and-1976] <u>through 1977</u> Non-Catalyst	1.5	0.5
1975 [and-1976] <u>through 1977</u> Catalyst Equipped	0.5	0.5
1972 through 1974	2.0	1.0
1970 through 1971	3.5	1.0
1968 through 1969	5.0	0.5
pre-1968	6.0	0.5
Above 6000 GVWR, 1974 through [1976] <u>1977</u>	2.0	1.0
<u>ARROW, Plymouth</u> - see COLT, Dodge		
<u>AUDI</u>		
1975 [and-1976] <u>through 1977</u>	1.5	0.5
1971 through 1974	2.5	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0.5
<u>AUSTIN</u> - see BRITISH LEYLAND		
<u>BMW</u>		
1975 [and-1976] <u>through 1977</u>	1.5	0.5
1974, 6 cyl.	2.5	1.0
1974, 4 cyl.	2.0	1.0
1971 through 1973	3.0	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0.5

BRITISH LEYLAND

Austin, Austin Healey, Morris, America, and Marina		
1975	2.0	0.5
1973 through 1974	2.5	1.0
1971 through 1972	4.0	1.0
1968 through 1970	5.0	1.0
pre-1968	6.5	0.5
Jaguar		
1975 [and-1976] through 1977	0.5	0.5
1972 through 1974	3.0	1.0
1968 through 1971	4.0	1.0
pre-1968	6.0	0.5
MG		
1976 and 1977 MG	0.5	0.5
1975 MG, MG Midget and 1976 MG Midget	2.0	0.5
1973 through 1974 MGB, MGBGT, MGC	3.0	1.0
1971 through 1974 Midget	3.0	1.0
1972 MGB, MGC	4.0	1.0
1968 through 1971, except 1971 Midget	5.0	1.0
pre-1968	6.5	0.5
Rover		
1971 through 1974	4.0	1.0
1968 through 1970	5.0	0.5
pre-1968	6.0	0.5
Triumph		
1975 [and-1976] through 1977	2.0	0.5
1971 through 1974	3.5	1.0
1968 through 1970	4.0	1.0
pre-1968	6.5	0.5

BUICK - see GENERAL MOTORS

CADILLAC - see GENERAL MOTORS

CAPRI - see FORD MOTOR COMPANY [~~3-4-ey17~~]

CHECKER

1975 [and-1976] through 1977 Catalyst Equipped	0.5	0.5
1973 through 1974	1.0	1.0
1970 through 1972	2.5	1.0
1968 through 1969	3.5	1.0
pre-1968	6.0	0.5

CHEVROLET - see GENERAL MOTORS

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

CHRYSLER - see CHRYSLER CORPORATION

CHRYSLER CORPORATION (Plymouth, Dodge, Chrysler)

1975 [and-1976] through 1977 Non-Catalyst	1.0	0.5
1975 [and-1976] through 1977 Catalyst Equipped	0.5	0.5
[1972] 1973 through 1974	1.0	[1.0] 1.5
[1969] 1970 through [1974] 1972	1.5	[1.0] 1.5
1968 through 1969	2.0	[1.5] 2.5
pre-1968	6.0	0.5
Above 6000 GVWR, 1968 through 1971	4.0	1.0
Above 6000 GVWR, 1972 through [1976] 1977	2.0	1.0

CITROEN

1971 through 1974	3.0	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0.5

COLT, Dodge

1975 [and-1976] through 1977	3.0	0.5
1971 through 1974	5.0	1.0
pre-1971	6.0	0.5

COURIER, Ford

1975 [and-1976] through 1977	1.5	0.5
1973 through 1974	2.0	1.0
pre-1973	4.0	1.0

CRICKET, Plymouth

1973 through 1974 (twin carb. only)	3.0	1.0
1972 (twin carb. only)	4.5	1.0
pre-1972 (and 1972 through 1973 single carb. only)	7.5	0.5

DATSUN

1975 [and-1976] <u>through 1977</u>	2.0	0.5
1968 through 1974	2.5	1.0
pre-1968	6.0	0.5

DE TOMASO - see FORD MOTOR COMPANY

DODGE - see CHRYSLER CORPORATION

DODGE COLT - see COLT, Dodge

FERRARI

1975 [and-1976] <u>through 1977</u>	0.5	0.5
1971 through 1974	2.5	1.5
1968 through 1970	4.0	1.5
pre-1968	6.0	0.5

FIAT

1975 [and-1976] <u>through 1977</u> Non-Catalyst	1.5	0.5
1975 [and-1976] <u>through 1977</u> Catalyst Equipped	0.5	0.5
1974	2.5	1.0
1972 through 1973 124 spec. sedan and wgn.	4.0	1.0
1972 through 1973 124 sport coupe and spider	3.0	1.0
1972 through 1973 850	3.0	1.0
1971 850 sport coupe and spider	3.0	1.0
1971 850 sedan	6.0	0.5
1968 through 1970, except 850	5.0	0.5
1968 through 1970 850	6.0	0.5
pre-1968	6.0	0.5

FORD - see FORD MOTOR COMPANY

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

1975 [and-1976] <u>through 1977</u> Non-Catalyst	1.0	0.5
1975 [and-1976] <u>through 1977</u> Catalyst Equipped	0.5	0.5
[1972-through] 1974, except 4 cyl.	1.0	1.0
1973, except 4 cyl.	1.0	1.5
1972, except 4 cyl.	1.0	2.0
1972 through 1974, 4 cyl., except 1971- 1973 Capri	2.0	1.0

FORD MOTOR COMPANY cont'd.

1971 through 1973 Capri only	2.5	1.0
1970 through 1971	2.0	1.0
1968 through 1969	3.5	1.0
pre-1968	6.0	0.5
Above 6000 GVWR, 1968 through 1971	4.0	1.0
Above 6000 GVWR, 1972 through 1973	3.0	1.0
Above 6000 GVWR, 1974 through [1976] 1977	2.0	1.0

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

1975 [and-1976] through 1977 Non-Catalyst	1.0	0.5
1975 [and-1976] through 1977 Catalyst		
Equipped	0.5	0.5
[1972] 1973 through 1974	1.0	1.0
[1970-through] 1971 through 1972, except 4 cyl.	1.5	1.0
1970, except 4 cyl.	1.5	1.5
1970 through 1971, 4 cyl	2.5	1.0
1968 through 1969	3.5	1.0
pre-1968	6.0	0.5
Above 6000 GVWR, 1968 through 1971	4.0	1.0
Above 6000 GVWR, 1972 through 1973	3.0	1.0
Above 6000 GVWR, 1974 through [1976] 1977	2.0	1.0

GMC - see GENERAL MOTORS

HONDA AUTOMOBILE

1975 [and-1976] through 1977 CVCC	1.0	0.5
1975 [and-1976] through 1977, except CVCC engine	1.5	0.5
1973 through 1974	3.0	1.0
pre-1973	5.0	1.0

INTERNATIONAL HARVESTER

1975 [and-1976] through 1977	2.5	0.5
1972 through 1974	3.0	1.0
1970 through 1971	4.0	1.0
1968 through 1969	5.0	1.0
pre-1968	6.0	0.5

