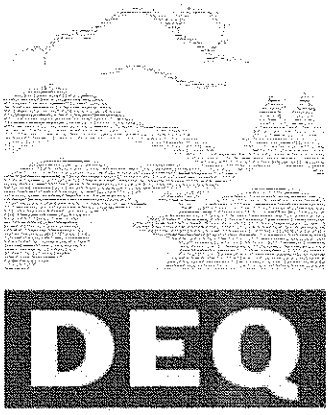
9/19/1980

OREGON
ENVIRONMENTAL QUALITY
COMMISSION MEETING
MATERIALS



State of Oregon
Department of Environmental Quality

OREGON ENVIRONMENTAL QUALITY COMMISSION MEETING

September 19, 1980

Conference Room A
Deschutes County Courthouse Annex
1164 Northwest Bond
Bend, Oregon

A G E N D A

9:00 am CONSENT ITEMS

Items on the consent agenda are considered routine and generally will be acted on without public discussion. If a particular item is of specific interest to a Commission member, or sufficient public interest for public comment is indicated, the Chairman may hold any item over for discussion.

A. Minutes of the August 15, 1980, Commission meeting.

B. Monthly Activity Report for August, 1980.

C. Tax Credit Applications.

~~D. Request for authorization to conduct public hearings regarding revised open burning rules as a revision of the Oregon State Implementation Plan.~~ POSTPONED

E. Request for authorization to conduct a public hearing regarding revision of the Portland-Vancouver Air Quality Maintenance Area (AQMA) State Implementation Plan for Total Suspended Particulate.

F. Request for authorization to conduct a public hearing to consider changes in the fuel burning equipment limitations (OAR 340-21-020(2)).

G. Request for authorization to conduct a public hearing on amendments to rules governing subsurface fees for Lane County (OAR 340-72-030(1)).

PUBLIC FORUM

H. 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.

INFORMATIONAL ITEMS

I. Field and slash burning programs - informational report.

J. Central Region Manager's Report.

~~K. Effect of 20% general fund reduction on Department's 1979-81 budget.~~ POSTPONED

L. Status Report - River Road/Santa Clara Stipulated Agreement between Lane Board of County Commissioners and the Oregon Environmental Quality Commission.

(MORE)

ACTION ITEMS

The Commission may hear testimony on these items at the time designated, but may reserve action until the work session later in the meeting.

M. Petition for modification of capping fill rules (OAR 340-71-039).

N. Request for an extension of variance from OAR 340-30-045(b) granted to Southwest Forest Industries for operation of the veneer dryers at their Medford plants.

O. Request for adoption of rules for the development and management of the Statewide Sewerage Works Construction Grants Priority List (OAR 340-53-005 through 53-035); and approval of the FY 1981 Construction Grants Priority List developed in accordance with the aforementioned rule.

P. Request for adoption of changes to Volatile Organic Compound (VOC) Rules (OAR 340-22-100) and changes to permit fee rules (OAR 340-20-155) as amendments to the State Implementation Plan.

Q. Request for adoption of a revision to the State Implementation Plan regarding the Salem Nonattainment Area Plan to meet the federal ozone ambient air quality standard.

R. Request for adoption of proposed amendments to administrative rules for solid waste management regarding landfill siting (OAR Chapter 340, Division 61).

S. Request for adoption of proposed amendments to administrative rules for solid waste management regarding waste redution program (OAR Chapter 340, Division 61).

WORK SESSION

The Commission reserves this time if needed to further consider proposed action on any item on the agenda.

Because of the uncertain time span involved, the Commission reserves the right to deal with any item at any time in the meeting except those items with a designated time certain. 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 am) at The Pine Tavern, Foot of Northwest Oregon Avenue, in Bend.

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED TWENTY-FIFTH MEETING
OF THE
OREGON ENVIRONMENTAL QUALITY COMMISSION

September 19, 1980

On Friday, September 19, 1980, the one hundred twenty-fifth meeting of the Oregon Environmental Quality Commission convened in room 100 of the Deschutes County Courthouse Annex, Bend, Oregon.

Present were Commission members: Mr. Joe B. Richards, Chairman, Mr. Fred J. Burgess; and Mrs. Mary V. Bishop. Commissioners Ronald M. Somers and Albert H. Densmore were absent. Present on behalf of the Department were its Director, William H. Young, and several members of the Department staff.

The staff reports presented at this meeting, which contain the Director's recommendations mentioned in these minutes are on file in the Office of the Director of the Department of Environmental Quality, 522 Southwest Fifth Avenue, Portland, Oregon. Written information submitted at this meeting is hereby made a part of this record and is on file at the above address.

BREAKFAST MEETING

The breakfast meeting convened at 7:30 a.m. at the Pine Tavern in Bend. Present were Commissioners Richards, Burgess and Bishop, and several members of the Department staff.

1. Effects of 20% General Fund reduction on Department's 1979-81 budget. This item had originally been scheduled for the formal agenda. Director Young explained that because of other pressing budget matters the report promised the Commission was not ready to be presented at this meeting. He said this information would be distributed to the Commission probably before the next meeting.

2. Legislation. Mr. James Swenson, Assistant to the Director for Public Affairs, distributed some information to the Commission regarding proposed legislation for 1981. Added to this list, he said, was an item on management of the application of sludges to agricultural land. Also, interest had been expressed regarding the effects of upcoming Ballot Measure No. 6. This measure may prohibit any bonding by the state that would be backed by general obligation bonds. This would eliminate DEQ's sale of Pollution Control Bonds because they are backed by general obligation bonds.

3. Status of Open Burning Rules. This item was also to have appeared on the formal agenda. Mr. E. J. Weathersbee, Administrator of the Department's Air Quality Division, explained that the proposed rule as written would give the Department authority to control agricultural burning outside

of the Willamette Valley control area. With that provision, the Department was not sure it was ready to go forward with rulemaking. Mr. Weathersbee asked for guidance from the Commission as to whether the Department should proceed with the rule as currently written, with the advise to the public that the Department would be asking for an opinion from the Attorney General's Office as to whether it had the authority to regulate agricultural burning or not; or take the time to rewrite the rule. He said that the Department would be asking for authority to hold a hearing in October; the hearings would be held in late November and early December; and the Commission would be asked to adopt the rule in January.

Chairman Richards asked that the rule go forward with notice to the public that the Department was researching the ability to regulate agricultural burning.

Mr. Weathersbee added, that in any event, the Department was not proposing extensive regulation of agricultural burning.

4. Discussion of policy on bond fund loans. Mr. Ernest Schmidt, Administrator of the Department's Solid Waste Division, presented a written summary to the Commission on where the Department was on this subject. He said Marion County had expressed the most interest, and the Department would like to accommodate local governments. At the Commission's October meeting, the Department would be presenting an agenda item including a scope of work, time schedule, estimated cost and source of funds for a consultant contract to develop recommendations for best management of the Pollution Control Bond Fund.

5. Locations for future EQC meetings. It was decided that the October, November, December, and January EQC meetings would be held in Portland.

FORMAL MEETING

Commissioners Richards, Bishop and Burgess were present for the formal meeting.

AGENDA ITEM A - MINUTES OF THE AUGUST 15, 1980 MEETING

AGENDA ITEM B - MONTHLY ACTIVITY REPORT FOR AUGUST 1980

AGENDA ITEM C - TAX CREDIT APPLICATIONS

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess and carried unanimously that the following actions be taken:

Agenda Item A - Minutes approved as presented.

Agenda Item B - Monthly Activity Report approved as presented.

Agenda Item C - The following tax credit applications be approved:

T-1236	Joe Naumes
T-1237	Medford Pear Corp.
T-1238	Rogue Russet Orchards, Inc.
T-1239	Melrose Orchards, Inc.
T-1245	Weyerhaeuser Company
T-1249	Weyerhaeuser Company
T-1250	Freightliner Corporation
T-1253	Roseburg Lumber Company
T-1254	Roseburg Lumber Company
T-1256	Roseburg Lumber Company
T-1260	Menasha Corporation
T-1261	Menasha Corporation
T-1262	Menasha Corporation
T-1263	Valley Iron & Steel Co.

Revoke Pollution Control Facility Certificates 30, 121, 185, 252 and 430 issued to Crown Zellerbach Corporation because the certified facilities have been taken out of service.

Revoke Pollution Control Facility Certificate 533 issued to Publishers Paper Company because the facility certified has been taken out of service.

AGENDA ITEM E - REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING REGARDING REVISION OF THE PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA (AQMA) STATE IMPLEMENTATION PLAN FOR TOTAL SUSPENDED PARTICULATE

A revision to the State Implementation Plan for achieving federal standards for Total Suspended Particulates (TSP) has been prepared by the Department. The plan focused on control of nontraditional sources such as road dust and residential wood heating. The plan committed to try to develop successful control programs for these sources but acknowledged that modifications would likely be necessary as these strategies are further developed, or if EPA revised the particulate standard.

Director's Recommendation

The Director recommends that the Commission authorize a hearing on this Proposed State Implementation Plan revision for Total Suspended Particulates in the Portland AQMA and solicit comments on whether any commitments contained therein should not be a part of a federally enforceable SIP.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM F - REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING TO CONSIDER CHANGES IN THE FUEL BURNING EQUIPMENT LIMITATIONS (OAR 340-21-020(2))

The existing rule requires boilers burning salt-laden hogged fuel to conduct a study to establish an opacity limit which correlates to the non-salt grain loading limit. The study conducted indicates

that such an opacity limit is not practicable. Therefore, the Department is requesting authorization to conduct a hearing to consider changes in this requirement.

Summation

1. OAR 340-21-020(2) currently requires boilers utilizing its exemptions to correlate opacity and grain loading. Studies have shown this requirement to be impractical.

2. The Commission is authorized to establish or modify rules to limit emissions from sources. A public hearing is required prior to rule adoption.

3. The Department has proposed modifications to OAR 340-21-020(2) to add source test requirements and plume color limits.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission authorize a public hearing to take testimony on proposed modifications to OAR 340-21-020 Fuel Burning Equipment Limitations.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess, and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM G - REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING ON AMENDMENTS TO RULES GOVERNING SUBSURFACE FEES FOR LANE COUNTY (OAR 340-72-020(1))

The Commission may, by rule, increase the Subsurface Sewage Program fees above the maximums established by statute upon request of the Director or a contract county. Lane County has requested certain fees be increased above the maximums. This item is a request for authorization to conduct a public hearing on a proposed rule to increase Lane County's subsurface fees.

Summation

1. The Commission may by rule, increase maximum subsurface fees established in ORS 454.745 at the request of the Director or any Contract County.

2. Lane County has requested that maximum fee levels established in ORS 454.745 be increased for that county.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission authorize public hearings to take testimony on the question of amending rules governing subsurface fees to be charged by Lane County OAR 340-72-030(1).

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved.

RECOGNITION OF SCOTT FREEBURN

Chairman Richards noted that this was Scott Freeburn's last day with the Department. For the past four years Mr. Freeburn has been in charge of the Department's field burning program. In recognition of the work Mr. Freeburn has done for the Department and in general the people of Oregon, Chairman Richards presented Mr. Freeburn with a plaque from the Commission and the Director.

AGENDA ITEM I - FIELD AND SLASH BURNING PROGRAMS, INFORMATIONAL REPORT

Mr. Scott Freeburn, Air Quality Division, made a presentation, using overhead projections, on the smoke management program and then took questions from the audience.

Representative Tom Throop, asked if there were violations of a cease burning order this burning season. Mr. Freeburn replied that it may take 30 minutes to an hour to stop field burning after the order has been issued. Slash burning has to just burn out. Mr. Freeburn estimated that with field burning there is substantial compliance with a cease burning order within one hour, but that there would probably always be violations of that order. Violations are dealt with by the Department's enforcement process.

Representative Throop testified that Willamette Valley field burning had had a negative impact on the Bend area this year--affecting tourism and the quality of life in the area. He said he was a no vote in the legislature on raising acreage limits because he was concerned about the increased effect on Central Oregon.

Mr. Jack Mercer, meterologist, testified that a major field burn in Jefferson County this summer was done under conditions that carried smoke away successfully. He suggested that that area could be well managed meterologically. Mr. Mercer also expressed the opinion that the Bend area needed good visibility for economic reasons and that standards need to be set higher than standards in the Willamette Valley. He also requested better monitoring of air quality in Central Oregon.

Ms. Merlyn Payne, Redmond, testified that the Redmond area has been severely affected by field burning smoke from Jefferson County this summer. The area has low nighttime wind speeds and inversions which tend to trap the smoke. Ms. Payne asked for consideration to degration of air quality in wilderness areas also, by encouraging the finding of uses for slash rather than burning it. Ms. Payne also asked for research into other types of burning affecting the area such as smoke from woodstoves and home heating.

Commissioner Burgess reiterated that other sources of poor air quality in the area be looked at besides field burning, such as smoke from woodstoves, dust from unpaved roads, etc.

In regard to the comments about field burning from Central Oregon. The audience was informed that the Department does not now have the authority to regulate field burning outside the Willamette Valley, but they were presently asking for an opinion from the Attorney General as to how that burning could be regulated.

AGENDA ITEM M - PETITION FOR MODIFICATION OF CAPPING FILL RULES (OAR 340-71-039)

This item proposed adoption of a temporary rule amending the Rules for Capping Fill Alternative Sewage System. This proposal was in response to a petition signed by more than fifty (50) persons from Central Oregon requesting the proposed rule amendments. Petitioners felt the Rule, as adopted, imposed unnecessary requirements which substantially increase costs for capping fills.

Director's Recommendation

1. Adopt the following "Findings":

   The Environmental Quality Commission of the State of Oregon finds that its failure to act promptly, by adopting a temporary rule, amending OAR 340-71-039, will result in serious prejudice to the public interest or in the interest of the parties concerned, for the following reason:

   > The requirements in the present rule for rototilling of the drainfield and borrow sites, immediate filling to construct the "cap" in the repair area, and landscaping the area with grass, increase the initial cost of constructing a subsurface system. These features, while desirable in many cases, would not be necessary in most instances to secure a satisfactorily operating system. Thus, many individuals wishing to construct systems during the next two to three months will be required to make unnecessary expenditures if rule modifications are not adopted.

2. Adopt a temporary rule amending the rules for capping fill alternative sewage systems as proposed in Attachment A of the staff report.

Mr. Dan Heierman, Jr., Northwest Ranch Brokers, testified that this rule would substantially increase the cost of housing even with amendments. Director Young explained that the capping fill rules only apply where standard systems cannot be installed, therefore giving the property owner that cannot install a standard system a way to develop his property.

Mr. Mike Kment, Central Oregon Builders Association, thanked the local DEQ office for the quick response to the petition. However, additional amendments still need to be made to the rule.

Chairman Richards noted the Commission had received written statements from Mr. Bob Wilson, Linn County Environmental Health Division, and Mr. Don Dunn, Crooked River Construction, expressing concern that the capping fill rules would cause significant increases in costs of installing systems.

The audience was informed that the matter before the Commission was limited to the proposed temporary rule and that there would be more opportunity for modification of the rule during the rulemaking process now in progress on a general revision of the subsurface rules.

Several persons testified about the provision in the rule that the installer provide a vegetative cover over the system. They asked that this be the responsibility of the property owner and not the installer.

Mr. David E. Riggs, Crook County Health Department, stated that there were no siting differences between the old Geographic Region Rule A and the new capping fill rule which replaced it. Therefore, any system which was approved under the old Geographic Region Rule A would be approved under this rule. Mr. Riggs also offered to make available a list of acceptable vegatative covers to installers.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM J - CENTRAL REGION MANAGER'S REPORT

Mr. Richard J. Nichols, DEQ's Central Region Manager, presented a written report to the Commission regarding the Department's activity in his region and also presented slides showing the progress of pollution control in the area.

AGENDA ITEM N - REQUEST FOR AN EXTENSION OF VARIANCE FROM OAR 340-30-045(b) GRANTED TO SOUTHWEST FOREST INDUSTRIES FOR OPERATION OF THE VENEER DRYERS AT THEIR MEDFORD PLANTS

Southwest Forest Industries requested an extension of the variance previously granted to their #5 and #6 plants by the Commission. Controls have been completed, as required by the original variance, but compliance cannot be demonstrated since plants are not operating at this time. The Company has requested 30 days after startup to debug the new control equipment before source testing.

Summation

1. Southwest Forest Industries requested an extension of the variance granted by the Commission on December 14, 1979, for operation of their Medford veneer dryers in violation

of OAR 340-30-045(b) and the plant site emission limit. The extension was requested for 30 days after startup or until April 1, 1981, whichever is sooner.

2. Construction of the control equipment has been completed, but the plants are not operating due to economic conditions.

3. The Department supports a variance extension until April 1, 1981, or 30 days after startup whichever is sooner, because the current plywood market, which is beyond the control of the company, would make the startup of the plants for compliance demonstration impractical.

4. The Commission is authorized by ORS 468.345 to grant a variance if it finds that strict compliance is inappropriate because conditions exist that are beyond control of the company.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that a variance from OAR 340-30-045(b) and the plant site emission limit be granted to Southwest Forest Industries for operation of the veneer dryers at their plants #5 and #6. This variance will be subject to the following conditions:

1. The Department shall be notified prior to the startup of the veneer dryers and their controls.

2. Within 30 days of startup or by not later than April 1, 1981, a source test shall be performed to measure particulate emissions from the veneer dryers.

3. Within 30 days of the source test, the results shall be submitted to the Department. If the veneer dryers exceed the emission limits, a revised control strategy and schedule shall be submitted at that time.

4. This variance shall expire on April 1, 1981 or 30 days after plant startup whichever is sooner.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM O - REQUEST FOR ADOPTION OF RULES FOR THE DEVELOPMENT AND MANAGEMENT OF THE STATEWIDE SEWERAGE WORKS CONSTRUCTION GRANTS PRIORITY LIST (OAR 340-53-005 THROUGH 53-035); AND APPROVAL OF THE FY 1981 CONSTRUCTION GRANTS PRIORITY LIST DEVELOPED IN ACCORDANCE WITH THE AFOREMENTIONED RULE

This item is on the agenda because of the federal requirements that all municipal waste water works construction grants be selected from a statewide priority list based on approved criteria. The criteria

and related priority list are similar to those approved last August for FY 80. The criteria was modified into administrative rule format and the list was updated to more realistically reflect the dates when grant funds were expected to be available. A public hearing was held on August 5. The testimony as well as staff response to that hearing are attached to the agenda item. As a result of this testimony some significant changes have been proposed for FY 81 relative to transition projects, ranking of project components, and possible reductions in grant eligibility or participation. These proposals are intended to spread limited grant funds to solve more water quality problems. It is recommended that the Commission adopt the criteria as administrative rule and approve the FY 81 Priority List.

Summation

1. Federal regulations require that construction grants be selected from a statewide priority list developed according to an approved priority system. A proposed administrative rule was drafted which consists of the FY 80 criteria modified to administrative rule format with clarification of some management concepts. A draft priority list was developed based on the proposed rule.

2. After public notice, distribution to the Department's mailing list, and publication by the Secretary of State in July, a public hearing was held on the proposed administrative rule and priority list.

3. Public testimony was received prior to, at, and subsequent to the hearing which in addition to providing data, also addressed a number of issues including:

    a. Distribution of grant funds
    b. Project transition policy
    c. Ranking of treatment works components
    d. Moratoriums or sewer connection limitations
    e. Reduced grant participation
    f. Health hazard related projects
    g. Collection system eligibility

4. Based on the above testimony and identified issues, staff revised the proposed administrative rule. Major changes include the following:

    a. No projects will receive preference as "transition projects" after FY 81.

    b. Grant participation will be limited to 50 percent in FY 82 and beyond if allowed by changes in federal law and regulations.

5. Based on modifications to the proposed rule as well as new information, the draft priority list was revised.

Director's Recommendation

Based on the summation, it is recommended that the Commission:

1. Adopt the proposed criteria contained in OAR 340-53-010 as administrative rule and instruct staff to forward the rule to the Secretary of State for filing and to EPA for approval.

2. Approve the proposed FY 81 construction grants priority list.

Mr. William Pye, Metropolitan Wastewater Management Commission, thanked DEQ for their help in getting them a grant.