JAGUAR - see BRITISH LEYLAND

JEEP - see AMERICAN MOTORS

JENSEN-HEALEY

1973 and 1974 4.5 1.0

JENSEN INTERCEPTOR & CONVERTIBLE - see CHRYSLER CORPORATION

LAND ROVER - see BRITISH LEYLAND, Rover

LINCOLN - see FORD MOTOR COMPANY

L.U.V., Chevrolet

1974 through [~~1976~~] 1977 1.5 1.0
pre-1974 3.0 1.0

MAZDA

1975 [~~and-1976~~] through 1977 1.5 0.5
1968 through 1974, Piston Engines 4.0 1.0
1974, Rotary Engines 2.0 0.5
1970 through 1973, Rotary Engines 3.0 0.5

MERCURY - see FORD MOTOR COMPANY

MERCEDES-BENZ

1975 [~~and-1976~~] through 1977 Non-Catalyst,
4 cyl. 1.0 0.5
1975 [~~and-1976~~] through 1977, all other 0.5 0.5
1973 through 1974 2.0 1.0
1972 4.0 1.0
1968 through 1971 5.0 1.0
pre-1968 6.0 0.5
Diesel Engines (all years) 1.0 0.5

MG - see BRITISH LEYLAND

OLDSMOBILE - see GENERAL MOTORS

OPEL

1975 [and-1976] <u>through 1977</u>	1.5	0.5
1973 through 1974	2.5	1.0
1970 through 1972	3.0	1.0
1968 through 1969	3.0	1.0
pre-1968	6.0	0.5

PANTERA - see FORD MOTOR COMPANY

PEUGEOT

1975 [and-1976] <u>through 1977</u>	1.5	0.5
1971 through 1974	3.0	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0.5
Diesel Engines (all years)	1.0	0.5

PLYMOUTH - see CHRYSLER CORPORATION

PLYMOUTH CRICKET - see CRICKET, Plymouth

PONTIAC - see GENERAL MOTORS

PORSCHE

1975 [and-1976] <u>through 1977</u>	2.5	0.5
1972 through 1974	3.0	1.0
1974 Fuel Injection 1.8 liter (914)	5.0	1.0
1968 through 1971	5.0	1.0
pre-1968	6.5	0.5

RENAULT

<u>1977</u>	<u>1.5</u>	<u>0.5</u>
1976 Carbureted	1.5	0.5
1975 and 1976 Fuel Injection	1.5	0.5
1975 Carbureted	0.5	0.5
1971 through 1974	3.0	1.0
1968 through 1970	5.0	1.0
pre-1968	6.0	0.5

ROLLS-ROYCE and BENTLEY

1975 [and-1976] through 1977	0.5	0.5
1971 through 1974	3.0	1.0
1968 through 1970	4.0	1.0
pre-1968	6.0	0.5

ROVER - see BRITISH LEYLAND

SAAB

1975 [and-1976] through 1977	1.5	0.5
1968 through 1974, except 1972 99 1.85 liter	3.0	1.0
1972 99 1.85 liter	4.0	1.0
pre-1968 (two-stroke cycle)	3.0	3.5

SUBARU

1975 [and-1976] through 1977	1.5	0.5
1972 through 1974	3.0	1.0
1968 through 1971, except 360's	4.0	1.0
pre-1968 and all 360's	6.0	0.5

TOYOTA

1975 [and-1976] through 1977 Catalyst Equipped	0.5	0.5
1975 [and-1976] through 1977 4 cyl.	2.0	0.5
1975 [and-1976] through 1977 6 cyl.	1.0	0.5
1968 through 1974, 6 cyl.	3.0	1.0
1968 through 1974, 4 cyl.	4.0	1.0
pre-1968	6.0	0.5

TRIUMPH - see BRITISH LEYLAND

VOLKSWAGEN

<u>Diesel Engines (all years)</u>	<u>1.0</u>	<u>0.5</u>
1976 and 1977 Rabbit and Scirocco	0.5	0.5
1976 and 1977 All Others	2.5	0.5
1975 Rabbit, Scirocco, and Dasher	0.5	0.5
1975 All Others	2.5	0.5

VOLKSWAGEN cont'd.

[1974-Dasher	2.5	1.0]
1974 Type 4 Fuel Injection 1.8 liter	5.0	0.5
1972 through 1974, except Dasher	3.0	1.0
1972 through 1974 Dasher	2.5	1.0
1968 through 1971	3.5	1.0
pre-1968	6.0	0.5

VOLVO

1975 [and-1976] <u>through 1977</u> 6 cyl.	1.0	0.5
1975 [and-1976] <u>through 1977</u> 4 cyl.	2.0	0.5
1972 through 1974	3.0	1.0
1968 through 1971	4.0	1.0
pre-1968	6.5	0.5

NON-COMPLYING IMPORTED VEHICLES

A11	6.5	0.5
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DIESEL POWERED VEHICLES

A11	1.0	0.5
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ALL VEHICLES NOT LISTED and VEHICLES FOR WHICH NO VALUES ENTERED

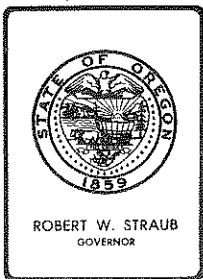
1975 [and-1976] <u>through 1977</u> Non-Catalyst, 4 cyl.	2.0	0.5
1975 [and-1976] <u>through 1977</u> Non-Catalyst all except 4 cyl.	1.0	0.5
1975 [and-1976] <u>through 1977</u> Catalyst Equipped	0.5	0.5
1972 through 1974	3.0	1.0
1970 through 1971	4.0	1.0
1968 through 1969	5.0	1.0
pre-1968 and those engines less than [50-cu.-in. -(820-cc)] <u>820 cc</u> (50 cu. in.)	6.5	0.5

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

<u>PPM</u>	<u>Enforcement Tolerance</u>		
	<u>Through June [1977]</u>	<u>1979</u>	
No HC Check	--		All two-stroke cycle engines & diesel ignition
[1600] <u>1500</u> [ppm]	[250] <u>100</u>		Pre-1968 4 or less cylinder engines, 4 or less cylindered non-complying imports; and those engines less than [50-cu-in-820-cc] <u>820 cc (50 cu. in.)</u> displacement
[1300] <u>1200</u> [ppm]	[250] <u>100</u>		Pre-1968 with more than 4 cylinder engines, and non-complying imports with more than 4 cylinder engines
800 [ppm]	[200] <u>100</u>		1968 through 1969, 4 cylinder
600 [ppm]	[200] <u>100</u>		All other 1968 through 1969
500 [ppm]	[200] <u>100</u>		All 1970 through 1971
400 [ppm]	[200] <u>100</u>		All 1972 through 1974, 4 cylinder
300 [ppm]	[200] <u>100</u>		All other 1972 through 1974
200 [ppm]	100		1975 [and-1976] <u>through 1977</u> without catalyst
125 [ppm]	100		1975 [and-1976] <u>through 1977</u> with catalyst

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

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



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

June 7, 1977

TO: Environmental Quality Commission

FROM: Hearing Officer

SUBJECT: Hearing Report: May 9, 1977 Public Hearing on
Proposals to Amend Light Duty Motor Vehicle In-
spection Standards

SUMMARY

The hearing was attended by several persons of whom three offered oral testimony.

In addition, Ford Motor Company offered written testimony through the mail.