Mr. G. David Jewett, Metropolitan Wastewater Management Commission, requested a delay in action on this item. They were concerned about significant changes in the rule which were made since the public hearings. They asked that additional public hearings be held on these changes before action was taken.

Mr. Art Johnson, Bend City Manager, appreciated the rank Bend had on the list. He said they now have the ability to complete their project. However, they were concerned about the 50 percent funding level planned for FY 1982.

Mr. David Abraham, Clackamas County, provided a written statement, and testified regarding the Tri-City project. He announced passage of their bond issue which represented the sanitary district's percentage of the projected costs. He also was concerned about the proposed 50 percent funding in FY 1982 instead of the present 75 percent funding.

The following persons testified regarding the Tri-City Project. Mr. Joe Steinkamp, Chairman of the District Committee; Mr. Pat Blue, Executive Director of the Oregon Tri-City Chamber of Commerce; Ms. Suzanne Van Orman; Mr. Steve Smelser; Mr. Tom Tye; Mr. David Fish; Mr Carl Reinke; Mr. Charles Anderson; Mr. Allen Pynn; and Mr. Bill Parrish. They were concerned about the proposed reduced funding in 1982 because their bond levy to the voters was based on the projected 75 percent funding. They expressed the opinion that they could not go back to the voters for more money and needed continued support for the project to go forward.

In regard to Mr. Jewett's request to delay action on this item, Chairman Richards asked if it would be possible to delay action until a hearing was held on the amendments. He also asked if the list could be approved without the rule.

Mr. Harold Sawyer, Water Quality Division Administrator, replied that the federal regulations required an approved priority list or no grants would be made. The current list expires September 30, 1980 and the program would stop then if approval of the list was delayed.

He said the list must be developed in accordance with the criteria in the rule. Therefore the rule must be approved before the list can be approved.

Chairman Richards instructed the staff to undertake additional formal hearings to address changes in the rule to analyze the dollar amounts of these changes.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved with the following amendment to the Summation:

4.b. Grant participation [will] may be limited to 50 percent in FY 82...

AGENDA ITEM P - REQUEST FOR ADOPTION OF CHANGES TO VOLATILE ORGANIC COMPOUND (VOC) RULES (OAR 340-22-100) AND CHANGES TO PERMIT FEE RULES (OAR 340-20-155) AS AMENDMENTS TO THE STATE IMPLEMENTATION PLAN

Seven new VOC rules and amendments to the existing VOC rules have been through the drafting, hearing, review, and evaluation process over the past 15 months. Oregon agreed to adopt VOC rules on these matters in its annual funding arrangements with the U.S. Environmental Protection Agency (EPA). This item summarizes the results of this effort. Recent review by industry uncovered a flaw in the bulk gasoline plant rule. The staff proposed an amendment to remedy that flaw.

Summation

1. The Department's Volatile Organic Compound rules need to be amended to correct thirteen deficiencies cited by the Environmental Protection Agency's June 24, 1980 conditional approval of Oregon's State Implementation Plan. The amended rules are proposed to correct these deficiencies.

2. Oregon agreed to adopt in 1980 an additional set of rules to regulate more sources of Volatile Organic Compounds per published federal guideline documents. These proposed rules are:

a.	Refinery Leaks	340-22-153
b.	Painting Miscellaneous Parts	340-22-170
c.	Flat Wood Coating	340-22-200
d.	Rotogravure and Flexography	340-22-210
e.	Large Tank Second Seals	340-22-160(4)
f.	Perc Dry Cleaning	340-22-220
g.	Tank Truck Leak Tests	340-22-137

3. The large sources of Volatile Organic Compounds are proposed to be added to Table A of 340-20-155, so that standard fees for permits can be charged to cover part of the Department's administrative costs.

4. Two rules are recommended for further staff and industry study before consideration by the Commission.

   a. A statewide rule affecting major sources (more than 100 tons per year).

   b. A rule allowing "other VOC pollution control devices" to be turned off in the winter season.

5. After generally favorable testimony, except for EPA's brief negative letter, the staff recommends that the Commission adopt a simple Alternative Control ("bubble concept") rule, 340-22-108.

6. The proposed revised draft of the existing VOC rules will make their numbering conform to that required by the Secretary of State's codifier and will make their meaning more clear.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission adopt the proposed amended rules (OAR 340-22-100 to -220) and the proposed amendments to Table A of rule OAR 340-20-155, and direct the Department to submit them to EPA as a revision to the State Implementation Plan.

Mr. Stephen R. Norton, Pacific Northwest Society of Coatings Technology, testified regarding the portion of VOC rule 340-22-170 on surface coating in manufacturing. He complimented the DEQ staff on their efforts working with industry in the development of this rule. In particular he was concerned about Issue 4: 4.0 lb/gal air dried paint rule. Mr. Norton did not agree that just because Washington State and California had adopted a more stringent rule that Oregon should also. He presented letters from companies which pointed out that the technology to get a 3.5 lb/gal did not yet exist. He said the industry was working on attaining that standard but they needed more time.

Regarding issue 5, exempt small paint sources, Mr. Norton said they were primarily concerned with metal fabricating companies that were coating large pieces of equipment in an unheated shop area and moving them outside to dry in the air. When the VOC content in the coating is reduced in Oregon's climate, it takes much longer to dry and the coating could be ruined by weather before it dried. This would cause a financial burden on small companies. Mr. Norton asked for a 20 ton/year breakoff point in which to exempt these companies.

Mr. Scott Forrest, Forest Paint Company, also testified that the industry could not now meet the 3.5 lb/gal standard. He asked that the standard be left at 4.0 until technology is available to meet a more stringent standard.

Mr. Peter Bosserman, Air Quality Division, presented the following modified Director's Recommendation.

Amended Director's Recommendation

In addition to the Director's Recommendation in the original staff report, the Director recommends that proposed OAR 340-22-120(1)(c) be modified as follows, and be adopted as so modified (additions to proposed rule are underlined):

340-22-120(1)(c) If a bulk gasoline plant which is located in the Portland AQMA transfers less than 4,000 gallons of gasoline per day (annual throughput divided by the days worked), or if each of the dispensing facilities to which the plant delivers receives less than 10,000 gallons per month, then capture of displaced vapors during the filling of delivery vessel(s) from the bulk plant is exempt form 340-22-120(1)(B) and the bulk plant's customers are exempt from 340-22-110(1)(b) and (c)...

Also, the Director recommends that 340-22-108 not be submitted to EPA as part of the State Implementation Plan.

Commissioner Burgess presented to following additional amendment in response to testimony received.

340-22-106(3) Compliance Schedule
340-22-170 Surface Coating: misc products & metal parts

Submit Plans to Dept.	Purchase Orders	Begin Const.	Complete Const.	Demonstrate Compliance
[07/0]/81] 04/01/82	[10/01/81] 07/01/81	[07/02/82] 10/01/82	11/01/82	12/31/82

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation, including all the above amendments and modifications, be adopted.

AGENDA ITEM L - STATUS REPORT - RIVER ROAD/SANTA CLARA STIPULATED AGREEMENT BETWEEN LANE BOARD OF COUNTY COMMISSIONERS AND THE OREGON ENVIRONMENTAL QUALITY COMMISSION

Mr. John Borden, Willamette Valley Region Manager, presented some background on this problem and also an agreement for approval of the Commission between it and the Lane Board of Commissioners. He said the Lane Commissioners adopted this voluntary stipulated agreement by a four to one vote on September 12, 1980, and it was now being presented to the Commission for their approval and signature.

Mr. Otto t'Hooft, Lane County Commissioner, testified that this agreement was hard to make but resolution of the problem was coming along. The agreement was only a beginning and it may be five to 10 years before the problem was completely resolved. Mr. t'Hooft commended the DEQ staff for their work in obtaining this agreement and said that the County would continue to need DEQ support and resources to solve this problem.

Mr. Stan Biles, Lane County Government, commented that this agreement was unique by getting commitment from the County Commissioners to address the problem, however, the agreement was not the total solution--there was still a long way to go. Mr. Biles continued that the solution would be expensive and would only come by governments working together.

Mr. Dick Briggs, representing Lane County Commissioner Harold H. Rutherford, testified that Commissioner Rutherford was committed to a solution to this problem, and thanked the DEQ staff for their work on this matter.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the following Director's Recommendation be approved.

Director's Recommendation

Based on the findings in the summation of the staff report:

1. It is recommended that a public rule making hearing be authorized for October 17, 1980.

2. It is further recommended that the Commission adopt the voluntary stipulated agreement proposed by the Lane Board of Commissioners on September 12, 1980.

Chairman Richards expressed his gratitude to Lane County and recognized the outstanding work done by the DEQ staff in formulating this Agreement.

AGENDA ITEM Q - REQUEST FOR ADOPTION OF A REVISION TO THE STATE IMPLEMENTATION PLAN REGARDING THE SALEM NONATTAINMENT AREA PLAN TO MEET THE FEDERAL OZONE AMBIENT AIR QUALITY STANDARD

This item concerns proposed adoption of a revision to the Salem Ozone Plan which is a part of the State Implementation Plan. The Salem Ozone Plan has been modified to bring it into conformance with EPA's conditional approval of the 1979 SIP. The Plan has been changed by chiefly deleting the strategy calculations, while retaining the control requirements for existing and new sources that are presently in the June 8, 1979 EQC adopted plan. A public hearing was held on August 4, 1980. No significant testimony was presented. Adoption is requested.

Summation

1. A revised plan to bring Salem into attainment with federal primary standard for ozone (0_3) has been developed. The plan conforms to the EPA recommended rural 0_3 policy. A public hearing was held on August 4, 1980 to secure comment. The proposed plan is needed in order to meet the requirements of the Clean Air Act Amendments of 1977 and EPA's SIP approval conditions.

2. By letter of June 4, 1980, the Department outlined the major features of the proposed plan revision to the Mid-Willamette Valley Council of Governments and affected local jurisdictions.

3. The revised plan consists of: a) existing Reasonably Available Control Technology (RACT) Rules applied to all significant Volatile Organic Compound (VOC) sources; b) existing Lowest Achievable Emission Rate (LAER) Rules applied to major new or modified VOC sources; and c) an approvable control strategy in the Portland area.

4. The updated cost of VOC Rules is estimated to be $304,000. The costs of LAER would be variable and depend upon the particular type of source.

5. Failure to adopt the proposed rule could lead to sanctions related to certain transportation projects and sewage treatment projects.

Director's Recommendation

Based upon the summation and the Statement of Need for Rulemaking, in the staff report, the Director recommends that the EQC adopt Salem's revised attainment plan for meeting the federal ozone standard and direct the Department to submit the plan to the EPA as a revision of the State Implementation Plan.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM R - REQUEST FOR ADOPTION OF PROPOSED AMENDMENTS TO ADMINISTRATIVE RULES FOR SOLID WASTE MANAGEMENT REGARDING LANDFILL SITING (OAR CHAPTER 340, DIVISION 61)

In February the Commission granted authorization to hold a public hearing to consider rules to provide for landfill siting by the Department under SB 925. Hearings were held on April 21 and September 3 (land use).

Summation

1. The 1979 Legislature enacted Senate Bill 925 (Chapter 773, Oregon Laws, 1979), which required adoption of rules in three years.

2. The proposed changes to OAR Chapter 340, Division 61, outline procedures for accomplishing application for siting and for public hearings.

3. The subject rules have been amended with minor word changes to address the concerns raised at a public hearing.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission adopt the amendments to OAR Chapter 340, Division 61.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess and carried unanimously that the Director's Recommendation be approved.

AGENDA ITEM S - REQUEST FOR ADOPTION OF PROPOSED AMENDMENTS TO ADMINISTRATIVE RULES FOR SOLID WASTE MANAGEMENT REGARDING WASTE REDUCTION PROGRAM (OAR CHAPTER 340, DIVISION 61)

In August the Commission granted authorization to hold a public hearing to consider rules regarding waste reduction programs. The Commission had previously approved guidelines. Third sentence of 340-61-100(2) was felt to be too limiting and did not give the Department flexibility to accept a minimum program for funding from the Bond Fund for development of a full program.

The sentence formerly read:

> ...An accepted waste reduction program will be required before issuance of a permit for a landfill under this act or before the issuance of Pollution Control Bond Fund monies to local government.

Recommended change would read:

> A waste reduction plan acceptable to the Department will be required...

Summation

1. ORS 459.055 (Senate Bill 925, Chapter 773, Oregon Laws, 1979) requires under certain conditions that local government develop a waste reduction program. It further requires the Department to review these programs before providing some type of assistance and to report on the effectiveness of these programs to the legislature.

2. The proposed additions to OAR Chapter 340, Division 61, outline the procedure for local government to develop a waste reduction program.

3. The subject rules, original guidelines, have been amended without major changes to address the concerns raised at a public hearing and by written comments.

Director's Recommendation

Based upon the summation, it is recommended that the Commission adopt the amendments to OAR Chapter 340, Division 61.

It was MOVED by Commissioner Burgess, seconded by Commissioner Bishop and carried unanimously that the Director's Recommendation be approved.

There being no further business, the meeting was adjourned.

After the meeting, the Commission and several staff members toured the Bend Sewage Treatment Plant.

Respectfully submitted,

Carol A. Splettstaszer
Recording Secretary

CAS:a
MA60 (1)

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item B, September 19, 1980, EQC Meeting

August, 1980 Program Activity Report

Discussion

Attached is the August, 1980, Program Activity Report.

ORS 468.325 provides for Commission approval or disapproval of plans and specifications for construction of air contaminant sources.

Water Quality 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:

1) to provide information to the Commission regarding the status of reported program activities and an historical record of project plan and permit actions;

2) to obtain confirming approval from the Commission on actions taken by the Department relative to air contaminant source plans and specifications; and

3) to provide logs of civil penalties assessed and status of DEQ/EQC contested cases.

Recommendation

It is the Director's Recommendation that the Commission take notice of the reported program activities and contested cases & civil penalties assessed, giving confirming approval to the air contaminant source plans and specifications listed on page 2 and 3 of this report.

WILLIAM H. YOUNG for

M.DOWNS:ahe
229-6485
09-04-80

DEPARTMENT OF ENVIRONMENTAL QUALITY

Monthly Activity Report

August, 1980

TABLE OF CONTENTS

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

AQ, WQ, SW Divisions (Reporting Unit) — August, 1980 (Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans
	Month	Fis.Yr.	Month	Fis.Yr.	Month	Fis.Yr.	Pending
Air							
Direct Sources	3	9	22	34	0	0	38
Water							
Municipal	69	130	60	121	0	0	27
Industrial	8	19	7	8	0	0	21
Solid Waste							
General Refuse	1	2	1	4	0	0	4
Demolition	0	0	0	0	0	0	2
Industrial	1	3	0	0	0	0	8
Sludge	0	0	0	0	0	0	0
Hazardous Wastes	0	0	0	0	0	0	0
GRAND TOTAL	82	163	90	167	0	0	100

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division (Reporting Unit) — August ,1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
Lane (NC 1617)	Weyerhaeuser Company Stainless Liner on Black Liq.	06/26/80	Completed-Aprvd.
Multnomah (NC 1630)	Hearth Craft In. Two Spray Paint Booths	06/27/80	Completed-Aprvd.
Washington (NC 1546)	Oregon Roses Wood Fired Boiler	06/27/80	Completed-Aprvd.
Multnomah (NC 1512)	Portland Willamette Co. Powder Coating & Painting	07/03/80	Completed-Aprvd.
Lincoln (NC 1627)	Georgia Pacific Corp. TRS Monitor on No. 1 Recover	07/09/80	Completed-Aprvd.
Jackson (NC 1642)	Boise Cascade Corp. Revise Air Conveyer System	07/25/80	Completed-Aprvd.
Washington (NC 1587)	Mobil Oil Corp. Bulk Plant VOC Control	07/25/80	Completed-Aprvd.
Clackamas (NC 1629)	Miracle Auto Paint Paint Spray Booth	07/28/80	Completed-Aprvd.
Hood River (NC 1608)	Walter Wells & Sons One Orchard Fan	08/20/80	Completed-Aprvd.
Hood River (NC 1631)	Glenn W. Marsh One Orchard Fan	08/20/80	Completed-Aprvd.
Jackson (NC 1606)	Keystone Orchards, Inc. Over Tree Sprinkler System	08/20/80	Completed-Aprvd.
Jackson (NC 1609)	Crater Lake Orchards Over Tree Sprinkler System	08/18/80	Completed-Aprvd.

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division (Reporting Unit) — August ,1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
Linn (NC 1498)	Willamette Industries Reverse Air in Veneer Dryer	10/02/80	Completed-Aprvd.
Multnomah (NC 1535)	Bird & Son, Inc. Replace Dip Saturator	04/24/80	Completed-Aprvd.
Klamath (NC 1541)	Weyerhaeuser Company Fuel Sizing Screen	02/01/80	Completed-Aprvd.
Washington (NC 1567)	Tektronix, Inc. Degreaser Covers	08/22/80	Completed-Aprvd.
Jackson (NC 1436)	Earnest Orchard and Packing Over Tree Sprinkler System	08/22/80	Completed-Aprvd.
Deschutes (NC 1569)	Willamette Industries Baghouse - #1 Reclaim Mill	03/14/80	Completed-Aprvd.
Crook (NC 1574)	Clear Pine Mouldings Add Veneer Dryer Section	04/01/80	Completed-Aprvd.
Hood River (NC 1621)	Tallman Orchards, Inc. 2 Used Orchard Fans	08/22/80	Completed-Aprvd.
Hood River (NC 1607)	Roy Webster Orchards 4 Fans for Frost Protection	06/12/80	Completed-Aprvd.
Lane (NC 1633)	Coast Manufactoring Baghouse on 2 Cyclones	08/11/80	Completed-Aprvd.

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
INDUSTRIAL WASTE SOURCES (7)			
Coos	Menasha Corp. Two Side-Hill Screens for Primary Settling Basin	8/25/80	Approved
Douglas	Pacific Power & Light Oil Spill Containment Facilities for Lomolo, Toketee, and Soda Springs	8/20/80	Approved
Marion	Stayton Canning Liberty, Irrigation Disposal System	8/20/80	Approved
Benton	Evans Products Co. Corvallis, Spill Containment System	8/14/80	Approved
Morrow	J. R. Simplot Irrigation System on Woods Property	8/6/80	Approved
Marion	Rodger DeJager Manure Holding Tank	8/5/80	Approved
Polk	Clayton F. Brown Manure Holding Tank and Irrigation System	8/5/80	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
MUNICIPAL WASTE SOURCES (60)			
Jackson	STP Wet Well Structure Shady Cove	6/17/80	Comments to Engineer
Deschutes	Three Wind Complex Sewers Sisters	06/15/80	Comments to Reg. Ofc.
Deschutes	Cont. #16 McGrath Sewers Bend	07/24/80	PA
Deschutes	Cont. #32 Bend	7/24/80	PA
Deschutes	Cont. #30 Landscaping/Sewers Bend	07/24/80	PA
Tillamook	Pump Replacements Netarts-Oceanside	08/05/80	PA
Washington	Dakota Hills II Tualatin	08/05/80	PA
Douglas	Brandy Bar Filter Reedsport	08/05/80	PA
Washington	S.W. Fanno Cr. Drive USA - Durham	08/07/80	PA
Benton	Corvallis Sludge D.L.D. Corvallis	08/07/80	PA
Washington	S.W. 17th & Walnut Hillsboro	08/07/80	PA
Douglas	Brandy Bar Landing S.T.P. Douglas County	08/08/80	PA
Jackson	Earle Nessi Sewers Phoenix	08/11/80	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Municipal Waste Sources (cont.)			
Lane	Roosevelt Blvd Storm Sewer Eugene	08/11/80	PA
Linn	Shockey's Addition Sweet Home	08/11/80	PA
Marion	Fabry Road Sewer Salem	08/11/80	PA
Lane	Sweetbrier 2nd Addition Eugene	08/12/80	PA
Lane	Willhi St. Storm Sewer Eugene	08/12/80	PA
Multnomah	N.E. Angyle/N.E. 26th Ave. Portland	08/13/80	PA
Lane	Raindrop Ridge Subdivision Eugene	08/13/80	PA
Lake	Lakeview Water & Indus. Park Lakeview	08/14/80	PA
Lincoln	Norcrest Terrace Subdivision Lincoln City	08/14/80	PA
Wasco	Pomona Meadows Mobile Home Park Sewers The Dalles	08/15/80	PA
Washington	Fred Arnold Subdivision Sewers USA Rock Creek	08/15/80	PA
Washington	Forest Gale Hts. #9 Sewers Forest Grove	08/15/80	PA
Lane	Darrold Hanna Sanitary Extension Springfield	08/18/80	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Municipal Waste Sources (cont.)			
Marion	Fox Haven Phase II Salem	08/18/80	PA
Washington	Tamara Park Sewers USA Hillsboro	08/18/80	PA
Multnomah	S.W. Fulton-Taylors Ferry Portland	08/18/80	PA
Lane	Isabelle Plat Sewers Eugene	08/18/80	PA
Lane	LaCasa Estates Subdivision Eugene	08/18/80	PA
Douglas	Church of Latter Day Saints Sewer Extension Sutherlin	08/19/80	PA
Jackson	City of Phoenix I-5 Crossing Phoenix	08/19/80	PA
Lane	Okita Subdivision Sewers Eugene	08/19/80	PA
Lane	Fifth-Seventh Avenue Sewer Eugene	08/19/80	PA
Lane	Hickory Lane Sewer Eugene	08/19/80	PA
Jackson	C and C Subdivision Ashland	08/20/80	PA
Lane	Sundial Plat Eugene	08/20/80	PA
Yamhill	Arrowood Phase I McMinnville	08/20/80	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Municipal Waste Sources (cont.)			
Benton	Phase IV E. Central Albany	08/20/80	PA
Washington	Burton Hills Subdivision USA	08/20/80	PA
Marion	Ten @ McNary Sewer Salem	08/21/80	PA
Washington	LaMancha Estates USA Durham	08/21/80	PA
Tillamook	Lateral P-Z N.T.C.S.D.	08/21/80	PA
Lincoln	Sewer Replacement Toledo	08/21/80	PA
Washington	Hall Blvd. Extension USA Beaverton	08/22/80	PA
Lincoln	Sterling Sewer Extension Gleneden	08/22/80	PA
Multnomah	Rautio Phase I Gresham	08/22/80	PA
Washington	Tualatin Road Improvement Tigard	08/22/80	PA
Marion	Stayton Industrial Park #3 Stayton	08/22/80	PA
Tillamook	Lateral A-4-3 N.T.C.S.A.	08/25/80	PA
Washington	Senior Citizens Center USA Tigard	08/25/80	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project/Site and Type of Same	Date of Action	Action
Municipal Waste Sources (cont.)			
Yamhill	Casey-Nelson Improvement McMinnville	08/25/80	PA
Clackamas	Tax Lots 301-302 Oak Lodge S.D.	08/25/80	PA
Lane	Wolf Meadows Subdivision Eugene	08/25/80	PA
Yamhill	Debbie Addition McMinnville	08/26/80	PA
Wasco	Block "E"-Emerson Park The Dalles	08/26/80	PA
Multnomah	PH. IV Rautio Subdivision Gresham	08/26/80	PA
Washington	Reedville Trunk-174 USA Rock Creek	08/26/80	PA
Benton	Marion Industrial Park Albany	08/26/80	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August, 1980 (Month and Year)

PLAN ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
Clackamas	Rossmans Landfill Existing Facility Operational Plan Modification	8/7/80	Conditional Approval

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division (Reporting Unit) — August, 1980 (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	FY	Month	FY			
Direct Sources							
New	0	1	2	4	17		
Existing	3	3	3	4	14		
Renewals	8	36	15	34	117		
Modifications	1	1	11	13	14		
Total	12	41	31	55	162	1964	2024
Indirect Sources							
New	3	6	1	5	12		
Existing	-	-	-	-	-		
Renewals	-	-	-	-	-		
Modifications	1	1	0	1	1		
Total	4	7	1	6	13	168	-
GRAND TOTALS	-	-	-	-	-	-	-

Number of Pending Permits	Comments
16	To be drafted by Northwest Region
10	To be drafted by Willamette Valley region
11	To be drafted by Southwest Region
7	To be drafted by Central Region
11	To be drafted by Eastern Region
0	To be drafted by Program Planning Division
11	To be drafted by Program Operations
24	Awaiting Public Notice
72	Awaiting the end of 30-day period
162	TOTAL

23 Technical Assistants - 11 A-95"s

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division (Reporting Unit) — August, 1980 (Month and Year)

PERMIT ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
Indirect Sources			
Multnomah	Banfield Transitway File No. 26-8012	8/8/80	Final Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY
MONTHLY ACTIVITY REPORT
PERMITS ISSUED

DIRECT STATIONARY SOURCES

COUNTY	SOURCE	PERMIT NUMBER	APPLIC. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
WASHINGTON	STIMSON LUMBER COMPANY	34 2066	07/11/80	PERMIT ISSUED	07/11/80	MOD
LINN	RIVERSIDE ROCK & REDI-MIX	22 2008	07/22/80	PERMIT ISSUED	07/22/80	MOD
COOS	MENASHA CORPORATION	06 0015	01/04/80	PERMIT ISSUED	07/25/80	RNW
UNION	BOISE CASCADE CORP	31 0002	02/07/79	PERMIT ISSUED	07/25/80	RNW
PORT.SOURCE	BAKER REDI-MIX. INC.	37 0020	00/00/00	PERMIT ISSUED	07/25/80	MOD
JACKSON	MINNESOTA MNG & MFG	15 0029	07/30/80	PERMIT ISSUED	07/30/80	MOD
CLACKAMAS	PUBLISHER'S PAPER CO	03 1791	12/05/79	PERMIT ISSUED	08/08/80	RNW
COOS	COOS HEAD TBR BUNKER HILL	06 0074	01/18/80	PERMIT ISSUED	08/08/80	RNW
COOS	COOS CNTY SOLID WASTE DPT	06 0099	12/05/79	PERMIT ISSUED	08/08/80	NEW
CURRY	SOUTH COAST LUMBER CO	08 0008	01/18/80	PERMIT ISSUED	08/08/80	RNW
JACKSON	EUGENE BURRILL LUMBER CO	15 0011	02/06/80	PERMIT ISSUED	08/08/80	RNW
JACKSON	SO ORG TALLOW CO	15 0056	02/22/80	PERMIT ISSUED	08/08/80	RNW
MARION	AMERICAN ASPHALT PAVING	24 4671	02/22/80	PERMIT ISSUED	08/08/80	MOD
MARION	RIVERBEND SAND&GRAVEL	24 5955	02/22/80	PERMIT ISSUED	08/08/80	MOD
MULTNOMAH	BEALL PIPE & TANK CORP	26 2492	10/24/79	PERMIT ISSUED	08/08/80	RNW
POLK	LIBERTY SEED AND GRAIN	27 4047	03/11/80	PERMIT ISSUED	08/08/80	MOD
PORT.SOURCE	WASHINGTON COUNTY PBLC WK	37 0082	11/15/79	PERMIT ISSUED	08/08/80	RNW
PORT.SOURCE	DESCHUTES READY MIX S & G	37 0220	04/03/80	PERMIT ISSUED	08/08/80	RNW
BENTON	PHILOMATH CONSTRUCT CO IN	02 0003	07/31/80	PERMIT ISSUED	08/12/80	MOD
COLUMBIA	OLYMPIC FOREST PRODUCTS	05 1771	10/19/79	PERMIT ISSUED	08/13/80	RNW
COLUMBIA	BEAVER LUMBER CO. OF CLAT	05 1773	10/12/79	PERMIT ISSUED	08/13/80	RNW
COOS	WEYERHAEUSER COMPANY	06 0007	08/13/80	PERMIT ISSUED	08/13/80	MOD
COOS	BOHEMIA INC ELKSIDE	06 0040	01/25/80	PERMIT ISSUED	08/13/80	RNW
JACKSON	HAWKINS GUNITE CONST CO	15 0135	04/08/80	PERMIT ISSUED	08/13/80	EXT
JOSEPHINE	SOUTHERN OREGON CONCRETE	17 0057	01/18/80	PERMIT ISSUED	08/13/80	RNW
LINN	HARRISBURG S & G CO.	22 4015	04/03/80	PERMIT ISSUED	08/13/80	NEW
MORROW	READYMIX SAND & GRAVEL	25 0014	01/04/80	PERMIT ISSUED	08/13/80	RNW
MULTNOMAH	VALVOLINE OIL COMPANY	26 3047	10/17/79	PERMIT ISSUED	08/13/80	EXT
MULTNOMAH	SUPERIOR ELECTRIC MTR SER	26 3050	04/10/80	PERMIT ISSUED	08/13/80	EXT
WASHINGTON	BEST MIX CONCRETE CO INC	34 2503	05/21/80	PERMIT ISSUED	08/13/80	MOD
YAMHILL	VALLEY FEED & SUPPLY	36 5099	10/15/79	PERMIT ISSUED	08/13/80	MOD

TOTAL NUMBER OF LINES 53

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August 1980 (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.							
	*	/**	*	/**	*	/**	*	/**	*	/**	*	/**	*	/**
Municipal														
New	0	/1	1	/1	0	/0	0	/0	2	/5				
Existing	0	/0	0	/0	0	/0	0	/0	4	/0				
Renewals	4	/1	8	/5	3	/0	9	/0	29	10				
Modifications	1	/0	1	/0	0	/0	0	/0	7	/0				
Total	5	/2	10	/6	3	/0	9	/0	42	/15	260	/90	266	/95
Industrial														
New	0	/1	0	/3	3	/0	3	/2	6	14				
Existing	0	/0	0	/0	0	/0	1	/0	1	/1				
Renewals	4	/7	15	16	17	/0	25	/1	73	/32				
Modifications	2	/0	2	/1	2	/0	2	/0	4	/2				
Total	6	/8	17	/20	22	/0	31	/3	84	/49	362	/150	369	/165
Agricultural (Hatcheries, Dairies, etc.)														
New	0	/0	0	/0	0	/0	1	/0	2	/0				
Existing	0	/0	0	/0	0	/0	0	/0	0	/0				
Renewals	0	/0	1	/0	7	/0	10	/0	25	/0				
Modifications	0	/0	0	/0	0	/0	0	/0	0	/0				
Total	0	/0	1	/0	7	/0	11	/0	27	/0	53	/20	55	/20
GRAND TOTALS	11	/10	28	/26	32	/0	53	/3	153	/64	675	/260	690	/280

* NPDES Permits
** State Permits

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August 1980 (Month and Year)

PERMIT ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
MUNICIPAL AND INDUSTRIAL SOURCES NPDES PERMITS (30)			
Multnomah	Georgia Pacific--Linton	8/1/80	Permit Renewed
Jackson	Southern Oregon Sales Inc. (Medford)	8/1/80	" "
Clatsop	Oregon Fish & Wildlife Nehalem Hatchery	8/1/80	" "
Tillamook	Oregon Fish & Wildlifel Trask Hatchery	8/1/80	" "
Clatsop	Oregon Fish & Wildlife Big Creek Hatchery	8/1/80	" "
Clatsop	Oregon Fish & Wildlife Klaskanine Hatchery	8/1/80	" "
Lincoln	Oregon Fish & Wildlife Siletz Hatchery	8/1/80	" "
Curry	Champion Intl.--Gold Beach	8/1/80	" "
Multnomah	Cascade Construction Co. Inc.	8/1/80	" "
Multnomah	Linnton Plywood Assoc.	8/1/80	" "
Lincoln	Oregon Aqua Foods Inc. Newport	8/1/80	" "
Lincoln	Eckman Creek Quarries Inc.	8/1/80	" "
Lincoln	Alaska Packers Assoc.	8/1/80	" "

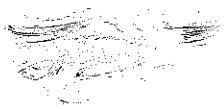
DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August 1980 (Month and Year)

PERMIT ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
MUNICIPAL AND INDUSTRIAL SOURCES NPDES PERMITS Continued			
Columbia	PGE - Trojan	8/1/80	Permit Renewed
Douglas	City of Roseburg (Winchester WTP)	8/8/80	" "
Multnomah	Libby, McNeil & Libby (Food Processing)	8/8/80	" "
Lane	Homer P. Hansen (Old Tripple H. Investments)	8/8/80	" "
Columbia	City of Rainer	8/14/80	" "
Multnomah	Van Dorn Heating Co.	8/14/80	Permit Issued
Lincoln	Depoe Bay Fish Co. Inc.	8/14/80	" "
Multnomah	Nu Way Oil Heating Co.	8/14/80	Permit Renewed
Lane	Giustina Bros. Lumber & Plywood	8/14/80	" "
Lane	Eugene Stud & Veneer Inc.	8/14/80	" "
Marion	Western Modular Homes	8/14/80	" "
Wasco	City of The Dalles WTP)	8/14/80	" "
Clackamas	City of Oregon City	8/20/80	" "
Lincoln	Oregon Fish & Wildlife Fall Creek Hatchery	8/21/80	" "



DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit) — August 1980 (Month and Year)

PERMIT ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
MUNICIPAL AND INDUSTRIAL SOURCES NPDES PERMITS Continued			
Clatsop	Oregon Fish & Wildlife Gnat Creek Hatchery	8/21/80	Permit Renewed
Klamath	Gilchrist Timber Co.	8/21/80	" "
Lincoln	Hall-Hamstreet Co.	8/21/80	Permit Issued
MUNICIPAL AND INDUSTRIAL SOURCES PERMIT MODIFICATIONS (2)			
Douglas	Reedsport Seafood	7/24/80	Permit Modification
Coos	Peterson Sea Foods, Inc.	8/21/80	" "
			Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August 1980 (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	FY	Month	FY			
General Refuse							
New	-	2	-	1	2		
Existing	-	-	-	-	2		
Renewals	12	17	4	4	28		
Modifications	-	1	-	1	1		
Total	12	20	4	6	33	164	166
Demolition							
New	-	-	-	1	-		
Existing	1	1	-	-	1		
Renewals	-	-	-	2	-		
Modifications	-	1	1	1	-		
Total	1	2	1	4	1	20	21
Industrial							
New	2	5	1	3	5		
Existing	1	1	-	-	-		
Renewals	3	6	-	1	24		
Modifications	-	-	1	1	-		
Total	6	12	2	5	29	101	101
Sludge Disposal							
New	1	1	1	1	-		
Existing	-	-	1	1	-		
Renewals	-	1	-	-	1		
Modifications	-	-	-	-	-		
Total	1	2	2	2	1	14	15
Hazardous Waste							
New Authorizations	26	55	38	49	6	1	1
Renewals	-	-	-	-	-		
Modifications	-	-	-	-	-		
Total	26	55	38	49	6	1	1
GRAND TOTALS	46	91	47	66	70	300	304

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August 1980 (Month and Year)

PERMIT ACTIONS COMPLETED

County	Name of Source/Project /Site and Type of Same	Date of Action	Action
Domestic Refuse Facilities (4)			
Jackson	Prospect Landfill Existing Facility	8/14/80	Permit Issued
Lane	Cottage Grove Landfill Existing Facility	8/25/80	Permit Issued
Umatilla	Milton-Freewater Landfill Existing Facility	8/25/80	Permit Issued
Douglas	Tiller Transfer Station Existing Facility	8/25/80	Permit Issued
Demolition Waste Facilities (1)			
Multnomah	Fir Station Landfill Proposed Landfill	8/8/80	Addendum Issued
Industrial Waste Facilities (2)			
Coos	Menasha-Hauser Landfill Proposed Landfill	7/28/80	Permit Issued
Clatsop	Wauna Mill Landfill Existing Facility	8/5/80	Addendum Issued
Sludge Disposal Facilities (2)			
Linn	Cox Lagoon Existing Facility	7/31/80	Permit Issued
Lake	Dept. of Fish & Wildlife Proposed Temporary Landfill	8/20/80	Letter Authorization Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August 1980 (Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

WASTE DESCRIPTION

Date	Type	Source	Quantity Present	Quantity Future
Disposal Requests Granted ( ) Oregon (12)				
7/28	Spent hydrochloric acid	Industrial Cleaning Service	4,000 gal.	0
7/28	PCB Wastes	University	59 cu.ft.	0
7/28	Unwanted herbicides	Federal agency	200 gal.	0
8/4	Heavy metals and spent solvents	Electronic Co.	0	460 drums/yr
8/5	PCB transformers	Paper mill	21 units	0
8/5	Spent haloginated solvents	solvent formulator	4 drums - 50 drums per yr.	
8/7	Solidified hardwood finish	hardwood panel	48 drums - 16 drums per yr.	
8/7	Creosote contaminated soil	Chemical Co.	300 cu. ft.	0
8/14	PCB Capacitors	Metals	44 drums	0
8/15	Spent solvents	Electronic Co.	0	25,000 gal/yr
8/21	Paint wastes	Truck Mfg.	1,000 gal.	3,500 gal/yr
8/21	Paraformaldehyde resin	Chemical Co.	20,000 lb.	0
Washington (21)				
8/1	Tetraethyl lead contaminated articles	Industrial Cleaning Service	200 ft^3	0

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August 1980 (Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

WASTE DESCRIPTION

Date	Type	Source	Quantity Present	Quantity Future
8/1	Mixed pesticides	Pesticide dealer	0	20 drums/year
8/1	Obsolete lab. chemicals chlorophenols contaminated debris and pentachlorophenol waste	Chemical Co.	800 ft^3	0
8/1	PCB Wastes	Paper mill	36 drums	100 drums/yr
8/6	PCB Wastes	Federal agency	0	500 ft^3/yr
8/6	PCB Wastes	Al smelting	0	16 drums/yr
8/6	Spent desulfurizer catalyst, stretford solution and DEA activated charcoal	Coal conversion	5,200 gal.	35,000 gal/yr
8/6	PCB Capacitors	Federal agency	10 drums	0
8/7	Gasoline tank sludge	Oil Co.	4,500 gal.	0
8/7	PCB Contaminated soil	Utility	50 cu. yd.	0
8/7	PCB Capacitors	Utility	24 drums	0
8/7	Powdered dinitrophenol and zinc sulfate	Wood treatment	6,000 lb.	0
8/7	Asbestos insulation	Chemical Co.	15,000 lb.	25,000 lb/yr
8/7	Formaldehyde resin	Plywood Co.	2,500 gal.	3,600 gal/yr
8/11	Brine Sludge w/Hg	Chemical Co.	0	2,000 tons/yr

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) — August 1980 (Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

WASTE DESCRIPTION

Date	Type	Source	Quantity Present	Quantity Future
8/11	Tree marking paint	State agency	9,500 lb.	0
8/11	PCB Wastes	Al smelting	21 drums	16 drums/yr
8/19	PCB transformers	Federal agency	0	6 units/yr
8/21	Silvisar herbicide	Federal agency	780 gal.	0
8/21	Spent HCl, NaOA and Pb. contaminated sand	Industrial Cleaning	45 drums	0
8/21	Mixed lab. chemicals	University	0	5,000 ft^3/yr
other				
Out-of-State Wastes (5)				
7/28	Spent caustic solution	Al product fabrication, B.C.	56 drums	0
7/28	Mercury waste	Federal agency Hawaii	38 drums	400 gal/yr
8/1	Pesticides	State agency Alaska	6 drums	0
8/1	PCB wastes	Minning Co., Utah	0	5,400 ft^3/yr.
8/5	PCB Capacitors	Food processor, Idaho	0	600 units/yr.

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program (Reporting Unit) — August 1980 (Month and Year)

SUMMARY OF NOISE CONTROL ACTIONS

Source Category	New Actions Initiated		Final Actions Completed		Actions Pending	
	Mo.	FY	Mo.	FY	Mo.	Last Mo.
Industrial/ Commercial	2	4	2	3	70	70
Airports			1			

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program (Reporting Unit) — August 1980 (Month and Year)

FINAL NOISE CONTROL ACTIONS COMPLETED

County	Name of Source and Location	Date	Action
Columbia	Tom Tuss Portable Crusher Deer Island	8/80	In compliance.
Benton	Philomath Quarry Philomath	8/80	In compliance.