SUMMARY OF TESTIMONY

Mr. Mike Surratt representing Multnomah Hot Rod Council. Mr. Surratt noted that the Multnomah Hot Rod Council primarily favors the Department's rules and testing procedures for vehicle inspection.

Mr. Surratt urged a 3% CO - 500 PPM HC standard for new cars. It was felt this would allow certain types of camshafts and other high performance equipment on vehicles.

Mr. Surratt opposed the rule against tampering with pollution control equipment. He felt it was simply too difficult to enforce. As an example of the difficulty Mr. Surratt mentioned that one model year automobile has about 23 vacuum hoses whose manipulation would be difficult for inspectors to detect.

Also, Mr. Surratt felt that if a car passes the test, it should be certified without regard to tampering.



Contains
Recycled
Materials

It was Mr. Surratt's suggestion that the rules be amended to waive the test for people 65 years of age and older. He noted that the mechanics in his organization see many older people with little financial means to obtain costly repairs. It was added that existing laws forbid the grossest polluters, such as cars that smoke.

Mr. Surratt, in answer to inquiry, guessed that 10% of the motoring public was engaged in recreational activities which make it desirable to modify their car engines.

Mr. Tom Reynolds, auto mechanic and member of the Multnomah Hot Rod Council. Mr. Reynolds supported Mr. Surratt's statement and also was against the tampering prohibition. He noted for example that a change in the cam of an engine dictated a change of air pumps. He felt it would be okay to prohibit changing certain things and not others.

Mr. Reynolds reported discrepancies in testing whereby he has taken autos through successfully without doing any work on them after a test failure.

Mr. Reynolds estimated he had been tuning 3 or 4 cars a day for the test and had received only one request that a car be retuned to run more smoothly after passing the test.

He felt that the industry had learned how to service cars for the test.

Mr. Reynolds felt some of the repairs were costly and undertaken because of a minor pollution problem. He said he sells many carburetors.

Ms. Merg Stratton, speaking as a collector and restorer of autos and as a representative of Foster Automotive: Ms. Stratton was also in favor of the program but against the antitampering provision of the rules. She predicted that the complex control systems could not be adequately examined for tampering.

She also said minor things could throw the test results off, especially in service garages that use cheaper equipment.

It was Ms. Stratton's fear that current statutes prohibit the removal of equipment even if it makes the car run cleaner.

Environmental Quality Commission
June 7, 1977
Page Three

She felt also that a car which passes the test is making its contribution to clean air and should not be penalized for removed pollution equipment.

Ms. Stratton found that the standards are too strict because many have their cars "de-tuned" for the test and then "tuned."

Ms. Stratton felt that the place to attack the problem was at a manufacturer's level with the owner being allowed to do as well or better in any way he or she sees fit.

Mr. Richard H. Shackson of Ford Motor Company submitted written testimony along with data tending to show that the current standards for 1975/76 catalyst-equipped Ford vehicles are too stringent and would result in failure of many cars which can pass the federal multimode test. The Commission was urged to relax the HC and CO standards to reduce the risk of failing cars which can pass the federal test.

RECOMMENDATION

Your hearing officer makes no recommendation in this matter.

Respectfully submitted,



Peter W. McSwain
Hearing Officer

PWM:cm

STATE OF OREGON
R E C E I V E D



MAY 18 1977

Dept. of Environmental Quality
Vehicle Inspection Division

Richard H. Shackson, Director
Environmental Research Office
Environmental and Safety
Engineering Staff

Ford Motor Company
The American Road
Dearborn, Michigan 48121

May 16, 1977

Mr. R. C. Householder, Manager
Motor Vehicle Emission Testing
Department of Environmental Quality
1234 S.W. Morrison Street
Portland, Oregon 97205

Dear Mr. Householder:

Please accept the enclosed Ford Motor Company statement in response to the Notice of Public Hearing to consider amendments to rules governing motor vehicle emission inspection. If you have any questions or require further information you may contact me on (313) 323-3568 or R. W. Heiney on (313) 337-7051.

Sincerely,

A handwritten signature in cursive script that reads "R. W. Heiney for".

Richard H. Shackson

Enclosure

FORD MOTOR COMPANY

WRITTEN TESTIMONY

ON

PROPOSED REVISIONS TO OREGON LIGHT DUTY

MOTOR VEHICLE INSPECTION STANDARDS

In its March, 1976, testimony at the hearings held by the Oregon House Task Force on Auto Emissions Control, the Ford Motor Company (Ford) supported the limited use of idle tests for in-use emission inspection. The written submission stated:

"Ford....supports incorporation of a short exhaust emissions test as a valid aspect of an in-use inspection program. However, because of the substantial differences between the official certification test and any short inspection test, a short test -- such as the idle inspection test -- utilized by the Oregon Department of Environmental Quality is only valid as a means of detecting 'gross emitters.' That is, vehicles whose emissions are substantially above typical idle emissions for similar vehicles."

Also,

"There is no valid correlation between emissions levels reported for any known short test and levels reported for the full Federal Test Procedure used for certification."

And,

"Accordingly, the standards for a short test must be designed to identify 'gross emitters.' Otherwise, with overly stringent standards, a short test would incorrectly fail many acceptable vehicles."

The submission indicated that proposed standards for 1975 and 1976 vehicles were too stringent based upon California inspection standards and Ford end-of-line control limits for California production vehicles.

In the July 1976 submission for the Public Hearing by Oregon Department of Environmental Quality, these views were reasserted. Again, based upon California production data it was stated:

"... , if a population of Ford vehicles, all of which could satisfactorily meet the 100% idle test requirement and for which a minimum constituent pass rate of 90% had been demonstrated during certification-type testing on a 2% sample, were tested immediately after shipment from the assembly plant, a substantial percentage would fail to meet the stringent Oregon standards."

An analysis of data from the EPA Restorative Maintenance Program further illustrates our concern with the Oregon standards. Ninety-two (92) 1975/1976 catalyst-equipped Ford vehicles were tested in the Program which included measurements of emissions at idle and for the certification test cycle.

It should be noted that the fleet average (as determined by the Federal Certification Test) of the Ford vehicles tested in the Restorative Maintenance Program is lower than the applicable Federal standards. Average hydrocarbons are 1.04 grams per mile or 69% of the standard. Average carbon monoxide emissions are 10.84 grams per mile or 72% of the standard. The fleet therefore substantially surpasses Federal requirements. While some vehicles had emission levels higher than the Federal standard (as is to be expected with the averaging concept) only a few appear to be "gross emitters" in an as-received condition. It should also be noted that merely setting the vehicles to specifications (no major repairs) produced HC and CO pass rates of 96% and 95% and average emissions levels of 0.94 and 6.83 grams per mile respectively.

The attached report and graphs show what happens when the current (with enforcement tolerance) and future (without enforcement tolerance) Oregon standards are applied to the Ford Restorative Maintenance Program fleet. The first pair of graphs shows, for HC and CO, the effect of current standards. For both gases, the current standards including the enforcement tolerance result in a 7.5% error of commission, that is, 7.5% of the vehicles in the population are improperly designated as "failing" by the idle test even though they are part of a population of vehicles which on average

is substantially below applicable standards, and in fact, the individual vehicles met Federal standards. Application of the base standard without the enforcement tolerance to the data, shows that the errors of commission go up to 11.8% for HC. The fallibility of the idle test is shown clearly in this instance. The 125 ppm HC cutpoint fails more vehicles (11.8%) that are below the federal standard than vehicles which are above both the federal standard and the Oregon cutpoint (7.5%).