CIVIL PENALTY ASSESSMENTS

Department of Environmental Quality
1980

CIVIL PENALTIES ASSESSED DURING MONTH OF AUGUST, 1980:

Name and Location of Violation	Case No. & Type of Violation	Date Issued	Amount
Margaret Johnson Klamath County	SS-CR-80-132 Failed to complete repair of rental unit subsurface sewage system.	8/27/80	$250

STATUS OF PAST CIVIL PENALTY ACTIONS TAKEN IN 1980:

Name	Case No.	Date Issued	Amount	Status
Scheler Corporation	AQ-WVR-80-15	01/22/80	$ 500	Mitigated to $100 on 5/16/80; Paid.
Lauren Karstens	AQ-WVR-80-03	01/22/80	1,500	Mitigated to $250 on 6/20/80; Paid.
David Taylor	AQ-WVR-80-04	01/22/80	860	Mitigated to $100 on 6/20/80; Paid.
Dennis Glaser dba/ Mid Valley Farms, Inc.	AQ-WVR-80-13	01/22/80	2,200	Contested 2/7/80 Hearing held 6/19/80.
City of St. Helens	WQ-NWR-80-02	01/22/80	2,000	Paid 2/12/80.
American-Strevell,Inc.	WQ-NWR-80-05	01/22/80	500	Remitted 4/18/80.
Mid-Oregon Crushing Co.	AQ-CR-80-16	02/11/80	600	Default judgment filed.
James Judd dba/ Jim Judd Backhoe Service	SS-SWR-80-18	02/11/80	100	Mitigated to $50 on 5/16/80. Paid.
Robert W. Harper	AQ-WVR-80-14	02/11/80	500	Mitigated to $100 on 8/15/80. Paid.
George Heidgenkin	WQ-WVR-80-21	02/19/80	1,000	Default judgment filed.

Name	Case No.	Date Issued	Amount	Status
Westbrook Wood Products	AQ-SWR-80-25	02/20/80	3,125	Remitted on 7/18/80.
Hilton Fuel Supply Co.	AQ-SWR-80-30	02/25/80	200	Mitigated to $100 on 6/20/80; Paid.
Permapost Products Co.	WQ-NWR-80-33	03/07/80	500	Paid 3/11/80.
Tom C. Alford et. al. dba/Athena Cattle Feeders	WQ-ER-80-35	03/20/80	500	Paid 5/8/80.
Gary Kronberger/dba Hindman's Septic Tank Service	SS-WVR-80-36	03/20/80	50	Paid 4/9/80.
Adrian Van Dyk,	SS-WVR-80-27	03/20/80	500	Contested 4/20/80.
David B. Reynolds,	SS-SWR-80-11	03/20/80	500	Settlement negotiations.
J. R. Simplot Co.,	WQ-ER-79-27	03/24/80	20,000	Contested 4/15/80.
Burlington Northern,	AQ-CR-80-44	03/27/80	$ 200	Paid 4/10/80.
Elton Disher dba Riverview Service Corp.	WQ-WVR-80-39	04/04/80	100	Paid 4/9/80.
International Paper Co.	WQ-SWR-80-47	04/04/80	1,200	Paid 5/5/80.
Russell Stoppleworth	SS-SWR-80-43	04/10/80	325	Defaulted.
C-3 Builders	AQ-NWR-80-57	04/23/80	50	Paid 5/22/80.
Marion-Linn Construction Co.	SS-WVR-80-70	05/02/80	50	Paid 6/14/80.
City of Portland	AQ-NWR-80-76	05/06/80	7,500	Mitigated to $450 on 7/18/80. Paid.
E. Lee Robinson Construction Co.	AQ-NWR-80-75	05/19/80	100	Paid 6/2/80.
Gate City Steel Corporation	AQ-NWR-80-77	05/20/80	50	Paid 6/4/80.
Ronald E. Borello	SS-ER-80-40	05/21/80	400	Contested 6/11/80.
Humphrey Construction	AQ-NWR-80-94	06/06/80	50	Paid 6/17/80.

Name	Case No.	Date Issued	Amount	Status
Valley Landfills, Inc.	SW-WVR-80-96	06/09/80	100	Paid 6/19/80.
James Kenny dba Kenny Excavation	SS-CR-80-97	06/06/80	100	Paid 7/23/80.
Cascade Utilities, Inc.	AQ-SW-NWR-80-98	06/06/80	400	Paid 6/4/80
Albert M. Mauck dba Goodman Sanitation Service	SS-NWR-80-110	06/23/80	300	Paid 6/27/80
Teledyne Wah Chang	WQ-WVR-80-89	06/23/80	400	Paid 7/3/80
Farmers Union Central Exchange, Inc/dba Cenex	WQ/HW-NWR-80-115	7/3/80	1,000	Paid 7/23/80.
R.L.G. Enterprises, Inc.	WQ-NWR-80-114	7/3/80	150	Contested 8/7/80.
Harris Hansen	SS-NWR-80-99	7/3/80	165	Defaulted.
Russell Stoppleworth	SS-SWR-80-122	7/9/80	1,680	Defaulted.
Ray Anderson	SS-NWR-80-126	7/18/80	280	Contested 8/8/80.
Steve Kondrasky	AQ-NWR-80-120	7/18/80	500	Contested 8/6/80.
Donald Pierce	SS-NWR-80-124	7/29/80	460	Hand delivered 7/31/80.

ACTIONS	LAST MONTH	PRESENT MONTH
Preliminary Issues	4	3
Discovery	1	0
Settlement Action	3	7
Hearing to be Scheduled	0	2
Hearing Scheduled	4	1
HO's Decision Due	3	2
Brief	3	3
Inactive	3	3
SUBTOTAL of Active Files	21	21
HO's Decision Out/Option for EQC Appeal	1	1
Appealed to EQC	0	0
EQC Appeal Complete/Option for Court Review	3	0
Court Review Option Pending or Taken	0	1
Case Closed	6	5
TOTAL Cases	31	28

KEY

ACD	Air Contaminant Discharge Permit
AQ	Air Quality
AQ-NWR-76-178	Violation involving Air Quality occurring in Northwest Region in the year 1976; 178th enforcement action during 1976.
CLR	Chris Reive, Investigation & Compliance Section
Dec Date	Date of either a proposed decision of hearings officer or a decision by Commission
$	Civil Penalty Amount
ER	Eastern Region
Fld Brn	Field Burning incident
RLH	Robb Haskins, Assistant Attorney General
Hrngs	Hearings Section
Hrng Rfrl	Date when Investigation & Compliance Section requests Hearings Section to schedule a hearing
Hrng Rqst	Date agency receives a request for hearing
JHR	John Rowan, Investigation & Compliance Section
VAK	Van Kollias, Investigation & Compliance Section
LKZ	Linda Zucker, Hearings Officer
LMS	Larry Schurr, Investigation & Compliance Section
MWR	Midwest Region (now WVR)
NP	Noise Pollution
NPDES	National Pollutant Discharge Elimination System wastewater discharge permit
NWR	Northwest Region
FWO	Frank Ostrander, Assistant Attorney General
P	At beginning of case number means litigation over permit or its conditions
PR	Portland Region (now NWR)
PNCR	Portland/North Coast Region (now NWR)
Prtys	All parties involved
Rem Order	Remedial Action Order
Resp Code	Source of next expected activity on case
SNCR	Salem/North Coast Region (now WVR)
SSD	Subsurface Sewage Disposal
SW	Solid Waste
SWR	Southwest Region
T	At beginning of case number means litigation over tax credit matter
Transcr	Transcript being made of case
Underlined	Different status or new case since last month contested case log
WVR	Willamette Valley Region
WQ	Water Quality

August 1980
DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
FAYDREX, INC.	05/75	05/75	RLH	11/77	Hrngs	03-SS-SWR-75-02 64 SSD Permits	Decision Due
MEAD and JOHNS, et al	05/75	05/75	RLH		All	04-SS-SWR-75-03 3 SSD Permits	Awaiting disposition of Faydrex
~~MAGNESS, William~~	~~07/77~~	~~07/77~~	~~LMS~~	~~11/77~~	~~Dept~~	~~$1150 Total 06-SS-SWR-77-142~~	~~Case closed. Court of Appeals review option expires~~
GRANTS PASS IRRIG	09/77	09/77	RLH		Prtys	$10,000 10-WQ-SWR-77-195	Hrng postponed pending submission of stipulated settlement to EQC.
POWELL, Ronald	11/77	11/77	RLH	01/23/80	Dept	$10,000 Fld Brn 12-AQ-MWR-77-241	Department's post-trial memo due 09/04/80.
HAWKINS, Roy	03/78	03/78	FWO	12/17/79	Resp	$5000 15-AQ-PR-77-315	Decision issued 08/01/80.
HAWKINS TIMBER	03/78	03/78	FWO			$5000 15-AQ-PR-77-314	No action pending review in companion case.
WAH CHANG	04/78	04/78	RLH		Resp	16-P-WQ-WVR-78-2849-J NPDES Permit (Modification)	Hearing postponed pending further evaluation of permit conditions
WAH CHANG	11/78	12/78	RLH		Resp	08-P-WQ-WVR-78-2012-J	Hearing postponed pending further evaluation of permit conditions
REEVE, Clarence	10/78		RLH		Prtys	06-P-SS-CR-78-132 & 133	Stipulation to be submitted to EQC
~~PEEBR, Ernie~~	~~10/79~~	~~10/79~~	~~CLR~~	~~12/05/79~~	~~Dept~~	~~13-AQ-WVR-79-86 Open Field Burning Civil Penalty of $500~~	~~Case closed. Respondent remitted $75 civil penalty 08/18/80~~
MALLORY & MALLORY INC.	11/79	11/79	JHR	01/10/80	Hrngs	14-AQ-CR-79-101 Open Burning Civil Penalty	Decision Due.
M/V TOYOTA MARU No. 10	12/10/79	12/12/79	RLH		Prtys	17-WQ-NWR-79-127 Oil Spill Civil Penalty of $5,000	Action deferred pending Supreme Court decision in State v Alexander, 44 Or App 557 (1978).
LAND RECLAMATION, INC., et al	12/12/79	12/14/79	FWO	05/16/80	Resp	19-P-SW-329-NWR-79 Permit Denial	Court of Appeals review option taken.
FORRETTE, Gary	12/20/79	12/21/79	RLH	06/09/80	Resp	20-SS-NWR-79-146 Permit Revocation	Amended answer due 09/30/80
GLASER, Dennis F. dba MID-VALLEY FARMS, INC.	02/06/80	02/07/80	CLR	06/19/80	Dept	02-AQ-WVR-80-13 Open Field Burning Civil Penalty of $2,200	Reply Brief due
~~HARPER, Robert W.~~	~~02/26/80~~	~~02/28/80~~	~~LMS~~		~~Prtys~~	~~06-AQ-WVR-80-14 Open Burning Civil Penalty of $500~~	~~Case closed 08/15/80. Civil Penalty mitigated to $100~~
MEDFORD CORPORATION	02/25/80	02/29/80		05/16/80	Dept	07-AQ-SWR-80 Request for Declaratory Ruling	Further briefing
REYNOLDS, David B.	04/11/80	04/14/80	CLR	08/19/80	Prtys	11-SS-SWR-80-11 Civil Penalty of $500	Stipulation to be drafted.
J.R. SIMPLOT COMPANY	04/15/80	04/16/80			Prtys	12-WQ-ER-80-41 Civil Penalty of $20,000	Preliminary Issues
VAN DYK, Adrian C.	04/20/80	04/25/80	CLR	09/04/80	Prtys	13-SS-SWR-80-92 Civil Penalty of $500	Hearing set in Grants Pass at 9 a.m.
~~HEIDGERKEN, George~~	~~06/04/80~~	~~06/04/80~~			Resp	~~15-WQ-WVR-80-21~~	~~Case closed 08/20/80. No appeal from Order of Default.~~
SCHAEFER, Allen L.	05/23/80	06/06/80	JHR	08/01/80	Prtys	16-SS-NWR-80-90 SS Permit Revocation	Hearing postponed to allow system corrections.

August 1980
DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
JONES, Jeffrey D., et al	06/03/80	06/06/80	CLR		Resp	17-SS-NWR-80-85 and 17-SS-NWR-80-86 SS Permit Revocations	Preliminary Issues
BORELLO, Ronald E.	06/02/80	06/11/80	LMS		Prtys	18-SS-ER-80-40 and 18-SS-ER-80-82. Civil Penalty of $400	Settlement Action
R.L.G. ENTERPRISES, INC. dba THE MOORAGE PLACE	08/06/80	08/08/80	CLR		Hrngs	20-WQ-NWR-80-114 Civil Penalty of $150	To be scheduled
~~ANDERSON, Ray~~	~~08/07/80~~	~~08/08/80~~	~~JHR~~			~~21-SS-NWR-80-126 Civil Penalty of $200 21-SS-NWR-80-127 Necessary Remedial Action~~	~~Case closed. Department withdrew Notices 08/21/80~~
KONDRASKY, Steven C.	08/04/80	08/06/80	CLR		Hrngs	22-AQ-NWR-80-120 Civil Penalty of $500	To be scheduled

NOTE: SUNDOWN SANITARY DISTRICT		WQ-SNCR-77-102 Civil Penalty	Not formerly included on Log. Assessment has been withdrawn by Department.

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item C, September 19, 1980, EQC Meeting

TAX CREDIT APPLICATIONS

DIRECTOR'S RECOMMENDATION

It is recommended that the Commission take action as follows:

1. Issue Pollution Control Facility Certificates to:

Appl. No.	Applicant	Facility
T-1236	Joe Naumes	5 Orchard Rite Wind Machines
T-1237	Medford Pear Corp.	3 Orchard Rite Wind Machines
T-1238	Rogue Russet Orchards, Inc.	12 Orchard Rite Wind Machines
T-1239	Melrose Orchards, Inc.	4 Orchard Rite Wind Machines
T-1245	Weyerhaeuser Company	Mechanical screw conveyors & motors
T-1249	Weyerhaeuser Company	Collectors and associated equipment
T-1250	Freightliner Corporation	Air combustion unit, boiler and associated equipment
T-1253	Roseburg Lumber Company	Filters & associated motors and ductwork
T-1254	Roseburg Lumber Company	Baghouses and associated equipment
T-1260	Menasha Corporation	Oxygen analyzer
T-1261	Menasha Corporation	Automatic timed high pressure showers
T-1262	Menasha Corporation	Magnetic flow meter & totalizer and associated equipment
T-1263	Valley Iron & Steel Co.	Heat exhanger, fan, ductwork & controls
T-1256	Roseburg Lumber Company	Scrubbers, clarification tank and associated equipment

2. Revoke Pollution Control Facility Certificates 30, 121, 185, 252 and 430 issued to Crown Zellerbach Corporation because the certified facilities have been taken out of service (see attached review report).

3. Revoke Pollution Control Facility Certificate 533 issued to Publishers Paper Company because the facility certified has been taken out of service (stt attached review report).

DS for
WILLIAM H. YOUNG

Contains Recycled Materials

DEQ-46

CASplettstaszer
229-6484
9/5/80
Attachments

PROPOSED SEPTEMBER 1980 TOTALS

Air Quality	$ 1,314,874
Water Quality	19,180
Solid Waste	284,413
Noise	-0-
	$ 1,618,467

CALENDAR YEAR TOTALS TO DATE

Air Quality	$ 9,759,068
Water Quality	10,399,817
Solid Waste	11,170,490
Noise	72,302
	$31,401,677

Appl T-1236
Date 7/24/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Joe Naumes
Box 996
Medford, OR 97501

The applicant owns and operates a pear orchard at Medford, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application is 5 Orchard Rite wind machines for frost protection. Tower serial numbers are: 80004, 80002, 80007, 79145 and 80005.

Request for Preliminary Certification for Tax Credit was made on 12/3/79, and approved on 1/16/80.

Construction was initiated on the claimed facility on 2/15/80, completed on 2/29/80, and the facility was placed into operation on 2/29/80.

Facility Cost: $85,000.00 (Accountant's Certification was provided).

3. Evaluation of Application

There is no law limiting the use of fuel oil fired heaters to control frost damage to fruit trees, even though the heaters produce a significant smoke and soot air pollution problem in the Medford Air Quality Maintenance Area. The orchard farmers desire a secure long-range solution to frost control that includes the reduction or elimination of the smoke and soot nuisance. Frost control is needed on an average of 50 hours per year, of which one-third is considered heavy frost conditions using all heaters and two-thirds is light frost conditions using half the heaters.

In 1972, an orchard fan was installed in the Medford area and its performance was evaluated by the OSU Agricultural Experiment Station, which published a favorable report in July, 1978. Farmers in the Medford area started installing dozens of orchard fans when this report was published.

The claimed 5 fans reduced the use of heaters from approximately 1,700 heaters to 500 heaters used on the fan perimeters. These remaining 500 heaters are needed on an average of 15% of the 50 hours per year that frost control is needed. This results in a 93% reduction in heater use.

The operating cost of a typical orchard fan is slightly greater than the savings in the cost of fuel oil. The operating cost consists of the fuel cost using the fan, depreciation over seven years, and no salvage value plus the average interest at 14 percent on the undepreciated balance.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80% or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $85,000.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1236.

FASkirvin:kmm
(503) 229-6414
July 25, 1980

A271(SIP)

Appl T-1237
Date 7/23/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Medford Pear Corp.
Box 996
Medford, OR 97501

The applicant owns and operates a pear orchard at Medford, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application is 3 Orchard Rite wind machines for frost protection. Tower serial numbers are: 80015, 80001, and 80006.

Request for Preliminary Certification for Tax Credit was made on 12/3/79, and approved on 1/16/80.

Construction was initiated on the claimed facility on 2/15/80, completed on 2/29/80, and the facility was placed into operation on 2/29/80.

Facility Cost: $51,000.00 (Accountant's Certification was provided).

3. Evaluation of Application

There is no law limiting the use of fuel oil fired heaters to control frost damage to fruit trees, even though the heaters produce a significant smoke and soot air pollution problem in the Medford Air Quality Maintenance Area. The orchard farmers desire a secure long-range solution to frost control that includes the reduction or elimination of the smoke and soot nuisance. Frost control is needed on an average of 50 hours per year, of which one-third is considered heavy frost conditions using all heaters and two-thirds is light frost conditions using half the heaters.

In 1972, an orchard fan was installed in the Medford area and its performance was evaluated by the OSU Agricultural Experiment Station, which published a favorable report in July, 1978. Farmers in the Medford area started installing dozens of orchard fans when this report was published.

The claimed 3 fans reduced the use of heaters from approximately 1,020 heaters to 300 heaters used on the fan perimeters. These remaining 300 heaters are needed on an average of 15% of the 50 hours per year that frost control is needed. This results in a 93% reduction in heater use.

The operating cost of a typical orchard fan is slightly greater than the savings in the cost of fuel oil. The operating cost consists of the fuel cost using the fan, depreciation over seven years, and no salvage value plus the average interest at 14 percent on the undepreciated balance.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80% or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $51,000.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1237.

FASkirvin:kmm
(503) 229-6414
July 25, 1980

A271(SIP)

Appl T-1238
Date 7/24/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Rogue Russet Orchards, Inc.
Box 996
Medford, OR 97501

The applicant owns and operates a pear orchard at Medford, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application is 12 Orchard Rite wind machines for frost protection. Tower serial numbers are: 79238, 79232, 79241, 80010, 80011, 80012, 80013, 80014, 79243, 80003, 79245, and 79242.

Request for Preliminary Certification for Tax Credit was made on 12/3/79, and approved on 1/16/80.

Construction was initiated on the claimed facility on 2/15/80, completed on 2/29/80, and the facility was placed into operation on 2/29/80.

Facility Cost: $204,000.00 (Accountant's Certification was provided).

3. Evaluation of Application

There is no law limiting the use of fuel oil fired heaters to control frost damage to fruit trees, even though the heaters produce a significant smoke and soot air pollution problem in the Medford Air Quality Maintenance Area. The orchard farmers desire a secure long-range solution to frost control that includes the reduction or elimination of the smoke and soot nuisance. Frost control is needed on an average of 50 hours per year, of which one-third is considered heavy frost conditions using all heaters and two-thirds is light frost conditions using half the heaters.

In 1972, an orchard fan was installed in the Medford area and its performance was evaluated by the OSU Agricultural Experiment Station, which published a favorable report in July, 1978. Farmers in the Medford area started installing dozens of orchard fans when this report was published.

The claimed 12 fans reduced the use of heaters from approximately 4,080 heaters to 1,200 heaters used on the fan perimeters. These remaining 1,200 heaters are needed on an average of 15% of the 50 hours per year that frost control is needed. This results in a 93% reduction in heater use.

The operating cost of a typical orchard fan is slightly greater than the savings in the cost of fuel oil. The operating cost consists of the fuel cost using the fan, depreciation over seven years, and no salvage value plus the average interest at 14 percent on the undepreciated balance.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80% or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $204,000.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1238.

FASkirvin:kmm
(503) 229-6414
July 25, 1980

A271(SIP)

Appl T-1239
Date 7/24/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Melrose Orchards, Inc.
Box 996
Medford, OR 97501

The applicant owns and operates a pear orchard at Medford, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application is 4 Orchard Rite wind machines for frost protection. Tower serial numbers are: 80032, 80031, 79229, and 79228.

Request for Preliminary Certification for Tax Credit was made on 12/3/79, and approved on 1/16/80.

Construction was initiated on the claimed facility on 2/15/80, completed on 2/29/80, and the facility was placed into operation on 2/29/80.

Facility Cost: $68,000.00 (Accountant's Certification was provided).

3. Evaluation of Application

There is no law limiting the use of fuel oil fired heaters to control frost damage to fruit trees, even though the heaters produce a significant smoke and soot air pollution problem in the Medford Air Quality Maintenance Area. The orchard farmers desire a secure long-range solution to frost control that includes the reduction or elimination of the smoke and soot nuisance. Frost control is needed on an average of 50 hours per year, of which one-third is considered heavy frost conditions using all heaters and two-thirds is light frost conditions using half the heaters.

In 1972, an orchard fan was installed in the Medford area and its performance was evaluated by the OSU Agricultural Experiment Station, which published a favorable report in July, 1978. Farmers in the Medford area started installing dozens of orchard fans when this report was published.

The claimed 4 fans reduced the use of heaters from approximately 1,360 heaters to 400 heaters used on the fan perimeters. These remaining 400 heaters are needed on an average of 15% of the 50 hours per year that frost control is needed. This results in a 93% reduction in heater use.

The operating cost of a typical orchard fan is slightly greater than the savings in the cost of fuel oil. The operating cost consists of the fuel cost using the fan, depreciation over seven years, and no salvage value plus the average interest at 14 percent on the undepreciated balance.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80% or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $68,000.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1239.

FASkirvin:kmm
(503) 229-6414
July 25, 1980

A271(SIP)

Appl T-1245
Date 8-8-80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Weyerhaeuser Company
Willamette Region
Tacoma, WA 98401

The applicant owns and operates a particle board plant at Springfield, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of one set of ten 12 inch diameter mechanical screw conveyors and motors.

Request for Preliminary Certification for Tax Credit was made on July 20, 1977, and approved on September 19, 1977.

Construction was initiated on the claimed facility on October 3, 1977, completed on October 24, 1977, and the facility was placed into operation on October 24, 1977.

Facility Cost: $38,319 (Accountant's Certification was provided).

3. Evaluation of Application

Before this installation, material from the screen was transported via an air conveying system and cyclone. This cyclone emitted approximately seven pounds per hour. The cyclone has been removed and replaced by screw conveyors. The cyclone and air conveying system were in good working order. These conveyors have essentially no emissions to the atmosphere. A primary purpose of this installation is air pollution control. 80 percent or more of the cost of this facility is allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by Lane Regional Air Pollution Authority and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $38,319 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1245.

F. A. Skirvin:m
(503) 229-6414
ABD309
August 19, 1980

Appl T-1249
Date 8-18-80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Weyerhaeuser Company
Willamette Region
Tacoma, WA 98401

The applicant owns and operates particle board plant at Springfield, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of two MEC Aerodyne collectors in parallel with associated duct work, vents and fans, and a screw conveyor return system.

Request for Preliminary Certification for Tax Credit for the screw conveyor return system was made on April 8, 1977, and approved on June 1, 1977.

Construction of the screw conveyor system was initiated on May 24, 1977, completed on May 31, 1977, and placed into operation on May 31, 1977.

Notice of Intent to Construct for the MEC Aerodyne collectors was made on December 6, 1973, and approved on December 12, 1973. Preliminary Certification for Tax Credit is not required for these collectors.

Construction of the Aerodyne collectors was initiated in November, 1974, completed on January 13, 1975, and placed into operation on January 13, 1975.

Facility Cost: $184,965 (Accountant's Certification was provided).

3. Evaluation of Application

The particle dryer at this plant previously operated without controls and emitted approximately 200 pounds per hour of particulate matter. This was in violation of the Lane Regional Air Pollution Authority emission limits. Weyerhaeuser installed the Aerodyne collectors which significantly reduced emissions from the facility and allowed it to comply with LRAPA emissions limits. However, a series of explosions caused the company to redesign the return of the collected material

to the process. As a result of the explosions, the collectors were off line for significant periods of time waiting repairs. The modifications designed and installed by the company, eliminated these down periods and resultant emissions. All material collected by this system is returned to the process, but is not of significant economic value to the company. The primary purpose of the collectors and the return system is air pollution control. 80 percent or more of this cost is allocable to pollution control.

4. Summation

a. The screw conveyor system was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification. The Aerodyne collector system was constructed under a certificate of approval to construct issued pursuant to ORS 468.175.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by Lane Regional Air Pollution Authority and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $184,965 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1249.

F. A. Skirvin:bce
(503) 229-6414
ABD308
August 18, 1980

Appl T-1250
Date 9/2/80 ,

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Freightliner Corporation
P O Box 3591
Portland, OR 97208

The applicant owns and operates a highway truck manufacturing facility at 6936 North Fathom in Portland.

Application was made for tax credit for a solid waste pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of a Kelley Model 1280/72 starved air combustion unit, a York-Shipley Series 564, 175 horsepower boiler, and the associated steam lines and heat exchangers. Request for Preliminary Certification for Tax Credit was made on July 24, 1978, and approved on July 24, 1978.

Construction was initiated on the claimed facility on December 19, 1978, completed on June 29, 1979, and the facility was placed into operation on June 29, 1979.

Facility Cost: $284,413 (Accountant's Certification was provided).

3. Evaluation of Application

This facility provides for the recovery of energy from contaminated waste corrugated (cardboard), broken wooden pallets, and other plant wastes which were previously landfilled. The combustion unit and boiler supply base load heat for the paint dryers, replacing heat from natural gas burners for much of the heat demand. The dryers are not part of the claimed facility, however. The Commission has previously ruled that dryers are not eligible for pollution control tax credit.

As a result of installing the claimed equipment, the company has substantially reduced the amount of waste going to the landfill. Approximately 150 cu.yds. (loose) of material now goes to the combustion unit each day. Only food waste, plastic film and certain other materials that are unsuitable for burning are still being landfilled.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1973, as required by ORS 468.165(1)(c).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing solid waste.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 459, and the rules adopted under that chapter.

e. The cost of the facility allocable to pollution control is 100 percent.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $284,413 with 100 percent allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1250.

WHDana:a
SA63 (1)
(503) 229-5913
September 2, 1980

Appl T-1253
Date 8/7/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Roseburg Lumber Company
PO Box 1088
Roseburg, OR 97470

The applicant owns and operates a particle board plant at Dillard Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consist of three Carouthers model 200 filters with associated motors and duct work.

Request for Preliminary Certification for Tax Credit was made on March 14, 1979, and approved on September 7, 1979.

Construction was initiated on the claimed facility on March 26, 1979, completed on January 31, 1980, and the facility was placed into operation on March 1, 1980.

Facility Cost: $388,953.28 (Accountant's Certification was provided).

3. Evaluation of Application

Some of the particle board produced at this facility was being sanded at other Roseburg Lumber Company plants. The Company received approval to install new sanders at the particle board plant. In order to control emissions from these sanders, they also installed three Carouthers baghouses. The primary purpose of these units is air pollution control. The collected sander dust is used as boiler fuel. The value of the sander dust is insignificant compared to the cost of the installation of the control equipment. 80 percent or more of the cost of the control equipment is allocable to pollution control. The cost of the sander is not included.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by Department of Environmental Quality and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $388,953.28 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1253.

FASkirvin:f
AFD89(2)
(503) 229-6414
August 8, 1980

Appl T-1254
Date 8/14/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Roseburg Lumber Company
PO Box 1088
Roseburg, OR 97470

The applicant owns and operates a particle board plant at Dillard, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of two Carothers baghouses, Model No. 200, and associated equipment.

Request for Preliminary Certification for Tax Credit was made on April 30, 1979, and approved on May 15, 1979.

Construction was initiated on the claimed facility on May 19, 1979, completed on May 21, 1979, and the facility was placed into operation on May 21, 1979.

Facility Cost: $57,061.10 (Accountant's Certification was provided).

3. Evaluation of Application

Two baghouses have been installed to control emissions from cyclones No. 45 and No. 46 on the raw material silos. The collected material is returned to the process but is insignificant compared to the cost of the control equipment. These baghouses reduce emissions to meet Department limits. The primary purpose of these baghouses is air pollution control. Therefore, 80 percent or more of the cost is allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by Department of Environmental Quality and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $57,061.10 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1254.

F. A. Skirvin:s
(503) 229-6414
August 15, 1980

ASD35 (2)

Appl T-1260
Date 8/18/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

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

The applicant owns and operates a mill producing corrugating medium and salt cake via the sulfite pulping process at North Bend, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application is a Bailey type OJ oxygen analyzer installed on the Number 2 hog fuel boiler.

Request for Preliminary Certification for Tax Credit was made on August 27, 1979, and approved on October 26, 1979.

Construction was initiated on the claimed facility on October 15, 1979, completed on October 30, 1979, and the facility was placed into operation on October 31, 1979.

Facility Cost: $3,395.00 (Invoices documenting the cost of the facility were provided).

3. Evaluation of Application

The Bailey Type OJ analyzer replaced an existing oxygen analyzer which had been installed in 1964 and had become unreliable and difficult to maintain. The analyzer continuously monitors the oxygen content of the gases from the boiler. On the basis of the analyzer's measurements, the boiler air supply can be adjusted to improve combustion, resulting in lower particulate emissions in the discharge from the boiler's wet scrubber and also less ash for subsequent disposal. The improved combustion efficiency is of little or no economic benefit to the company since the hog fuel is a waste product of the mill of little market value which would require disposal if not burned. Therefore, 80 percent or more of the cost of the facility is allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $3,395.00 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1260.

FASkirvin:kmm
(503) 229-6414
August 18, 1980
AQ328

Appl T-1261
Date 8/12/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

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

The applicant owns and operates a pulp and paper mill manufacturing corrugating medium at North Bend.

Application was made for tax credit for a water pollution control facility.

2. Description of Claimed Facility

The facility described in this application is a system of automatic timed high pressure showers for the four side-hill screens preceding the settling basins. The facility consists of piping, sprocket and chain driven spray bars, and an electrical control panel.

Request for Preliminary Certification for Tax Credit was made November 26, 1979, and approved November 30, 1979. Construction was initiated on the claimed facility April 1980, completed June 1980, and the facility was placed into operation June 1980.

Facility Cost: $7,803.00 (Accountant's Certification was provided).

3. Evaluation of Application

Department inspections prior to installation of the screen showers confirmed that screen plugging was occurring which allowed wastes to enter the settling basins unscreened. The new timed high pressure showers effectively remove screened solids to prevent blinding. The spray bars periodically wash the screened solids to a bin where they are removed for landfilling.

Applicant claims that 100 percent of the cost of the claimed facility is properly allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing water pollution.

d. The facility was required by the Department of Environmental Quality and is necessary to satisfy the intents and purposes of ORS Chapter 468 and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 100 percent.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $7,803.00 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1261.

CKA:l
(503) 229-5325
August 12, 1980

Appl T-1262
Date 8/26/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

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

The applicant owns and operates a pulp and paper mill manufacturing corrugating medium at North Bend.

Application was made for tax credit for a water pollution control facility.

2. Description of Claimed Facility

The facility described in this application is a magnetic flow meter and totalizer, piping and couplings.

Request for Preliminary Certification for Tax Credit was made May 3, 1979, and approved May 10, 1979. Construction was initiated on the claimed facility May 1979, completed March 28, 1980, and the facility was placed into operation March 28, 1980.

Facility Cost: $11,377.09 (Accountant's Certification was provided).

3. Evaluation of Application

Prior to installation of the flow meter, the discharge to the ocean was calculated by measuring the drop of the lagoon level, estimating seepage and evaporation, and adding influent and rainfall into the lagoon. The installation of the flow meter and totalizer allows the applicant to monitor flow and calculate discharge loads to the ocean much more accurately.

Applicant claims that 100 percent of the cost of the claimed facility is properly allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing water pollution.

d. The facility was required by the Department of Environmental Quality and is necessary to satisfy the intents and purposes of ORS Chapter 468 and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 100 percent.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $11,377.09 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1262.

CKA:l
WL239 (1)
(503) 229-5325
August 26, 1980

Appl T-1263
Date 8/15/80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Valley Iron & Steel Co.
29579 Awbrey Lane
Eugene, OR 97402

The applicant owns and operates a grey iron foundry at Eugene, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of a new heat exchanger, fan, and associated duct work and controls to cool gases from an iron cupola and conduct them to a previously installed baghouse.

Request for Preliminary Certification for Tax Credit was made on September 17, 1979, and approved on November 29, 1979.

Construction was initiated on the claimed facility on November 1979, completed on May 1980, and the facility was placed into operation on May 1980.

Facility Cost: $51,236.40 (Accountant's Certification was provided).

3. Evaluation of Application

An existing heat exchanger and cyclone used to cool the cupola gases failed and was beyond repair. The new system was necessary to cool the cupola off gases before they enter the previously installed baghouse which removes the entrained particulate matter. Without such cooling, the gases would be too hot and the baghouse would be severely damaged. Control of the cupola's emissions is necessary to meet visible and particulate emission regulations. Recovery of heat for use does not occur, so 80 percent or more of the cost of the facility is allocable to air pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by the Lane Regional Air Pollution Authority and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80 percent or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $51,236.40 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1263.

FASkirvin:kmm
(503) 229-6414
August 18, 1980
AQ331

Appl T-1256
Date 8-13-80

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

---

1. Applicant

Roseburg Lumber Company
P.O. Box 1088
Roseburg, OR 97470

The applicant owns and operates a plywood plant at Dillard, Oregon.

Application was made for tax credit for an air pollution control facility.

2. Description of Claimed Facility

The facility described in this application consists of two Burley B5 scrubbers, one clarification tank, and associated equipment.

Request for Preliminary Certification for Tax Credit was made on May 17, 1976, and approved on August 4, 1976.

Construction was initiated on the claimed facility on August 10, 1979, completed on August 24, 1979, and the facility was placed into operation on August 27, 1979.

Facility Cost: $182,945.44 (Accountant's Certification was provided).

3. Evaluation of Application

Roseburg Lumber Company operates two veneer dryers at its Plywood Plant No. 1 in Dillard. The company had previously installed low temperature conversion units, but these failed to attain and maintain compliance. Prior to installation of the Burley scrubbers, these dryers were unable to meet Department emission limits. The dryers now operate in continuous compliance with those emission limits. The material collected by the scrubbers is of no value to the company. The primary purpose of these scrubbers is air pollution control, and 80% or more of the cost is allocable to pollution control.

4. Summation

a. Facility was constructed in accordance with the requirements of ORS 468.175, regarding preliminary certification.

b. Facility was constructed on or after January 1, 1967, as required by ORS 468.165(1)(a).

c. Facility is designed for and is being operated to a substantial extent for the purpose of preventing, controlling, or reducing air pollution.

d. The facility was required by Department of Environmental Quality and is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.

e. The portion of the facility cost that is properly allocable to pollution control is 80% or more.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that a Pollution Control Facility Certificate bearing the cost of $182,945.44 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1256.

F.A. Skirvin:ce
(503) 229-6414
ACD21(1)
8-13-80

State of Oregon
Department of Environmental Quality

REVOCATION OF POLLUTION CONTROL FACILITY CERTIFICATES

---

1. CERTIFICATES ISSUED TO:

Crown Zellerbach Corporation
Lebanon Division
904 N. W. Drake Street
Camas, Washington 98607

The Certificates were issued for air and water pollution control facilities at the company's mill in Lebanon, Oregon.

2. DISCUSSION

The Environmental Quality Commission issued Pollution Control Facility Certificates to Crown Zellerbach Corporation's mill in Lebanon, Oregon, as follows:

Certificate Number	Facility	Date Issued	Amount Certified
30	Primary effluent incliner screen	7/26/68	$ 14,781
121	Secondary effluent treatment	8/21/70	665,009
185	Bolometers on hog fuel boilers	8/13/71	10,090
252	Steam power boiler	7/27/72	239,327
430	Aerators	10/22/73	3,607

By letter of August 4, 1980 (attached) Crown Zellerbach notified the Department that the facilities certified in the above certificates would be taken out of service as of August 1, 1980.

3. DIRECTOR'S RECOMMENDATION

Pursuant to OAR 317.072(10), it is recommended that Pollution Control Facility Certificates 30, 121, 185, 252 and 430 be revoked as of August 1, 1980 because they are no longer operating for their intended purpose.

CASplettstaszer
229-6484
9/5/80
Attachments

CrownZellerbach
Environmental Services

August 4, 1980

Ms. Anne Doyle
Management Services Division
Department of Environmental Quality
522 S. W. 5th Avenue
P. O. Box 1760
Portland, Oregon 97207

Dear Ms. Doyle:

Special Condition No. 2 in CZ Lebanon Mill's Pollution Control Facilities Certificates stipulate that "The Department of Environmental Quality shall be immediately notified of any proposed changes in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose."

This letter, therefore, is to inform DEQ that Crown's Lebanon Pulp and Paper mill is scheduled for phase out on August 1, 1980. The following pollution control facilities will no longer be operating under their original intended purposes:

Facility	Application Number	Certification Number
Steam Power Boiler	T-321	252
Secondary Effluent Treatment	T-133	121
Primary Effluent Incliner Screen	T-44	30
Bolometers on Hog Fuel Boilers	T-206	185
Aerators	T-470	430

If there are any questions, please call.

Very truly yours,

Herman R Amberg

HERMAN R. AMBERG/jd

Director,
Environmental Services

Management Services Div.
Dept. of Environmental Quality
RECEIVED
AUG 08 1980

904 N.W. Drake St. Camas WA 98607 Phone: (206) 834-4444

Certificate No. 30

Date of Issue 7/26/68

Application No. T-44

OREGON STATE SANITARY AUTHORITY

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Crown Zellerbach Corporation as: Owner
Lebanon, Oregon 97355

Facility Description: Inclined screen for removal of fibers from waste water streams prior to their being discharged to the settling basins. Construction was started in February 1967 and completed in January 1968.

Location: South Main Street, Lebanon, Oregon, Linn County

Actual Cost of Facility:

$14,781

In accordance with the provisions of Chapter 592, Oregon Laws 1967, the Oregon State Sanitary Authority hereby certifies that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of said Chapter 592 and that the facility was erected, constructed or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate for, the principal purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Oregon State Sanitary Authority and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing water pollution.

2. The Sanitary Authority shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Sanitary Authority shall be promptly provided.

Signed _____

Title Chairman, Oregon State Sanitary Authority

Approved by the Oregon State Sanitary Authority

on the 26th day of July 19 68.

Certificate No. 121

Date of Issue 8-21-70

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Application No. T-133

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: As: Owner	Location of Pollution Control Facility:
Crown Zellerbach Corporation Lebanon Division Post Office Box 486 Lebanon, Oregon 97355	Highway 20, 1 mile north of Lebanon, Oregon Linn County

Description of Pollution Control Facility:

Two plastic lined aeration and holding basins, two 75 HP and six 25 HP mechanical aerators, necessary pumps, piping, chemical tanks, instrumentation, wiring, collection sumps and control house to provide secondary treatment of mill effluent prior to discharge into the stream.

Date Pollution Control Facility was completed and placed in operation: January 1969

Actual Cost of Pollution Control Facility: $665,009.00

Percent of actual cost properly allocable to pollution control: Certified under 1967 act. Principal purpose for pollution control.