The attached report also shows pass rates that would occur if the Oregon standards were applied to a sample of 207 vehicles tested in New Jersey's Inspection/Maintenance program. The purpose of this exhibit is to show that the Ford pass rate would be better than the industry average even under Oregon's stringent standards, with and without the enforcement tolerance. Thus Ford has no perceivable competitive disadvantage in the matter.

In summary, it is Ford's view that Oregon standards for 1975-77 Ford vehicles are not technically sound. The sole purpose of an idle test should be the identification of "gross emitters." That is, those vehicles which are not within the population of vehicles represented by the Federal certification vehicle. Idle test standards set so as to "fail" vehicles within this population are improper. In fact, in the case of a vehicle which meets the applicable Federal standards, but which fails the idle test, it is not even clear what could constitute an appropriate "fix."

With the present standards, Ford vehicle owners in Oregon are being penalized wrongfully by unnecessarily stringent idle standards. Even more will be penalized when the enforcement tolerance is removed. Ford recommends that consideration be given to relaxing the standards in order to reduce the level of inequity that currently exists.

PROGRAM REPORT

Date May 10, 1977

To: R. W. Heiney cc: M. B. Donielson B. E. Lamm N. J. Oldani
 J. P. King J. C. McKenna D. T. Roberts

From: E. E. Hancock

Subject: Oregon Idle Emissions Standards

Program Description:

Idle test Errors of Commission and passrates were calculated for 1975 and 1976 Model Year catalyst equipped vehicles using "as received" data from EPA's Restorative Maintenance Program (RMP) assessed against the Oregon Idle Emission Standards given in the referenced letter.

For comparison purposes, passrates were calculated for New Jersey Idle Test data (containing predominantly catalyst vehicles) against Oregon Catalyst Vehicle Idle Emission Standards.

No idle test Errors of Commission and passrates could be calculated for non-catalyst vehicles due to insufficient data.

Results/Conclusions:

- Errors of Commission and passrate results from the RMP data are contained in Attachment I (pages 1 - 4) and summarized below:

Sample Size	Restorative Maintenance ^① Ford Idle & FTP Data		New Jersey Idle Data ^②	
	HC	CO	Ford HC	All Manufacturers CO
	92	92	207	906
Oregon Standards with Enforcement Tolerance (catalyst vehicles - effective until 6/79)	225PPM	1.0M%	225PPM	1.0M%
Passrate	80.6%	75.3%	94.7%	69.2%
Error of Commission	7.5%	7.5%	81.6%	85.9%
Oregon Standards without Enforcement Tolerance (catalyst vehicles - effective 6/79)	125PPM	0.5M%	125PPM	0.5M%
Passrate	76.3%	75.3%	84.1%	61.1%
Error of Commission	11.8%	7.5%	69.5%	71.9%
FTP (CVS-CH Test)				
Standard (1975/76 Fed.)	1.5 gpm	15 gpm		
Mean Emissions (as rec'd)	1.04	10.84		
Passrate (as rec'd)	86.0%	82.8%		

① Catalyst vehicles only

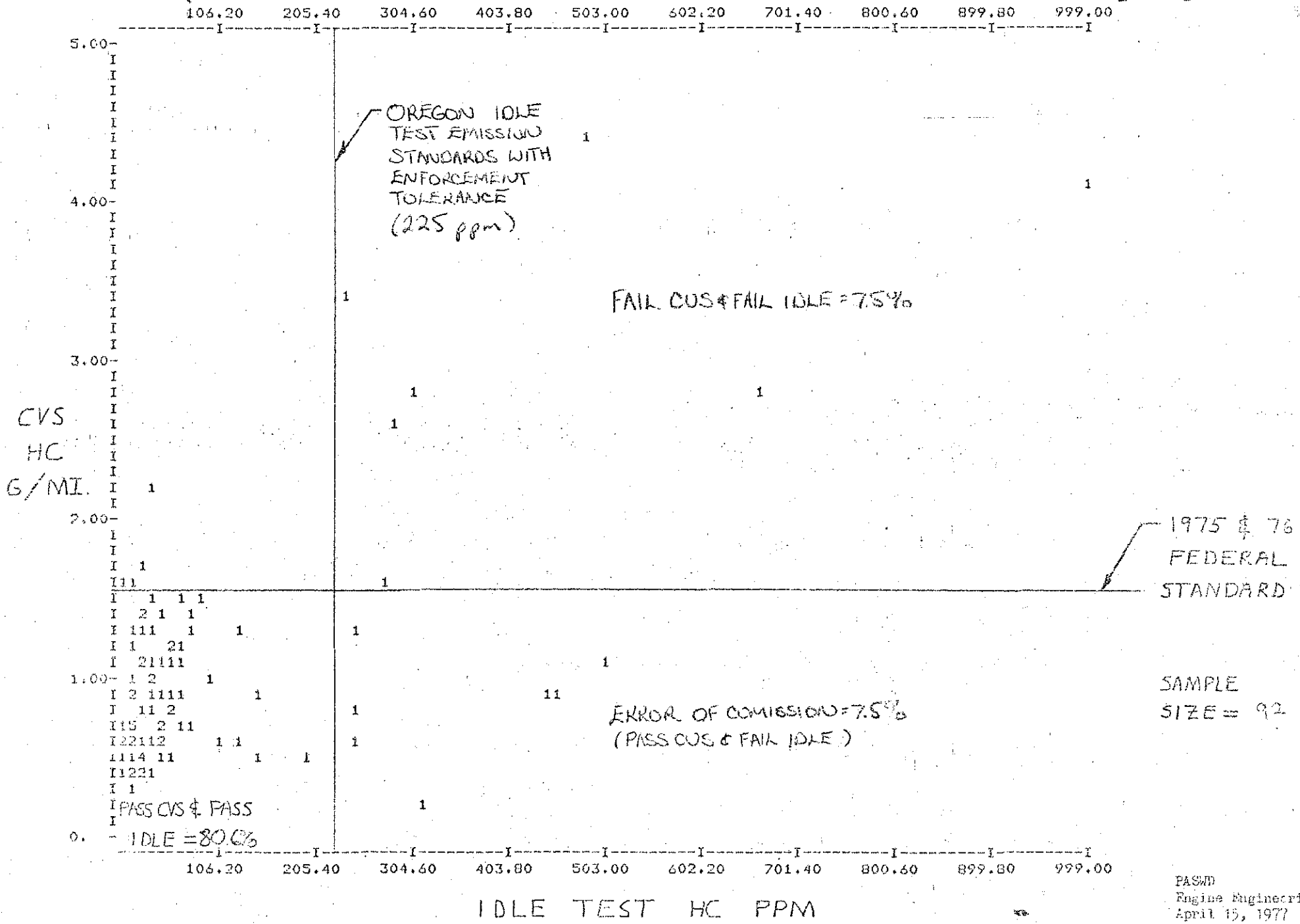
② For reference, includes some (percent unknown) non-catalyst vehicles.

Reference: R. W. Heiney communication to E. E. Hancock, dated May 6, 1977, same subj.

Signed:

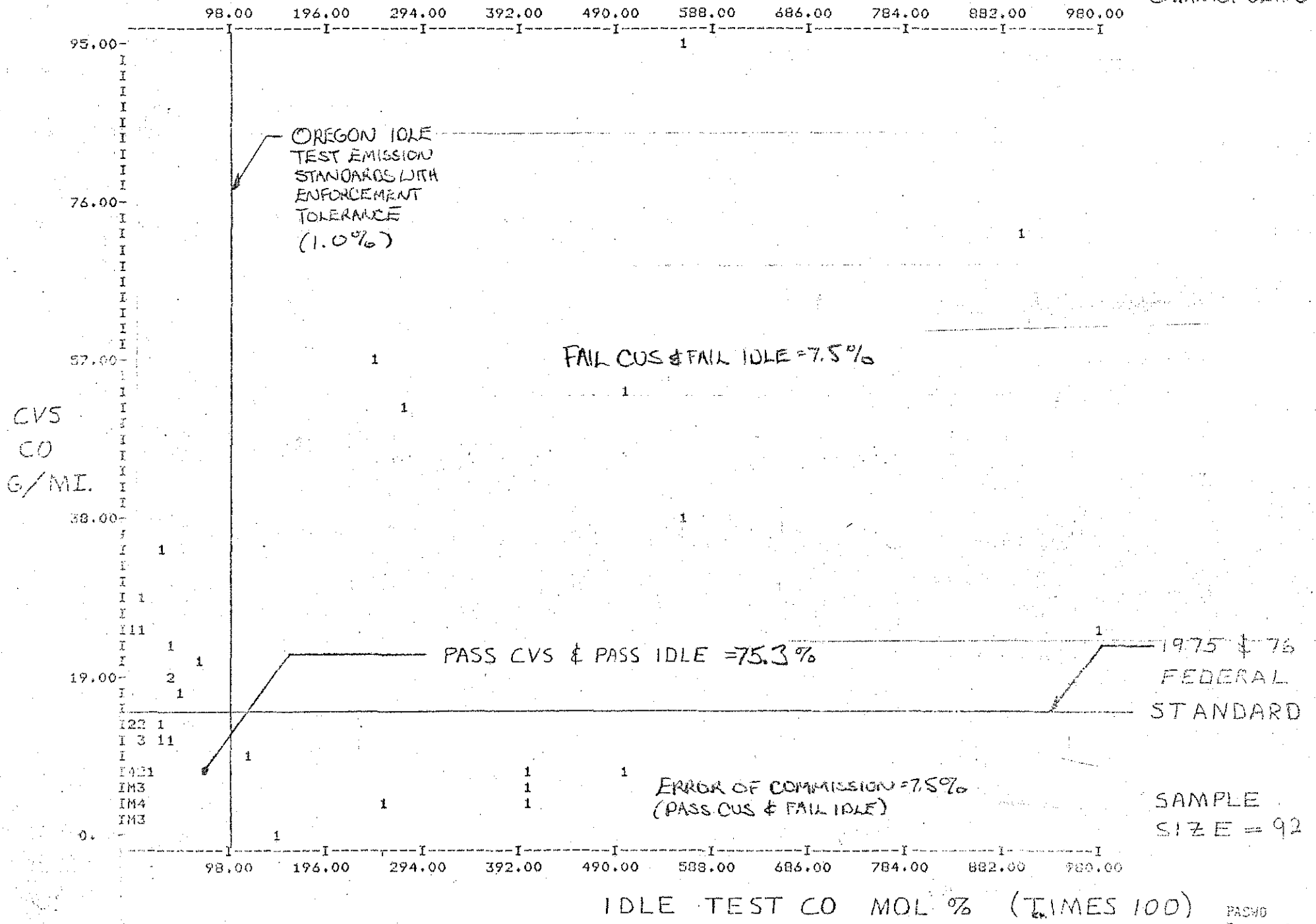
E. E. Hancock
 E. E. Hancock

AS RECEIVED RESTORATIVE MAINTENANCE CVS HC VRS IDLE HC



* INDICATES MORE THAN 9 DATA POINTS
* TRACKS THE REGRESSION LINE

AS RECEIVED RESTORATIVE MAINTENANCE CVS CO VRS IDLE CO



CVS
CO
G/MI.

FAIL CVS & FAIL IDLE = 7.5%

PASS CVS & PASS IDLE = 75.3%

1975 & 76
FEDERAL
STANDARD

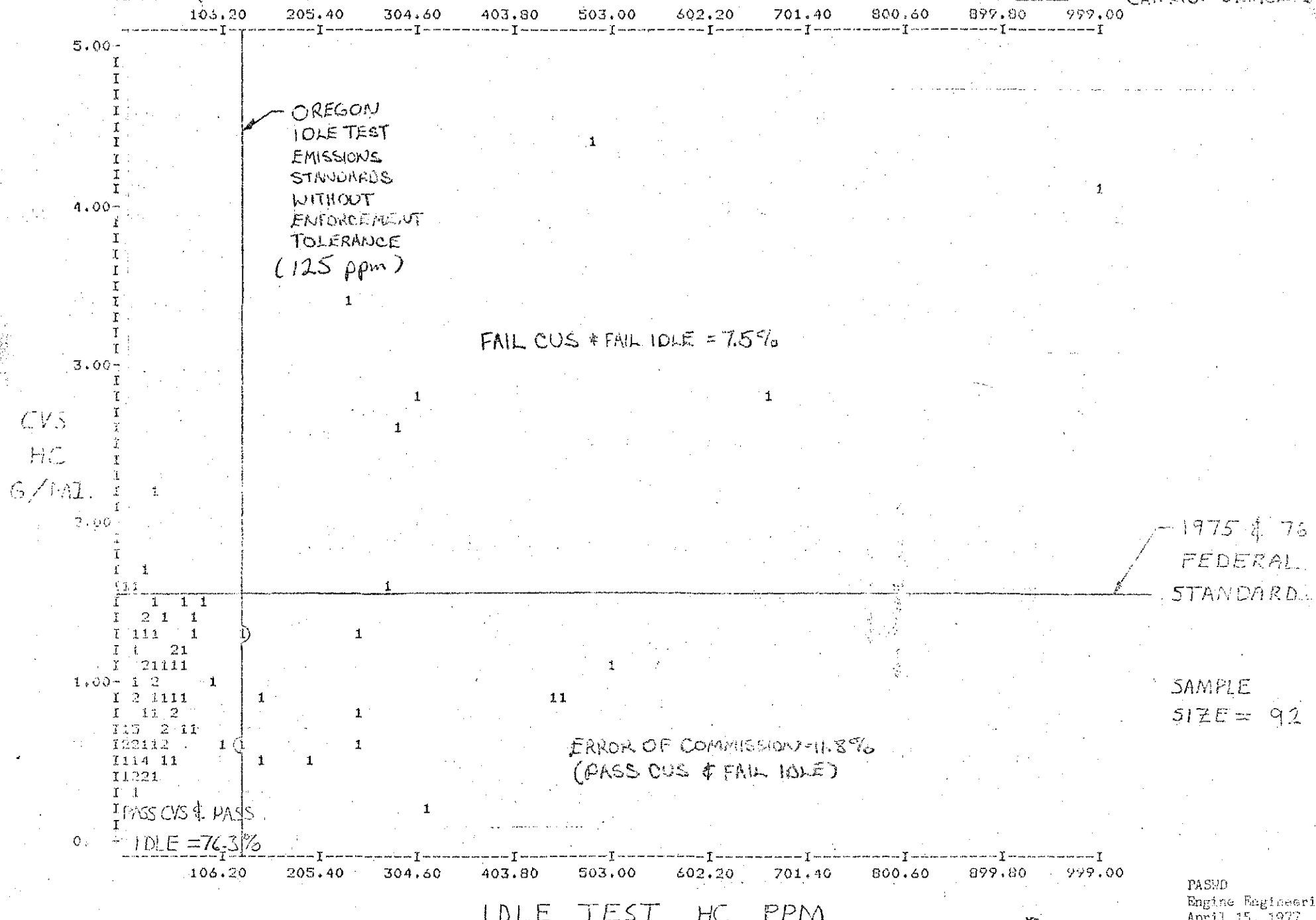
ERROR OF COMMISSION = 7.5%
(PASS CVS & FAIL IDLE)