In accordance with the provisions of ORS 449.605 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of ORS 449.605 and that the facility was erected, constructed, or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Department of Environmental Quality and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing water pollution.

2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed _____

Title B. A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 21st day of August 1970

Certificate No. 185

Date of Issue 8-13-71

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Application No. T-206

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: As: Owner	Location of Pollution Control Facility:
Crown Zellerbach Corporation Lebanon Mill Post Office Box 486 Lebanon, Oregon 97355	Highway 20, one mile north of Lebanon, Oregon, Linn County

Description of Pollution Control Facility:

Two Baily Bolometer smoke measurement systems, one 11,000 CFM Coppus turbine blower, one 11,900 CFM fan powered by a 30 HP motor, and necessary piping, wiring, instrumentation and air ducts.

Date Pollution Control Facility was completed and placed in operation: August 1970

Actual Cost of Pollution Control Facility: $10,090.00

Percent of actual cost properly allocable to pollution control: 80 percent or more.

In accordance with the provisions of ORS 449.605 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of ORS 449.605 and that the facility was erected, constructed, or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Department of Environmental Quality and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling, and reducing air pollution.

2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed _____

Title B. A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 13th day of August 1971

Certificate No. 252

Date of Issue 7-27-72

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Application No. T-321

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: Ass Owner	Location of Pollution Control Facility:
Crown Zellerbach Corporation Lebanon Division Post Office Box 486 Lebanon, Oregon 97355	Highway 20, 1 mile north of Lebanon, Oregon Linn County

Description of Pollution Control Facility:

Complete gas/oil fired package boiler.

Date Pollution Control Facility was completed and placed in operation: November 1971

Actual Cost of Pollution Control Facility: $239,327.00

Percent of actual cost properly allocable to pollution control: 80 percent or more.

In accordance with the provisions of ORS 449.605 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of ORS 449.605 and that the facility was erected, constructed, or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Department of Environmental Quality and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling and reducing air pollution.

2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed _____

Title B. A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 27th day of July 19 72

Certificate No. 430

Date of Issue 10-22

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Application No. T-470

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: As: Owner	Location of Pollution Control Facility:
Crown Zellerbach Corporation Lebanon Division 904 N. W. Drake Camas, Washington 98607	Highway 20 Lebanon, Oregon Linn County
Description of Pollution Control Facility: Seventy-five H.P. mechanical aerator	
Date Pollution Control Facility was completed and placed in operation: October, 1971	
Actual Cost of Pollution Control Facility: $ 3,607.00	
Percent of actual cost properly allocable to pollution control: 80 percent or more	

In accordance with the provisions of ORS 449.605 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of ORS 449.605 and that the facility was erected, constructed, or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Department of Environmental Quality and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the designed purpose of preventing, controlling and reducing water pollution.

2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed _____

Title B.A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 22 day of October 19 73

State Of Oregon
Department of Environmental Quality

REVOCATION OF POLLUTION CONTROL FACILITY CERTIFICATE

---

1. CERTIFICATE ISSUED TO:

Publishers Paper Company
Dwyer Division
419 Main Street
Oregon City, Oregon 97045

The Certificate was issued for an air pollution control facility at the company's plant in Portland, Oregon.

2. DISCUSSION

On December 20, 1974 the Environmental Quality Commission issued Pollution Control Facility Certificate 533 to Publishers Paper Company for a baghouse and water sprays to reduce wood particulate from existing cyclones at their plant in Portland, Oregon. The Certificate was issued in the amount of $81,009.

By letter of August 6, 1980 (attached), Publishers Paper informed the Department that the certified facility was taken out of operation in 1978.

3. DIRECTOR'S RECOMMENDATION

Pursuant to OAR 317.072(10), it is recommended that Pollution Control Facility Certificate 533 be revoked as of January 1, 1978 because the facility was taken out of service.

CASplettstaszer
229-6484
9/5/80
Attachments

PUBLISHERS PAPER TIMES MIRROR

August 6, 1980

Department of Environmental Quality
Management Services Division
P. O. Box 1760
Portland, Oregon 97207

Gentlemen:

On December 20, 1974, Publishers Paper Co. was issued Pollution Certificate No. 533. The facility was an Air Pollution Control facility located on our lumber mill near 100th and Foster, Portland. During 1978, Publishers Paper Co. suspended operations at the Portland millsite and subsequently dismantled the mill. Accordingly, effective with 1978, Publishers Paper Co. did not claim pollution control credit in association with this certificate. However, it has been determined that Publishers Paper Co. overlooked notifying your agency of cessation of eligibility of the certification. Please consider this letter said notification.

On February 9, 1977, your agency was notified of the closure of our Portland plywood mill and accordingly the termination of the claiming of pollution control credit on the related certificates numbered 427, 534 and 539.

Yours very truly,

James R. Murray

James R. Murray
Corporate Tax Manager

hrm

Encl.

Management Services Div.
Dept. of Environmental Quality
RECEIVED
AUG 08 1980

OREGON CLUE AWARD
Publishers Paper Co. was named in 1972 as the first recipient of the Oregon CLUE (Cleaning Up Pollution) Award for outstanding achievements in protecting the environment.

419 MAIN ST., OREGON CITY, OREGON 97045, TELEPHONE (503) 656-5211

Certificate No. 533

Date of Issue 12-20-74

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Application No. T-592

POLLUTION CONTROL FACILITY CERTIFICATE

Issued To: As: Owner	Location of Pollution Control Facility:
Publishers Paper Company Dwyer Division 419 Main Street Oregon City, Oregon 97045	6637 S. E. 100 Avenue Portland, Oregon Multnomah County

Description of Pollution Control Facility:
Baghouse and water sprays for reducing wood particulate emissions from existing cyclones.

Date Pollution Control Facility was completed and placed in operation: 04-74; 04-74

Actual Cost of Pollution Control Facility: $ 81,009.00

Percent of actual cost properly allocable to pollution control:
Eighty percent (80%) or more

In accordance with the provisions of ORS 449.605 et seq., it is hereby certified that the facility described herein and in the application referenced above is a "pollution control facility" within the definition of ORS 449.605 and that the facility was erected, constructed, or installed on or after January 1, 1967, and on or before December 31, 1978, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air or water pollution, and that the facility is necessary to satisfy the intents and purposes of ORS Chapter 449 and regulations thereunder.

Therefore, this Pollution Control Facility Certificate is issued this date subject to compliance with the statutes of the State of Oregon, the regulations of the Department of Environmental Quality and the following special conditions:

1. The facility shall be continuously operated at maximum efficiency for the desired purpose of preventing, controlling, and reducing air pollution.

2. The Department of Environmental Quality shall be immediately notified of any proposed change in use or method of operation of the facility and if, for any reason, the facility ceases to operate for its intended pollution control purpose.

3. Any reports or monitoring data requested by the Department of Environmental Quality shall be promptly provided.

Signed _____

Title B.A. McPhillips, Chairman

Approved by the Environmental Quality Commission

on the 20th day of December 19 74

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. D, September 19, 1980, EQC Meeting

Request for Authorization to hold Public Hearing for Open Burning Rules, OAR 340-23-025 through 340-23-050 and OAR 340-30-070

Background and Problem

On June 29, 1979, the Commission adopted open burning rules which established dates for a prohibition on open burning in the Willamette Valley including Portland. In addition, the Commission directed the staff to redraft the Open Burning Rules to make them more readily understood by the citizen. The Department has redrafted and reorganized the rules which are included as Attachment B.

Following adoption of the rules, a schedule was established for working with city, county, and regional governments to work out plans for alternative disposal methods of the unburned debris after the prohibition goes into effect.

Analysis

The approach taken to improve the clarity of the rules establishes regulations which apply to each separate county. When rules for several counties are the same, those counties are combined under one regulation.

A new rule, OAR 340-23-022, has been proposed which is intended to be a guide for someone seeking to use the open burning rules.

In addition to the organizational changes, several substantive changes are proposed in the rules.

1. The boundary for the proposal domestic open burning prohibition is suggested to be roughly the same as the Portland Metropolitan Service District (Metro) boundary. The existing rules, which prohibits domestic burning county-wide, places many rural residents under restrictions designed primarily to alleviate an urban nuisance problem but fails to adequately consider that alternative relief methods available to the urban resident may not be available to the rural resident. The area selected where burning is to be prohibited is slightly smaller than the Metro area and was chosen after extensive consultation with fire districts and consideration of: a) the

apparent residential density, b) the apparent availability of alternative potential, c) ease of establishing an enforceable boundary acceptable to the fire districts, and d) acceptability of the boundary by those affected. The proposed boundary is geographically depicted in Figure 1 of Attachment B.

2. The future prohibition of domestic open burning in the remainder of the Willamette Valley has been deleted as it is not considered practicable at this time. If a prohibition of open burning can be successful, it must work in the Portland area where the problems are most severe. Alternatives, if they can be developed, have the best chance to work in the heavily urban area. The staff has concluded that it is best to gain experience in developing alternatives in urban areas before attempting to extend a prohibition to outlying areas where it will have a lesser air quality value and where it is more difficult to implement alternatives.

3. Definitions of "Adverse Meteorological Conditions" and "Ventilation Index" have been added. This is proposed to provide an established means for controlling open burning on a daily basis in any area of the state when necessary.

4. The prohibition on open burning of construction and demolition waste is proposed to be removed for coastal open burning control areas except for the Astoria, Seaside, and Coos Bay areas.

Hearings

It is proposed to hold public hearings in:

Portland
Albany
Medford
Pendleton
Coos Bay

At least two hearings are proposed to be held in Portland. The hearings in Pendleton and Coos Bay would be made conditional on evidence of public interest in attending the hearing.

Director's Recommendation

It is recommended that the Director be authorized to schedule and hold Public Hearings on proposed adoption of the rules in Attachment B.

William H. Young

Attachments I - Draft Public Hearing Notice
II - Statement of Need for Rulemaking
III - Proposed Open Burning Rules

L.D. Brannock:kmm
229-5836
September 5, 1980 (AB59)

ATTACHMENT I
Agenda Item D, 9/19/80, EQC

VICTOR ATIYEH
GOVERNOR

Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

Prepared: _____
Hearing Date: _____

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

PROPOSED REVISION OF OPEN BURNING RULES

The Department of Environmental Quality has proposed revisions to its Open Burning Rules which reorganize the rules and make several changes in operation under the rules. Portions of these rules may affect the State Clean Air Act Implementation Plan. Hearings will be held in November to accept comments on the proposed changes.

WHAT IS THE DEQ PROPOSING?

Interested parties should request a copy of the complete proposed rule package. The proposed open burning rules have been completely reorganized and re-written for the purpose of making them easier to understand. In addition changes are proposed which would have the following effects:

** Add railroad ties to the list of materials which are prohibited from burning for disposal.

** Add a definition of "adverse meteorological conditions" establishing a means of prohibiting any open burning in any part of the State.

** Remove Columbia County from consideration in the prohibition of domestic open burning (often called "backyard burning") in the Portland metropolitan area.

** Establish the boundry of an area around Portland where domestic open burning is to be prohibited after January 1, 1981.

** Remove a date for a proposed prohibition of domestic open burning in the Willamette Valley outside of the Portland area.

** Remove the existing prohibition of demolition open burning in the coastal cities of Coquille, Florence, Lincoln City, Newport and Reedsport.

DRAFT

WHO IS AFFECTED BY THIS PROPOSAL:

** Citizens of the Willamette Valley and Columbia County who have an interest in "backyard burning."

** Anyone, including contractors, business men, and farmers who conducts open burning as a part of business anywhere in the State;

** Local governments agencies, especially fire districts.

HOW TO PROVIDE YOUR INFORMATION:

Written comments should be sent to the Department of Environmental Quality, Air Quality Division, Box 1760, Portland, Oregon 97207, and should be received by November 14, 1980.

Oral and written comments may be offered at the following public hearing:

City	Time	Date	Location

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed rules may be obtained from:

L. D. Brannock, Meteorologist
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
(503) 229-5836

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR Chapter 340 Division 23 and OAR 340-30-070. It is proposed under authority of ORS Chapters 183 and 468 including Sections 468.020, 468.290, 468.295, 468.310, and 468.450.

This proposal does not affect land use as defined in the Department's coordination program with the Department of Land Conservation and Development.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same

subject matter, or decline to act. The adopted regulations may be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come in January, 1981 as part of the agenda of a regularly scheduled Commission meeting.

A Statement of Need and Fiscal Impact Statement are attached to this notice.

AM391

STATEMENT OF NEED FOR RULEMAKING

The Environmental Quality Commission intends to adopt revised Open Burning Rules, OAR, Chapter 340, Rules 23-022 through 23-080 and 30-070.

Legal Authority:

ORS 468.020, 468.290, 468.295, 468.310, and 468.450

Need for the Rule

1. The current rules impose a burning prohibition beginning January 1, 1981 in geographical areas which include areas where practicable disposal alternatives are not available. The proposed rules revise the boundaries in which the ban will take effect to reflect the availability of disposal alternatives. The proposed boundaries would primarily consist of the urban portion of the Portland metropolitan area.

2. The organization and language of the rules are being revised to make the rules easier to read and understand.

Fiscal Impact Statement

The current rules will have a considerable economic impact on local governments in the areas where open burning will be banned. Local governments will be required to find and fund disposal alternatives for yard debris. The proposed revision of the boundaries in which the ban will take effect will have a beneficial fiscal impact on those areas where practicable disposal alternatives are not available. The fiscal impact on the local fire district will vary depending on the degree of enforcement of the rules and the ban.

Principle Documents Relied Upon

1. Personal communication with fire chiefs/marshalls of local fire districts, local elected officials, city and county governments, the Portland-Vancouver AQMA Air Quality Advisory Committee, and the Lane Regional Air Pollution Authority.

2. Requests from citizens to change the burning ban.

3. Environmental Quality Commission action on June 29, 1979 requesting the Department to revise the language of the rules to make them more clearly understandable.

LDB:b
AB59.A
September 5, 1980

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHAPTER 340

DIVISION 23

340-23-022 How to use these Open Burning Rules.

(1) These rules classify all open burning into one of seven classes: a. Agricultural, b. Commercial, c. Construction, d. Demolition, e. Domestic, f. Industrial or g. Slash. Except for slash burning which is controlled by the forest practices smoke management plan administered by the Oregon Department of Forestry, these rules prescribe prohibited burning practices for every location in the state. If a class of open burning is not specifically prohibited or restricted in a given location, it is not regulated by these rules. In addition, some practices specifically mentioned in OAR 340-23-035 are exempted from regulation under these rules.

(2) Organization of rules

(a) OAR 340-23-025 is the Policy statement of the Environmental Quality Commission setting forth the goals of these rules.

(b) OAR 340-23-030 contains definitions of terms which have specialized meanings within the context of these rules.

(c) OAR 340-23-035 lists specific types of open burning and practices which are not governed by these rules.

(d) OAR 340-23-040 lists general conditions, requirements and practices which are always applicable to any open burning governed by these rules.

(e) OAR 340-23-042 lists general conditions and practices which are always prohibited under these rules.

(f) OAR 340-23-045 indexes each county of the state to a specific rule giving specific restrictions for each class of open burning applicable in the county.

(g) OAR 340-23-050 through 340-23-064 are rules which give specific restrictions to open burning for each class of open burning in the counties named in each rule.

(h) OAR 340-23-070 lists procedures which may be used to obtain an exception to some prohibitions imposed by these rules.

(i) OAR 340-075 requires fire permit issuing agencies to keep records and reports.

(j) OAR 340-23-080 contains the legal description of Open Burning Control areas and maps depicting these areas.

(3) Use of these rules will be made easier by using the following procedure:

(a) Read OAR 340-23-040 and OAR 340-23-042 to understand general requirements and prohibitions which apply to all burning recognized by these rules.

(b) In OAR 340-23-030 read the definitions of Agricultural, Commercial, Construction, Demolition, Domestic and Industrial burning

and the definition of yard debris to determining the type of burning you are concerned with. Also read OAR 340-23-035 to determine if your type of burning is exempted from these rules.

(c) Locate the rule (OAR 340-23-050 through OAR 340-23-064) which governs the county in which you wish to burn. OAR 340-23-045 is an index of the county rules.

(d) Read the sections of the county rules which apply to the type of burning you wish to do.

(e) Get a fire permit from the fire district or county court.

Policy

340-23-025 In order to restore and maintain the quality of the air resources of the state in a condition as free from air pollution as is practicable, consistent with the overall public welfare of the state, it is the policy of the Environnmental Quality Commission: to eliminate open burning disposal practices where alternative disposal methods are feasible and practicable; to encourage the development of alternative disposal methods; to emphasize resource recovery; to regulate specified types of open burning; to encourage utilization of the highest and best practicable burning methods to minimize emissions where other disposal practices are not feasible; and to require specific programs and timetables for compliance with these rules.

Definitions

340-23-030 As used in these rules unless otherwise required by context:

(1) "Adverse Meteorological Conditions" means atmospheric conditions such that smoke and particulate matter may accumulate near the ground and mixing through a deep layer of air is greatly restricted. Under adverse meteorological conditions continual emissions of smoke and particulate could result in high concentrations of pollutants causing aesthetic and qualitative degredation in air quality.

(2) "Agricultural Operation" means an activity on land currently used or intended to be used primarily for the purpose of obtaining a profit in money by raising, harvesting and selling crops or by the raising and sale of, or the produce of, livestock or poultry, which activity is necessary to serve that purpose; it does not include the construction and use of [~~human~~] dwellings customarily provided in conjunction with the agricultural operation.

(3) "Agricultural open burning" is the open burning of any material generated or used by an agricultural operation.

(4) "Auxiliary Combustion Equipment" includes, but is not limited to, fans or air curtain incinerators.

(5) "Combustion Promoting Materials" include, but are not limited to, propane, diesel oil, or jellied diesel.

(6) "Commercial Waste" means any waste material except a. Material burned in an agricultural operation, b. Construction waste,

c. Demolition waste, d. Domestic waste, and e. Industrial waste. Examples of commercial waste are waste material from offices, business activities, warehouses, stores, restaurants, and dwellings housing more than four family living units such as apartments, hotels, motels, dormitories and mobile home parks.

(7) "Commercial open burning" means the open burning of any commercial waste.

(8)[~~(3)~~]"Commission" means the Environmental Quality Commission.

(9) "Construction waste" means any material resulting or produced by a building or construction project which is apt to be burned. Examples of construction waste are wood, lumber, paper, crating and packing materials used during construction, materials left after completion of construction and materials collected during cleanup of a construction site.

(10) "Construction [~~and Demolition~~] open burning" [~~is~~] means the open burning of any construction [~~and demolition~~] waste.

(11) "Demolition waste" means any material resulting or produced by the complete or partial destruction or tearing down of any man-made structure or the clearning of any site for land improvement or cleanup. All waste generated by land clearning is demolition waste except those wastes generated by an agricultural operation.

(12) "Demolition open burning" means the open burning of demolition waste.

(13)[(5)] "Department" means the Department of Environmental Quality.

(14)[(6)] "Director" means the Director of the Department of Environmental Quality or his delegated representative pursuant to ORS 468.045(3).

(15)[(7)] "Domestic Waste" means household [waste,] material which may be open burned including paper, cardboard, clothing, toys, yard debris, and other material [generated in] which may collect in or around a dwelling [housing] of four (4) [families or less] or fewer family living units, or on the real property appurtenant to the dwelling [is situated,].

(16) "Domestic open burning" means the open burning of any domestic waste.

(17)[(8)] "Fire Hazard" means the presence or accumulation of combustible material of such nature and in sufficient quantity that its continued existence constitutes an imminent and substantial danger to life, property, public welfare, or to adjacent lands.

(18)[(9)] "Forced-air Pit Incineration" means any method or device by which burning of waste is done (a)(1) in a subsurface pit or (2) above ground enclosure and with (b) combustion air supplied under positive draft or air curtain, and (c) combustion air controlled in such a manner as to optimize combustion efficiency and minimize the emission of air contaminants.

(19)[(10)]"Industrial Waste" means [waste] material including process waste produced as the direct result of any manufacturing or industrial process.

(20) "Industrial open burning" means the open burning of any industrial waste.