SAMPLE
SIZE = 92

IDLE TEST CO MOL % (TIMES 100)

1 INDICATES MORE THAN 9 DATA POINTS
* TRACKS THE REGRESSION LINE

AS RECEIVED RESTORATIVE MAINTENANCE CVS HC VRS IDLE HC



CVS
HC
G/MAL.

OREGON
IDLE TEST
EMISSIONS
STANDARDS
WITHOUT
ENFORCEMENT
TOLERANCE
(125 ppm)

FAIL CVS & FAIL IDLE = 7.5%

1975 & 76
FEDERAL
STANDARD

SAMPLE
SIZE = 92

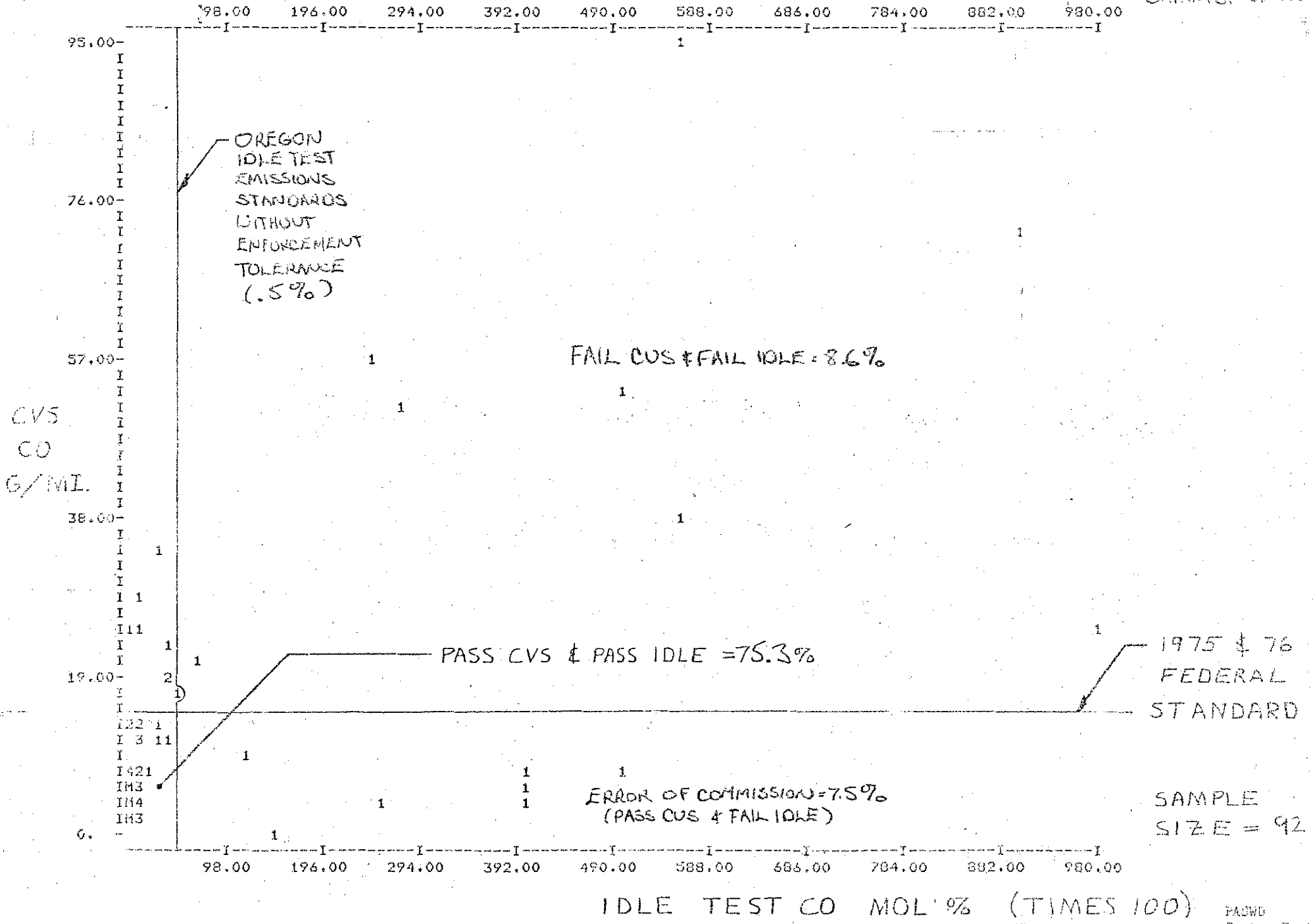
ERROR OF COMMISSION = 11.8%
(PASS CVS & FAIL IDLE)

IDLE = 76.3%

IDLE TEST HC PPM

N INDICATES MORE THAN 9 DATA POINTS
* TRACES THE REGRESSION LINE

AS RECEIVED RESTORATIVE MAINTENANCE CVS CO VRS IDLE CO



CVS
 CO
 G/ML

FAIL CVS & FAIL IDLE = 8.6%

PASS CVS & PASS IDLE = 75.3%

1975 & 76
 FEDERAL
 STANDARD

ERROR OF COMMISSION = 7.5%
 (PASS CVS & FAIL IDLE)

SAMPLE
 SIZE = 92

98.00 196.00 294.00 392.00 490.00 588.00 686.00 784.00 882.00 980.00

IDLE TEST CO MOL % (TIMES 100)

I INDICATES MORE THAN 9 DATA POINTS
 * TRACES THE REGRESSION LINE

Discussion of Comments from Public Hearing May 9, 1977

A public hearing was held May 9, 1977 on the proposed rule changes for light duty motor vehicles subject to the inspection program. Three people presented testimony at the hearing. The first, Mr. Mike Serratt, represented the Multnomah County Hotrod Council. Mr. Serratt offered several items for consideration:

- 1) That there be a 3% CO - 500 ppm HC standard for new cars as opposed to the standards which are currently in use;
- 2) That there be no change in the CO enforcement tolerance;
- 3) That aftermarket equipment rules be liberalized;
- 4) That tampering rule and statute not be enforced;
- 5) That there be an exemption for the elderly people.

In discussing these items with Mr. Serratt, it was noted that there were no changes proposed in the CO enforcement tolerance, and that sections of the rule had been revised to clarify the intent for allowing aftermarket equipment. The philosophy of the standard-setting techniques was discussed. The remainder of the discussion centered on the Department's enforcing of the Oregon anti-tampering statute, ORS 483.825. Regarding the exemption for elderly people, it was noted that the House Task Force had raised this issue, but no bills on this point are under consideration by the Legislature.

Mr. Tom Reynolds, also representing the Multnomah County Hotrod Council, is a garage mechanic. He spoke primarily against the tampering provision of the rules stating that if the car can meet the idle number, it should be able to pass the test. Mr. Reynolds also stated that in his past three years as a mechanic, he has had only one customer come back unsatisfied with the way the car was running and ask to have it readjusted. He stated that he does three to four cars a day.

Mrs. Merg Stratton, representing Foster Automotive and a collector and restorer of cars, spoke primarily against the tampering aspects of the proposed rules. She noted that some of the pollution systems on newer cars are extremely complex. Adequate diagnosis of repairs and detecting tampered and misconnected equipment cannot be done in the time frame that the DEQ would conduct its visual inspection. She spoke about the difference between the Federal test procedure and the idle technique being used; and also about various levels of quality of garage analyzers on the market, so that some shops would have a relatively inexpensive and not necessarily reliable unit while the State would have more exotic, expensive units so that there could be a problem of correlation between the two units. She stated that the tampering section was an unenforceable law and that we should not be concerned with its enforcement.

The Department's inspection program is not in the automobile repair business nor is it a diagnostic service. The Department has neither the authority nor the desire to enter into the area of the repair business. The inspection does measure pollution output from the automobile.

The Department makes available a list of exhaust gas analysis equipment which has received California BAR approval. This list, while not an enforcement, is available to the service industry. Machines on this list were certified to meet a minimum level of accuracy and reliability.

Ford Motor Company submitted written testimony supportive of inspection maintenance programs. They reviewed some of their previous testimony both before the House Task Force and the Commission.

Data was presented from EPA's Restorative Maintenance Program in which Ford is participating. Ford is concerned about the vehicles which passed the Federal test (FTP), but would have failed the Oregon idle check. Their data showed an error of commission level of 7.5% for both HC and CO limits. This data indicates that a level of correlation exists. Other sources do not indicate that high of an error level when the Oregon standards are applied. Additional Ford information states that an idle test can only be used for detecting "gross emitters."

The Department is participating with EPA in an Inspection/Maintenance study program. One of the short cycle tests under study, a study which will document the degree of correlation between short tests and the Federal test, is the Oregon idle test. This study is just getting under way and preliminary results should be available within the year.

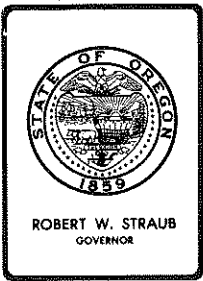
The table below summarizes the Ford Data:

	<u>Vehicles Passing CVS & Idle, %</u>	<u>Vehicles Failing CVS & Idle, %</u>	<u>*Error of Commission, %</u>	<u>**Error of Omission, %</u>
HC Std.	80.5	7.5	7.5	5.4
HC Std. + 25 ppm	83.2	7.4	4.3	5.5
CO Std.	75.3	7.5	7.5	9.6
CO Std. + 0.5%	77.4	7.5	5.4	9.6

* An Error of Commission means that the vehicle failed the short test but passed the Federal test.

** An Error of Omission means that the vehicle passed the short test but failed the Federal test.

An additional benefit that is achievable is that those vehicles which may fall into the error of commission category have the potential to be improved to an even lower overall pollution output level with the correct maintenance needed to pass an idle test. This was indicated in Ford's testimony where they discussed pass rates in excess of 95% when the vehicles were simply adjusted to manufacturer's specifications.



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item No. G, June 24, 1977, EQC Meeting

Critical Situation Policy - Consideration of policy on
procedures for dealing with water quality controls during
situations of drought or other comparable natural disasters

Discussion

The sense of the Commission after its May 27 deliberation on this matter was that procedural rule would be unnecessary and that an announcement of policy would be appropriate.

Since the policy would not have the force of a rule and would leave in tact all of the present procedural requirements and options of current rules and statutes, we see no purpose in superimposing specific procedural requirements on those already in force.

Rather, we've attempted to draft a statement that would speak in general terms of a commitment to public notice and public access, leaving out specifics as to what action would be taken.

Recommendation

It is the Director's recommendation that the Commission adopt the attached Policy Statement as a form of announcing its recognition that water quality emergencies may occur and its resolve to give as much public access in decision-making as is consonant with the degree of urgency involved.

WILLIAM H. YOUNG
Director

PWM:eve

Attached: Policy Statement



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BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE
STATE OF OREGON

EMERGENCY PROCEDURE TO MEET CRITICAL)
WATER QUALITY SITUATIONS)

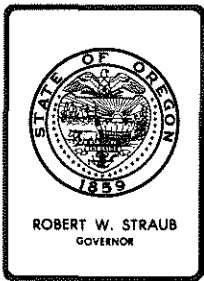
POLICY STATEMENT

Among the measures available in urgent water quality situations the Commission finds emergency rule adoption, suspension of enforcement activity, and the issuance of orders to named persons.

Should it appear necessary during time of flood, drought, wind-storm, fire, or other disaster for the Commission or Department to act in protection of water quality, public health, safety, or welfare by adopting temporary rules, issuing temporary orders, or temporarily suspending enforcement activities, whether the result of such action would tend to strengthen or relax existing measures for protection of the waters of the State, the Commission's policy is that action be taken only after gaining such public comment and giving such consideration to the alternatives as time and circumstances permit and, if a public hearing with notice as required in permanent rule adoption matters has not preceded the action, to cause such a hearing to be held promptly to review the action.

Adopted by the Commission this _____ day of _____, 1977.

Joe Richards, Chairman



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

TO: Environmental Quality Commission
FROM: William H. Young, Director
SUBJECT: Agenda Item No. H, June 24, 1977, EQC Meeting

Sewerage Works Priority Criteria - Status Report on Criteria
for Priority Ranking of Sewerage Works Construction Needs

In response to concerns expressed by the Commission at its May 27, 1977 meeting, Thomas H. Blankenship talked with Eldon Hout of the Department of Land Conservation and Development on June 7, 1977 concerning the Criteria for Priority Ranking of Sewerage Works Construction Needs which is used in the grants program. Mr. Hout indicated that the Criteria can be used as-is to develop next year's priority list. He also stated that DLCDC wanted to have an informational meeting with our grants program staff but that they really had no major concerns with the Criteria.

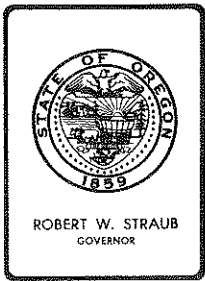
William H. Young

William H. Young
Director

THB:ak
June 16, 1977



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Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission
From: Director
Subject: Agenda Item I, June 24, 1977 EQC Meeting

Amendment to OAR 340-72-010, Subsurface and Alternative Sewage Disposal. Setting Fees for Special Repair Permits in Lane County.