(21) "Land clearing" means the removal of trees, brush, logs, stumps, debris or man made structures for the purpose of site clean up or site preparation. All waste generated by land clearing is demolition waste except those wastes generated by an agricultural operation.

(22) "Local jurisdiction" means (a) the local fire permit issuing authority and (b) local governmental entity with authority to regulate by law or ordinance.

(23)[(~~11~~)]"Open Burning" means burning [~~conducted~~] which occurs in such a manner that combustion air and combustion products may not be effectively controlled including, but not limited to, burning [~~conducted~~] in open outdoor fires, burn barrels, [~~and backyard~~] or incinerators not required by OAR 340-20-155 to have a permit.

(24) "Open Burning Control Area" means an area established to control specific open burning practices or to maintain specific open burning standards which may be more stringent than those established for other areas of the state. Open burning control areas in the State are described in OAR 340-23-080.

The open burning control areas in the state are:

(a) All areas in or within three (3) miles of the corporate city limits of cities having a population of four thousand (4000) or more, as depicted in Figure 2 of OAR 340-23-080.

(b) The Coos Bay open burning control area as shown in Figure 3 of OAR 340-23-080.

(c) The Rogue Basin open burning control area as shown in Figure 4 of OAR 340-23-080.

(d) The Umpqua Basin open burning control area as shown in Figure 5 of OAR 340-23-080.

(e) The Willamette Valley open burning control area as shown in Figure 2 of OAR 340-23-080.

~~(a) All areas within incorporated cities having a population of four thousand (4,000) or more within three (3) miles of the corporate limits of any such city. (See Figure 4)~~

~~(b) The Coos Bay Open Burning Control Area, as generally depicted in Figure 1 and as defined as follows: --Beginning at a point approximately 4 1/2 miles WNW of the City of North Bend, Coos County, at the intersection of the north boundary of T25S, R13E, and the coast line of the Pacific Ocean, thence east to the NE corner of T26S, R12E, thence south to the SE corner of T26S, R12E, thence west to the intersection of the south boundary of T26S, R14W and the coastline of the Pacific Ocean, thence northerly and easterly along the coastline of the Pacific Ocean to its intersection with the north boundary of T25S, R13E, the point of beginning.~~

~~(c) The Rogue Basin Open Burning Control Area as generally depicted in Figure 2, and as defined as follows: --Beginning at a point approximately 4 1/2 miles NE of the City of Shady Cove, Jackson County at the NE corner of T34S, R1W, Willamette Meridian, thence south along the Willamette Meridian to the SW corner of T37S, R1W, thence East to the NE corner of T38S, R1E, thence South to the SE corner of T38S, R1E, thence East to the NE corner of T39S, R2E thence South to the SE corner of T39S, R2E, thence West to the SW corner of T39S, R1E,~~

~~thence NW along a line to the NW corner of T39S, R1W, thence West to the SW corner of T38S, R2W, thence North to the SW corner of T36S, R2W, thence West to the SW corner of T36S, R4W, thence South to the SE corner of T37S, R5W, thence West to the SW corner of T37S, R6W, thence East to the SW corner of T35S, R1W, thence North to the NW corner of T34S, R1W, thence East to the point of beginning.~~

~~(d) The Umpqua Basin Open Burning Control Area, as generally depicted in Figure 3, and as defined as follows: --Beginning at a point approximately 4 miles WNW of the City of Oakland, Douglas County, at the NE corner of T25S, R5W, Willamette Meridian, thence South to the SE corner of T25S, R5W, thence East to the NE corner of T26S, R4W, thence South to the SE corner of T27S, R4W, thence West to the SE corner of T27S, R5W, thence South to the SE corner of T30S, R5W, thence West to the SW corner of T30S, R6W, thence north to the NW corner of T29S, R6W, thence West to the SW corner of T28S, R7W thence North to the NW corner of T27S, R7W, thence East to the NE corner of T27S, R7W, thence North to the NW corner of T26, R6W, thence East to the NE corner of T26, R6W, thence North to the NW corner of T25S, R5W, thence East to the point of beginning.~~

~~(e) The Willamette Valley Open Burning Control Area, defined as follows: --All of Benton, Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill counties and that portion of Lane County east of Range 7 west.]~~

(25)[~~(13)~~]"Person" means any individual, corporation, association, firm, partnership, joint stock company, public or municipal corporation, political subdivision, the state [~~and~~] or any

agency thereof, [~~and~~] or the federal government [~~and~~] or any agency thereof.

(26) "Population" means the annual population estimate of incorporated cities within the State of Oregon issued by the Center for Population Research and Census, Portland State University, Portland, Oregon.

~~(26) "Regional Authority" means the Lane Regional Air Pollution Authority.~~

(27) "Ventilation index" means a calculated number indicating the ability of the atmosphere to disperse pollutants. The ventilation index is the product of the meteorological mixing height in hundreds of feet and the average wind speed through the mixed layer in knots.

~~(16) "Special Control Area" means an area within the Willamette Valley Open Burning Control Area which includes:~~

~~(a) Any area in or within three (3) miles of the boundary of any city of more than 1,000 but less than 45,000 population;~~

~~(b) Any area in or within six (6) miles of the boundary of any city of 45,000 or more population;~~

~~(c) Any area between areas established by this rule where the boundaries are separated by three (3) miles or less;~~

~~(d) Whenever two or more cities have a common boundary, the total population of these cities will determine the control area classification and the municipal boundaries of each of the cities shall be used to determine the limit of the control area.~~]

(29) "Slash" means forest debris created as a result of a forest logging operation which is governed by the forest practices act and is burned under the smoke management plan administered by the Oregon Department of Forestry pursuant to ORS 477.515.

(30)[(~~17~~)]"Waste" means any useless or discarded materials. Each waste material is categorized in these rules as agricultural, commercial, construction, demolition, domestic or industrial.

(31) "Yard debris" means wood, needle or leaf materials from trees, shrubs or plants from the real property appurtenent to a dwelling of not more than four (4) family living units so long as such debris remains on the property of origin. Yard debris is included in the definition of domestic waste.

Exemptions, Statewide

340-23-035 The provisions of these rules shall not apply to:

(1) Fires set for traditional recreational purposes and traditional ceremonial occasions for which a fire is appropriate provided that no [waste] materials which may emit dense smoke or noxious odors as prohibited in section [340-22-040(7)] 340-23-042(3) are burned. [~~included as any part of the fuel used for such fires.~~]

(2) Any barbecue equipment [~~not used for commercial or fund raising purposes, nor to any barbecue equipment used for commercial or fund raising purposes for no more than two periods in any calendar year, each such period not to exceed two consecutive weeks in any single area.~~]

(3) Fires set or[~~allowed~~] permitted by any public agency when such fire is set or [~~allowed-to-be-set~~] permitted in the performance of its official duty for the purpose of weed abatement, prevention or elimination of a fire hazard, hazard to public health or safety or instruction of employes in the methods of fire fighting, [~~and~~] which in the opinion of the [~~public~~] agency [~~responsible-for-such fires~~] is necessary.

(4)[~~(5)~~] Open burning on forest land permitted under the forest practices Smoke Management Plan filed with the Secretary of State pursuant to ORS 477.515.

(5)[~~(6)~~] Fires set pursuant to permit for the purpose of instruction of employees of private industsrial concerns in methods of fire fighting, or for civil defense instruction.

General Requirements Statewide [~~and--Prohibitions~~]

340-23-040 [the entire text of Rule 340-23-040 is deleted and the following is substituted therefor]

(1) All Open burning shall be constantly attended by a responsible person or an expressly authorized agent until extinguished.

(2) Each person who is in ownership, control or custody of real property on which open burning occurs including any tenant there of or is in ownership or control of material which is burned shall be considered a responsible person for the open burning. Any person

who causes or allows open burning to be initiated or or maintained shall also be considered a responsible person.

(3) It shall be the duty of each responsible person to promptly extinguish any open burning which is in violation of any rule of the Commission unless the Department has given written approval to use auxilary combustion equipment or combustion promoting materials to minimize smoke production.

(4) To promote efficient burning and prevent excessive emissions of smoke, each responsible person shall:

(a) Assure that all combustible material is dried to the extent practicable. This action shall include covering the combustible material during rainy weather when practicable. However, nothing in this section shall be construed to authorize any violation of OAR 340-23-042(1) or 340-23-042(2).

(b) Loosely stack or windrow the combustible material in such a manner as to eliminate dirt, rocks and other non-combustible material and promote an adequate air supply to the burning pile and provide the necessary tools and equipment for the purpose.

(c) Periodically restack or feed the burning pile and insure that combustion is essentially completed and smoldering fires are prevented and provide the necessary tools and equipment for the purpose.

(5) Open burning in compliance with the rules in this Division 23 does not exempt any person from any civil liability for consequences or damages resulting from such burning, nor does it exempt any person from complying with other applicable laws, ordinances, regulations, rules, orders or decrees of other governmental entities having jurisdiction.

General Prohibitions Statewide

340-23-042 This Rule applies equally to otherwise authorized and unauthorized open burning.

(1) (a) No person shall continue or maintain any open burning which creates any of the following:

(A) a private nuisance;

(B) a public nuisance;

(C) a hazard to public safety.

(b) If any open burning creates any of the conditions listed in paragraph (a) hereof, the responsible person shall immediately abate the nuisance or hazard. This may be accomplished by terminating the burning or, with written approval from the Department, the use of auxillary combustion equipment or combustion promoting materials or other means.

(2) No person shall cause or allow to be initiated or maintained any open burning of any material which normally emits dense smoke or noxious odors such as, but not limited to any wet garbage, plastic, wire insulation, automobile part, asphalt, petroleum products, railroad ties, rubber products, animal remains, and animal or vegetable matter resulting from the handling, preparation, cooking, or service of food.

(3) No person shall cause or allow to be initiated any open burning in any part of the state on any day or at any time when the Department advises fire permit issuing agencies that open burning is not allowed in that part of the state because of adverse meteorological or air quality conditions. Adverse meteorological

conditions in any part of the state may be cause for the Department declare open burning prohibited in that part of the state. If open burning is not prohibited because of adverse meteorological conditions, then conditions are marginal within the meaning of ORS 468.450. Adverse meteorological conditions exist in an area under the following circumstances:

(a) Any area of the state affected by an Air Stagnation Advisory issued by the National Weather Service or an air pollution alert, warning or emergency.

(b) In the Willamette Valley Open Burning Control Area when the daily maximum Ventilation Index is less than 250.

(c) In the Rogue Basin or Umpqua Basin open burning control areas when the daily maximum Ventilation Index is less than 200.

(d) In any other area of the state when the daily maximum Ventilation Index is less than 150 for that area.

(4) When notified by the Department or other appropriate public official, no responsible person shall cause or allow to be initiated or maintained any open burning in any area of the state in which an air pollution alert, warning, or emergency has been declared pursuant to OAR 340-27-010 and 340-27-025(2), and is then in effect. Any open burning in progress at the time of such declaration shall be promptly extinguished or, with written approval of the Department, use auxillary combustion equipment or combustion promoting materials to minimize smoke production.

(5) Open burning at solid waste disposal sites is prohibited

unless authorized by a Solid Waste Permit issued as provided in OAR 340-61-005 through 340-61-085.

County listing of specific open burning rules

340-23-045 [the entire text of Rule 340-23-045 is deleted and the following is substituted therefor.]

In addition to the general prohibitions listed in OAR 340-23-042, specific prohibitions of Agricultural, Commercial, Construction, Demolition, Domestic and Industrial open burning are listed in separate rules for each county. The following list identifies the Rule where prohibitions of specific types of open burning applicable to a given county may be found.

County	OAR Number	County	OAR Number
Baker	340-23-050	Lake	340-23-050
Benton	340-23-052	Lane	340-23-057
Clackamas	340-23-053	Lincoln	340-23-050
Clatsop	340-23-050	Linn	340-23-052
Columbia	340-23-056	Malheur	340-23-050
Coos	340-23-060	Marion	340-23-052
Crook	340-23-050	Morrow	340-23-050
Curry	340-23-050	Multnomah	340-23-054
Deschutes	340-23-050	Polk	340-23-052
Douglas	340-23-062	Sherman	340-23-050
Gilliam	340-23-050	Tillamook	340-23-050
Grant	340-23-050	Umatilla	340-23-050
Harney	340-23-050	Union	340-23-050
Hood River	340-23-050	Wallowa	340-23-050
Jackson	340-23-064	Wasco	340-23-050
Jefferson	340-23-050	Washington	340-23-055
Josephine	340-23-064	Wheeler	340-23-050
Klamath	340-23-050	Yamhill	340-23-052

OAR 340-23-050 [The entire text of OAR 340-23-050 is deleted and the following is substitued therefor]

Open burning prohibitions for the counties of Baker, Clatsop, Crook, Curry, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Lincoln, Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco and Wheeler.

(1) Industrial open burning is prohibited

(2) Agricultural open burning is not specifically regulated by the Department in these counties except as provided in OAR sections 340-23-042(4) and 340-23-042(5).

(3) Commercial open burning may be permitted in these counties subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042, except that commercial open burning is prohibited in or within three (3) miles of the corporate city limits of the following cities:

(a) In Baker County, the city of:

(A) Baker

(b) In Clatsop County, the cities of:

(A) Astoria

(B) Seaside

(c) In Crook County, the city of:

(A) Prineville

(d) In Deschutes County, the cities of:

(A) Bend

(B) Redmond

(e) In Hood River County, the city of:

(A) Hood River

(f) In Klamath County, the city of:

(A) Klamath Falls

(g) In Lincoln County, the cities of:

(A) Lincoln City

(B) Newport

(h) In Malheur County, the city of:

(A) Ontario

(i) In Umatilla County, the cities of:

(A) Hermiston

(B) Milton Freewater

(C) Pendleton

(j) In Union County, the city of:

(A) La Grande

(k) In Wasco County, the city of:

(A) The Dalles

(4) Construction and Demolition open burning may be

permitted in these counties subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042, except that Construction and Demolition open burning is prohibited in or within three (3) miles of the corporate city limits of the following cities:

(a) In Baker County, the city of:

(A) Baker

(b) In Clatsop County, the cities of:

(A) Astoria

(B) Seaside

(c) In Crook County, the city of:

(A) Prineville

(d) In Deschutes County, the cities of:

(A) Bend

(B) Redmond

(e) In Hood River County, the city of:

(A) Hood River

(f) In Klamath County, the city of:

(A) Klamath Falls

(g) In Malheur County, the city of:

(A) Ontario

(h) In Umatilla County, the cities of:

(A) Hermiston

(B) Milton Freewater

(C) Pendleton

(i) In Union County, the city of:

(A) La Grande

(j) In Wasco County, the city of:

(A) The Dalles

(5) Domestic open burning may be permitted in all areas of the counties named in this rule but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042

340-23-052

Open burning prohibitions for Benton, Linn, Marion, Polk, and Yamhill counties which form a part of the Willamette Valley open burning control area described in OAR 340-23-080.

(1) Industrial open burning is prohibited.

(2) Agricultural open burning is regulated in these counties by OAR 340-26-005 through 340-26-030, (Agricultural Operations), and the requirements of local jurisdictions.

(3) Commercial open burning is prohibited in these counties.

(4) Construction and Demolition open burning may be permitted in these counties on days when the Department

has notified fire permit agencies that open burning may be allowed. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042, except that Construction and Demolition open burning is prohibited within special control areas. Special control areas are defined in OAR 340-23-080(5) and are identified as:

(a) Areas in or within six (6) miles of the corporate city limit of Salem in Marion County.

(b) Areas in or within three (3) miles of the corporate city limit of:

(A) In Benton County, the cities of:

(i) Corvallis

(ii) Philomath

(B) In Linn County, the cities of:

(i) Albany

(ii) Brownsville

(iii) Harrisburg

(iv) Lebanon

(v) Mill City

(vi) Sweet Home

(C) In Marion County, the cities of:

(i) Aumsville

(ii) Hubbard

(iii) Jefferson

(iv) Mt. Angel

(v) Silverton

(vi) Stayton

(vii) Sublimity

(viii) Turner

(ix) Woodburn

(D) In Polk County, the cities of:

(i) Dallas

(ii) Independence

(iii) Monmouth

(E) In Yamhill County, the cities of:

(i) Amity

(ii) Carlton

(iii) Dayton

(iv) Dundee

(v) Lafayette

(vi) McMinnville

(vii) Newberg

(viii) Sheridan

(ix) Willamina

(5) Domestic open burning

(a) Domestic open burning is prohibited in the special control areas named in Section (4) of this Rule except that open burning of yard debris may be permitted in these areas on days the Department has notified fire permit issuing agencies that

(3) Commercial open burning is prohibited in Clackamas county.

(4) Construction and Demolition open burning may be permitted in Clackamas county on days when the Department has notified fire permit agencies that open burning may be allowed. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042, except that Construction and Demolition open burning is prohibited within special control areas of Clackamas County as defined in OAR 340-23-080(5) and identified as:

(a) Areas in or within six (6) miles of the corporate city limit of:

(A) Gladstone,

(B) Happy Valley,

(C) Lake Oswego,

(D) Milwaukie,

(E) Oregon City,

(F) Portland,

(G) Rivergrove,

(H) West Linn.

(b) Areas in or within three (3) miles of the corporate city limit of

(A) Canby,

(B) Estacada,

open burning may be allowed beginning March first and ending June fifteenth inclusive, and beginning October first and ending December fifteenth, inclusive. Such open burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(b) Domestic open burning may be permitted outside of special control areas in these counties on any day the Department has notified fire permit issuing agencies that open burning may be allowed. Such open burning to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(C) No person shall cause or allow to be initiated or maintained any domestic open burning within these counties other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department notice.

340-23-053 Open burning prohibitions for Clackamas County.

(1) Industrial open burning is prohibited

(2) Agricultural open burning is regulated in Clackamas County by OAR 340-26-005 through 340-26-030, (Agricultural Operations) and the requirements of local jurisdictions.

(C) Gresham,

(D) Molalla,

(E) Sandy,

(F) Wilsonville.

(5) Domestic open burning

Area prohibited to domestic open burning

(a) As generally depicted in Figure 1 of OAR 340-23-080 Domestic open burning is prohibited in Clackamas county within the following fire districts:

(A) Clackamas Co. RFPD #1

(B) that portion of Clackamas RFPD #71 which lies west of I-205.

(C) Glenmorrie RFPD #66

(D) Gladstone

(E) Lakegrove RFPD #57

(F) Lake Oswego

(G) Milwaukie

(H) Oregon City

(I) Oak Lodge

(J) Portland

(K) Riverdale RFPD #60

(L) Rosemont RFPD #67

(M) that part of Tualatin RFPD #64 which lies north of I-205.

(N) West Linn

(b) Domestic open burning is prohibited in the following fire districts except that open burning of yard debris may be permitted on any day when the Department has notified fire permit issuing agencies that open burning is allowed on a day between March first and June fifteenth inclusive and between October first and December fifteenth inclusive, subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 an the prohibitions of OAR 340-23-042.

(A) Beaver Creek RFPD #55

(B) Boring RFPD #59

(C) Canby

(D) Canby RFPD #62

(E) Clackamas Co. RFPD #54

(F) that portion of Clackamas RFPD #71 which lies east of I-205

(G) Sandy RFPD #72

(H) that portion of Tualatin RFPD #64 which lies south of I-205.

(c) Domestic open burning may be permitted in the areas of Clackamas County not covered in subsections (a) and (b) of this section on any day when the Department has notified fire permit issuing agencies that open burning may be allowed but is subject to local jurisdiction, the general

requirements of ORS 340-23-040 and the prohibitions of OAR 340-23-042.

(d) No person shall cause or allow to be initiated or maintained any domestic open burning within Clackamas County other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department notice.

340-23-054 Open burning prohibitions for Multnomah County.

(1) Industrial open burning is prohibited

(2) Agricultural open burning is regulated in Multnomah County by OAR 340-26-005 through 340-26-030, (Agricultural Operations), and the requirements of local jurisdictions.

(3) Commercial open burning is prohibited in Multnomah County.

(4) Construction and Demolition open burning is prohibited west of the Sandy River but may be permitted east of the Sandy River on a day when the Department has advised fire permit issuing agencies that open burning may be allowed. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Domestic open burning.