Background

Oregon Revised Statute (ORS) 454.745(1) establishes maximum fees for subsurface and alternative sewage disposal system permits. ORS 454.745(4) allows a county, under agreement with the Department, to request lower fees than the maximum. Such lower fees must be established by rule of the Commission.

Discussion

Lane County, in an attempt to repair and upgrade large numbers of failing septic systems located by survey, is proposing a minimum repair fee under certain conditions. The objective in substantially lowering the repair fee is to encourage voluntary compliance and thereby reduce costly administrative and legal manhours. The proposed fee reduction is offered as an incentive for prompt action by individual home owners.

Conclusions

Reduced fee schedules for repair permits are provided by Statute, upon the county's request. Such a request has been submitted by Lane County.

Recommendation

It is the Director's recommendation that, after public hearing, the Commission adopt the proposed amendment to Oregon Administrative Rule (OAR) Chapter 340, Section 72-010, as set forth on Attachment "A."

Bill
WILLIAM H. YOUNG
Director

TJO/jms
6-3-77

Attachment: Amendment to OAR 340-72-010



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AMENDMENT TO
OREGON ADMINISTRATIVE RULES
CHAPTER 340, DIVISION 7
SUBSURFACE AND ALTERNATIVE SEWAGE DISPOSAL

OAR 340-72-010 add a new paragraph (e) to Subsection (4) to read as follows:

"and (e) The fees to be charged by the county of Lane shall be as follows:

- | | | |
|----|-----------------------------------|-------|
| A. | Construction, installation permit | \$100 |
| B. | Alteration, extension permit | \$ 25 |
| C. | Evaluation report | \$ 75 |
| D. | Repair permits | |
| | (i) Standard | \$ 25 |
| | (ii) Special* | \$ 1 |

*Special repair permits shall be issued upon application therefor to the owner (or contract purchaser) to repair the system serving the owner (or contract purchaser) occupied housing unit located within the boundaries of any area which has been formally declared by the Lane County Board of Commissioners ("Board") or the Oregon State Health Division to be a health hazard area, or within an area defined in a sewer plan adopted by the Board recommending correction of individual systems; provided that a repair permit application and fee is filed not later than 30 days after the date of written notification that the applicant's system has failed."

CHANGES -

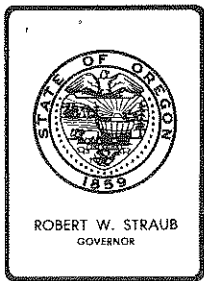
AGENDA ITEM J.

PAGE 3, 3rd PARA

CHANGE TO READ AS
NOTED

ALAN UNDERWOOD

SAYS HE'S ALSO LOOKING
AT AGENDA ITEM E



Environmental Quality Commission

1234 S.W. MORRISON STREET, PORTLAND, OREGON 97205 PHONE (503) 229-5696

TO: Environmental Quality Commission
FROM: William H. Young, Director
SUBJECT: Agenda Item No. J, June 24, 1977, EQC Meeting

NPDES July 1, 1977 Compliance Date - Status Report
And Proposed Actions For Industries And Municipalities

Background

When Public Law 92-500 was implemented, a key date of July 1, 1977 was established as the date when all domestic sewage must receive at least secondary treatment and all non-domestic waste sources must meet best practicable control technology (BPT).

Unfortunately, not all waste dischargers in Oregon will be able to comply by that date, leaving them open to state enforcement action, federal enforcement action, and/or citizen suits.

Most of the sources in Oregon which won't meet the July 1, 1977 deadline are municipal sewage treatment plants. Federal funding has not been available to design and construct all of the needed facilities. There are 24 facilities in this category. Five are major municipal facilities.

Another category needing more time to complete required facilities are domestic water filtration plants. There are five communities in this category which have not completed backwash settling ponds.

There are six major industrial sources which are not currently meeting their July 1, 1977 effluent discharge limitations. They are Evans Products, Corvallis; International Paper, Gardiner; Georgia Pacific, Toledo; Martin Marietta, The Dalles; Oregon Metallurgical, Albany; and Teledyne Wah Chang, Albany.

Discussion

As soon as possible, we will attempt to get all of the 24 cities which won't meet the July 1, 1977 deadline to agree to a stipulated consent order. The major dischargers included in this group are: Cottage Grove, Eugene, La Grande, South Suburban Sanitary District and Springfield.

The treatment plant at Cottage Grove never has worked satisfactorily and appears to be overloaded. It will have to be expanded or replaced.



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Eugene and Springfield are working toward a regional facility to service the entire Eugene-Springfield area. Neither existing plant can consistently meet the permit requirements year around.

La Grande is too large to fit under EPA's sewage lagoon criteria. Therefore, they must either replace or upgrade their lagoons.

South Suburban Sanitary District, in Klamath Falls, is included in a proposal for a regional facility to service the Klamath Falls area. They also have a lagoon system which is too large to meet EPA lagoon criteria.

All of the preceeding entities are proceeding toward meeting the requirements on a schedule dictated by the availability of federal grants.

The communities which have been delayed in constructing settling ponds for filter backwash will also be entering into a stipulated consent order with a time schedule for completing the necessary facilities. We do not intend to impose a daily penalty after July 1, 1977, as long as they will proceed as rapidly as practicable.

The major industries which are not yet achieving BPT will be discussed separately.

Evans Products, in Corvallis, has just completed a recirculation system which should bring their discharge within limits. They have no data yet to verify compliance. We will watch this facility very closely but intend to take no action at this time.

The Commission has already acted on Georgia Pacific, Toledo. A stipulated consent order was issued last January. No further action is required at this time.

Martin Marietta, at The Dalles, requested a variance from EPA 18 months ago. They based their request on the fact that they are a unique process and were not specifically covered in EPA's development document which established BPT for the industry. The Department has supported this variance request because it is best for the overall environment of the area. The large volumes of fluoride sludge generated by adding additional fluoride removal processes or the adverse effects changing air scrubbing systems might have on the air quality of the area are far more serious than allowing fluoride amounts greater than EPA guidelines to go to the river. EPA has given tentative indications that they will deny the request. However, no final action has yet been taken. If and when the request is denied, it will be necessary for us to enter into a stipulated consent order with Martin Marietta to allow them time, without penalty, to construct necessary facilities. We expect EPA to agree to a construction schedule, without penalty, at least as many months as it has taken them to review the variance request.

Oregon Metallurgical, at Albany, has made very recent improvements in their emulsified oil and grease removal. It appears now that they may be able to achieve their permit limits. The Department is proposing a minor modification of their permit to allow for seasonal variability.

The International Paper facility, at Gardiner, is just completing in-plant controls which should bring them into compliance by July 1. They have questioned the guideline effluent limits and EPA methodology of determining the production figures to be used in establishing their effluent limits. Therefore, they contested their permit and requested a hearing. They stated in their letter that they would withdraw their hearing request if they were able to achieve the limits using EPA's definition of production. Therefore, we will delay scheduling a hearing until we know whether or not the July 1, 1977 effluent limits will be met.

The last industry to discuss is Teledyne Wah Chang Albany. A separate document regarding their status has been prepared. We will be attempting to enter into a stipulated consent order with the company which includes a time schedule for constructing necessary facilities and a daily penalty until the final permit limits are achieved.

Director's Recommendation

This is just a status report, no recommendation necessary.

Bill

WILLIAM H. YOUNG

CKA:ts
6/15/77