Areas prohibited to domestic open burning

(a) As generally depicted in Figure 1 of OAR 340-23-

domestic open burning is prohibited in Multnomah County west of the Sandy River except that open burning of yard debris may be permitted in the areas listed in Paragraphs (A) through (E) of this subsection on any day when the Department has advised fire permit issuing agencies that open burning may be allowed from March first to June fifteenth inclusive and from October first to December fifteenth inclusive. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(A) All unincorporated area between the Sandy River and the Troutdale or Gresham city limit.

(B) Skyline RFPD 20

(C) Sauvie Island

(D) Burlington Water District

(E) Unincorporated area outside the jurisdiction of Fire Protection Districts in Northwestern Multnomah County.

(b) Domestic open burning may be permitted east of the Sandy River on any day when the Department has advised fire permit issuing agencies that open burning may be allowed. Such burning is subject

to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(c) No person shall cause or allow to be initiated or maintained any domestic open burning within Multnomah County other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department notice.

340-23-055

Open burning prohibitions for Washington County.

(1) Industrial open burning is prohibited

(2) Agricultural open burning is regulated in Washington County by OAR 340-26-005 through 340-26-030, (Agricultural Operations), and the requirements of local jurisdictions.

(3) Commercial open burning is prohibited in Washington County.

(4) Construction and Demolition open burning is prohibited in all incorporated areas and areas within rural fire protection districts. Construction and demolition open burning may be permitted in other areas of Washington county on any day when the Department has advised fire permit issuing agencies that open burning may be allowed subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Domestic open burning

Area prohibited to domestic open burning

(a) As generally depicted in Figure 1 of OAR 340-23-08. domestic open burning is prohibited in the following areas of Washington County:

(A) Beaverton Fire District

(B) River Grove Rural Fire Protection District #57

(C) Portland Fire District

(D) That portion of Tualatin RFPD including the cities of Tualatin, Durham, Tigard and King City, which is north of a line starting at the point where I-205 crosses the Washington-Clackamas County line, westward along I-205 to the Tualatin city limit at I-5, thence southward and westward along the Tualatin city limit eventually turning northward to the Tualatin River, thence westward along the Tualatin River to highway 99W, thence northward along highway 99W to Fisher Road, thence westward along Fisher Road to 131st Avenue, thence northward along the King City city limit to its northern most point and continuing due north to the Tigard city limit, thence northward along the Tigard city limit to the boundary of the Tualatin Rural Fire Protection District.

(E) That part of Washington County Rural Fire Protection District number one which is within the Metropolitan Service district.

(F) That part of Washington County Rural Fire Protection District number two starting at the point where highway 26 crosses the eastern boundary of the fire district, thence westward along highway 26 to Cornelius Pass Road, thence northward along Cornelius Pass Road to West Union Road, thence eastward along West Union Road to the fire district boundary, thence southerly along the district boundary to the point of beginning.

(b) Domestic open burning is prohibited in the following areas except that open burning of yard debris may be allowed in these areas on any day when the Department has notified fire permit issuing agencies that open burning is allowed on a day between March first and June fifteenth inclusive and between October first and December fifteenth inclusive. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of 340-23-042.

(A) Within the corporate city limit of Cornelius.

(B) Within the corporate city limit of Forest Grove.

(C) Within the corporate city limit of Hillsboro.

(D) That portion of Tualatin RFPD not included in paragraph (a)(D) of this section.

(E) Within Cornelius RFPD

(F) Within Gaston RFPD

(G) Within Forest Grove RFPD

(H) Within that part of Washington County RFPD number 1 outside of the Metropolitan Service District.

(I) Within Washington County RFPD number 2 except for the portion included in paragraph (A)(vi) of this subsection.

(c) Domestic open burning may be permitted in the Tri cities RFPD and unincorporated areas <u>of Washington County outside of rural fire protection districts</u> on any day that fire permits may be issued. Such burning is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(d) No person shall cause or allow to be initiated or maintained any domestic open burning within Washington County other than during daylight hours

between 7:30 a.m. and two hours before sunset unless otherwise specified by Department notice.

340-23-056 Open burning prohibitions for Columbia County

(1) Industrial open burning is prohibited.

(2) Agricultural open burning is not specifically regulated by the Department in Columbia County except as provided in subsections 340-23-042(4) and 340-23-042(5).

(3) Commercial open burning is prohibited in Columbia County.

(4) Construction and demolition open burning

(a) Construction and Demolition open burning is prohibited in and within three (3) miles of the city limits of:

(A) Clatskanie,

(B) Rainier,

(C) St. Helens,

(D) Scappoose,

(E) Vernonia.

(b) Construction and Demolition open burning may be permitted in all other parts of Columbia County subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Domestic open burning may be permitted in all areas of Columbia County subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

Open burning prohibitions for Lane County. That portion of Lane County east of Range 7 West forms a part of the Willamette Valley open burning control area described in OAR 340-23-080(5).

(1) The rules and regulations of the Lane Regional Air Pollution Authority shall apply to all open burning in Lane County provided such rules are no less stringent than the provisions of these rules and further provided that the Lane Regional Air Pollution Authority may not regulate open burning as a part of agricultural operations.

(2) Industrial open burning is prohibited

(3) Agricultural open burning is regulated in Lane County by OAR 340-26-005 through 340-26-030, (Agricultural Operations), and the requirements of local jurisdiction.

(4) Commercial open burning is prohibited in Lane County east of Range 7 West and in and within three (3) miles of the city limit of Florence on the coast. Commercial open burning may be permitted in the remaining areas of Lane County subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Construction and Demolition open burning is prohibited within all special control areas but may be permitted elsewhere in Lane County subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042. Special control areas in Lane County are those areas defined in OAR 340-23-080(5) and are identified as:

(a) In and within six (6) miles of the corporate city limit of Eugene and Springfield.

(b) In and within three (3) miles of the corporate city limit of:

(A) Cottage Grove,

(B) Creswell,

(C) Junction City,

(D) Oakridge,

(E) Veneta.

(6) Domestic open burning.

(a) West of Range 6 West, domestic open burning may be permitted but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(b) East of Range 7 West domestic open burning is:

(A) Prohibited within all special control areas listed in Section (5) of this Rule except that open burning of yard debris may be permitted on any day when the Department has advised fire permit issuing agencies that open burning may be allowed between March first and June fifteenth inclusive and between October first and December fifteenth inclusive subject to the requirements of local jurisdiction, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(B) Domestic open burning may be permitted outside of special control areas on any day the Department has notified permit issuing agencies that open burning may be allowed subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(C) No person shall cause or allow to be initiated or maintained any domestic open burning in Lane County east of Range 6 west other than during daylight hours between 7:30 a.m. and two hours before sunset unless otherwise specified by Department notice.

340-23-060 Open burning prohibitions for Coos County.

(1) The Coos Bay open burning control area as generally depicted and described in OAR 340-23-080 is located in Coos County.

(2) Industrial open burning is prohibited in all areas of the state.

(3) Agricultural open burning is not specifically regulated by the Department in Coos County except as provided in OAR 340-23-042(4) and OAR 340-23-042(5).

(4) Commercial open burning is prohibited within the Coos Bay open burning control area and in or within three (3) miles of the corporate city limit of Coquille. Commercial open burning may be permitted in all other areas of Coos County but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Construction and Demolition open burning is prohibited within the Coos Bay open burning control area. Construction and Demolition open burning may be permitted in other areas of Coos County but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(6) Domestic open burning may be permitted in Coos County but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

340-23-062 Open burning prohibitions for Douglas County:

(1) The Umpqua Basin open burning control area as generally depicted and described in Figure 5 of OAR 340-23-080, is located in Douglas county.

(2) Industrial open burning is not permitted.

(3) Agricultural open burning is not specifically regulated by the Department in Douglas County except as provided in OAR 340-23-042(4) and OAR 340-23-042(5).

(4) Commercial open burning is prohibited within the Umpqua Basin open burning control area and in or within three (3) miles of the corporate city limit of Reedsport. Commercial open burning may be permitted in all other areas of Douglas County but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Construction and Demolition open burning is prohibited within the Umpqua Basin open burning control area. Construction and Demolition open burning may be permitted in all other portions of Douglas County but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(6) Domestic open burning may be permitted in Douglas County but is subject to the requirements of local jurisdiction, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

340-23-064 Open burning prohibitions for Jackson and Josephine Counties.

(1) The Rogue Basin open burning control area as generally depicted and described in Figure 4 of OAR 340-23-080, is located in Jackson and Josephine Counties.

(2) Industrial open burning is prohibited

(3) Agricultural open burning is not specifically regulated by the Department in Jackson and Josephine Counties except as provided in OAR 340-23-042(4) and OAR 340-23-042(5).

(4) Commercial open burning is prohibited within the Rogue Basin open burning control area. Commercial open burning may be permitted in all other areas of Jackson and Josephine Counties but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

(5) Construction and Demolition open burning is prohibited within the Rogue Valley open burning control area. Construction and demolition open burning may be permitted in all other areas of Jackson and Josephine Counties but is subject to the requirements of local jurisdictions, the general requirements of OAR 340-23-040 and the prohibitions of 340-23-042.

(6) Domestic open burning may be permitted by the Department in Jackson and Josephine Counties but is subject to the requirements of local jurisdiction, the general requirements of OAR 340-23-040 and the prohibitions of OAR 340-23-042.

Exceptions to Open Burning Prohibitions

340-23-070

(1) Open Burning of commercial, industrial, construction and demolition waste which is otherwise prohibited may be allowed on a singly occurring or infrequent basis by a letter permit issued by

the Department in accordance with subsection (c) of this section, provided that the conditions set forth in subsections (a) and (b) of this section are met.

(a) An application for disposal of the waste by burning is made in writing to the Department, listing the following items:

(A) The quantity and type of waste to be burned,

(B) All efforts which have been made to dispose of the waste by other means,

(C) Expected time burning will require from start to finish,

(D) Methods to be used to insure complete and efficient combustion of the waste material

(E) Location of the expected burning site

(F) Distance and direction from the proposed burning site to nearest building not occupied by the applicant

(G) Frequency of the need for burning

(b) The Department may issue a letter permit in accordance with subsection (c) of this section if after considering a. the conditions of the airshed where the burning is to take place, b. other air pollution sources in the vicinity of the requested burning, c. availability of other methods of disposal, and d. frequency of occurrence and e. past history of applicant, the Department is satisfied that:

(A) All practicable alternatives have been explored and no practicable alternative method for disposal of the material exists.

(B) Significant degradation of air quality in the airshed will not occur as a result of allowing the burning.

(c) If the conditions in subsections (a) and (b) are satisfied the Department may issue a letter permit which must contain at least the following elements:

(A) Location at which the burning is to take place.

(B) Number of actual days on which burning may take place, not to exceed seven (7).

(C) Calendar period for which the permit is valid, not to exceed a period of fifteen consecutive days.

(D) Equipment and methods to be used by the applicant to insure that the burning is accomplished in the most efficient manner over the shortest period of time to minimize smoke production.

(E) Limitations, if any, on meteorological conditions required before burning may occur.

(F) Reporting requirements for both starting the fire each day and completion of the requested burning.

(G) A statement that OAR 340-23-040 and OAR 340-23-042 are fully applicable to all burning under the permit.

(d) For locations within Clackamas, Columbia, Multnomah and Washington Counties, letter permits may be issued only for the purpose of disposal of material resulting from emergency occurrences including, but not limited to floods, storms or oil spills.

(e) Requests for renewal of a letter permit shall be treated like a new application for a permit.

(f) Failure to conduct open burning according to the conditions, limitations, or terms of a letter permit, or any open burning in excess of that allowed by the letter permit shall be violation of the permit and shall be cause for assessment of civil penalties for

each violation as provided in OAR 340-12-030, 340-12-035, 340-12-040(3)(b), 340-12-045, and 340-12-050(3), or for other enforcement action by the Department.

(2) Forced-air pit incineration may be approved as an alternative to open burning prohibited by these rules, provided that the following conditions shall be met:

(a) The person requesting approval of forced air pit incineration shall demonstrate to the satisfaction of the Department that no feasible or practicable alternative to forced-air pit incineration exists.

(b) The forced-air pit incineration facility shall be designed, installed, and operated in such a manner that visible emissions do not exceed forty percent (40%) opacity for more than three (3) minutes out of any one (1) hour of operation following the initial thirty (30) minute startup period.

(c) The person requesting approval of a forced-air pit incineration facility shall obtain an Air Contaminant Discharge Permit, if required therefor, and the person shall be granted an approval of the facility only after a Notice of Construction and Application for Approval is submitted pursuant to OAR 340-20-020 through 340-20-030.

(3) Domestic open burning otherwise prohibited may be authorized by the Commission without public hearing for the purpose of disposing of debris created by unusual storms or natural disasters. Such

authorization shall be made for a specific limited time and shall include a finding that failure to authorize the burning will create a widespread hazard or hardship and other reasonable means of disposal are not available.

Records and Reports

340-23-075

(1) As required by ORS 478.960(7), fire permit issuing agencies shall maintain records of open burning permits and the conditions thereof, and shall submit such records or summaries thereof to the Commission as may be required. Forms for any reports required under this section shall be provided by the Department.

Open Burning Control Areas

340-23-080 Areas around the more densely populated locations in the state and valleys or basins which restrict atmospheric ventilation are designated open burning control areas. The practice of open burning may be more restrictive in open burning control areas than in other areas of the state. The specific open burning restrictions associated with these Open Burning Control Areas are listed in OAR 340-23-050 through OAR 340-23-064 under each appropriate county. Areas of the state named in sections of this rule are Open Burning Control Areas. Their general locations are depicted in Figure 2 of this rule. Open burning control areas of the state are:

open burning control areas include areas in or within three miles of the incorporated city limit of all cities with a population of 4,000 or more according to the latest population estimate of the Center for Population Research and Census at Portland State University.

(2) The Coos Bay Open Burning Control Area is located in Coos County with boundaries as generally depicted in Figure 3 of this rule. The area is enclosed by a line beginning at a point approximately 4-1/2 miles WNW of the City of North Bend, at the intersection of the north boundary of T25S, R13E, and the coast line of the Pacific Ocean; thence east to the NE corner of T26S, R12E; thence south to the SE corner of T26S, R12E; thence west to the intersection of the south boundary of T26S, R14W and the coastline of the Pacific Ocean; thence northerly and easterly along the coastline of the Pacific Ocean to its intersection with the north boundary of T25S, R13E, the point of beginning.

(3) The Rogue Basin Open Burning Control Area is located in Jackson and Josephine Counties with boundaries as generally depicted in Figure 4 of this rule. The area is enclosed by a line beginning at a point approximately 4-1/2 miles NE of the City of Shady Cove at the NE corner of T34S, R1W, Willamette Meridian; thence South along the Willamette Meridian to the SW corner of T37S, R1W; thence East to the NE corner of T38S, R1E; thence South to the SE corner of T38S, R1E; thence East to the NE corner of T39S, R2E; thence South to the

SE corner of T39S, R2E; thence West to the SW corner of T39S, R1E; thence NW along a line to the NW corner of T39S, R1W; thence West to the SW corner of T38S, R2W; thence North to the SW corner of T36S, R2W; thence West to the SW corner of T36S, R4W; thence South to the SE corner of T37S, R5W; thence West to the SW corner of T37S, R6W; thence East to the SW corner of T35S, R1W; thence North to the NW corner of T34S, R1W; thence East to the point of beginning.

(4) The Umpqua Basin Open Burning Control Area is located in Douglas County with boundaries as generally depicted in Figure 5 of this rule. The area is enclosed by a line beginning at a point approximately 4 miles WNW of the City of Oakland, Douglas County, at the NE corner of T25S, R5W, Willamette Meridian; thence South to the SE corner of T25S, R5W; thence East to the NE corner of T26S, R4W; thence South to the SE corner of T27S, R4W; thence West to the SE corner of T27S, R5W; thence South to the SE corner of T30S, R5W; thence West to the SW corner of T30S, R6W; thence north to the NW corner of T29S, R6W; thence West to the SW corner of T28S, R7W thence North to the NW corner of T27S, R7W; thence East to the NE corner of T27S, R7W; thence North to the NW corner of T26, R6W; thence East to the NE corner of T26, R6W; thence North to the NW corner of T25S, R5W; thence East to the point of beginning.

(5) The boundaries of the Willamette Valley Open Burning Control Area are generally depicted in Figure 2 of this rule. The area includes all of Benton, Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill counties and that portion of Lane County east of Range 7 West.

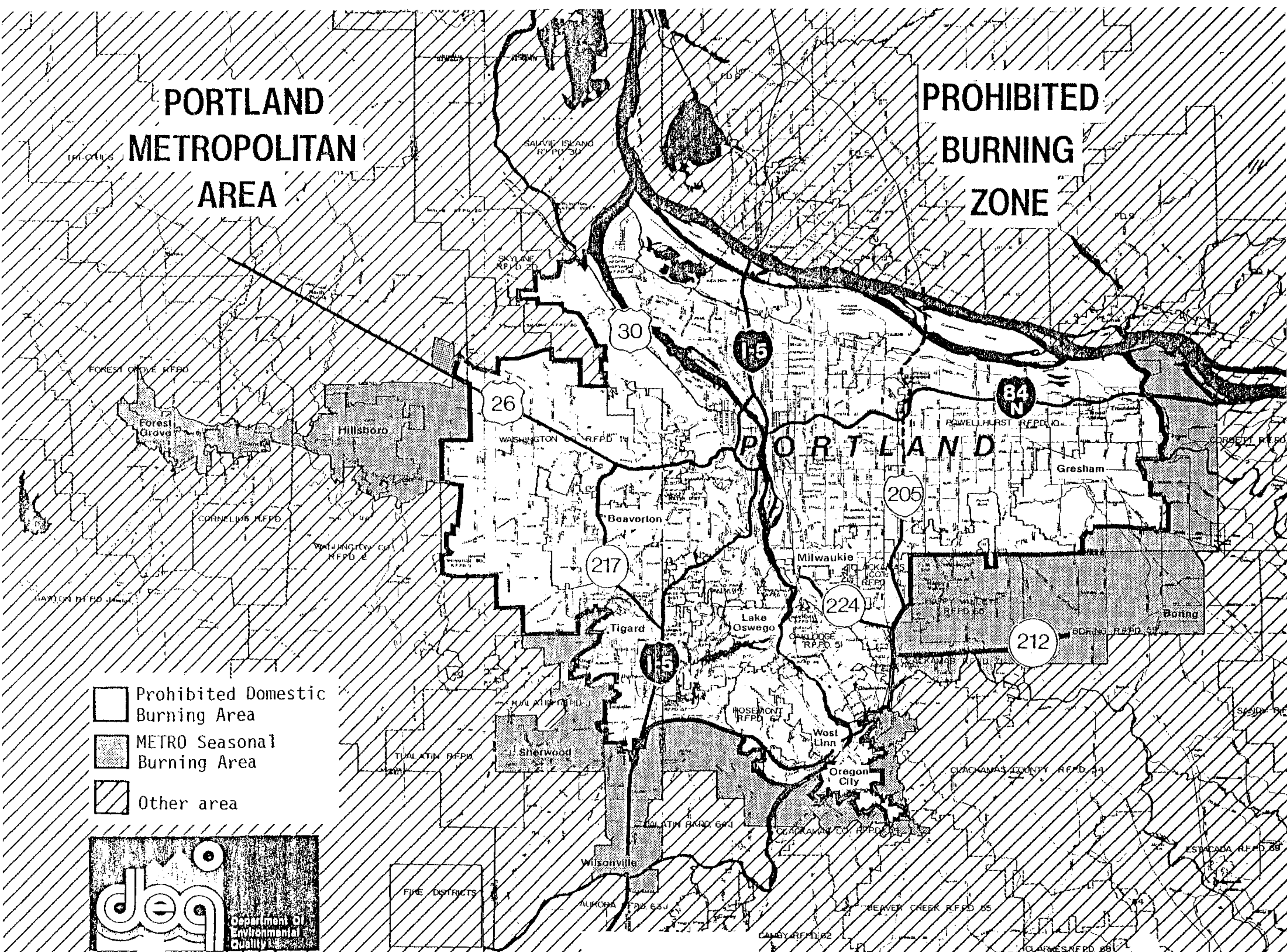
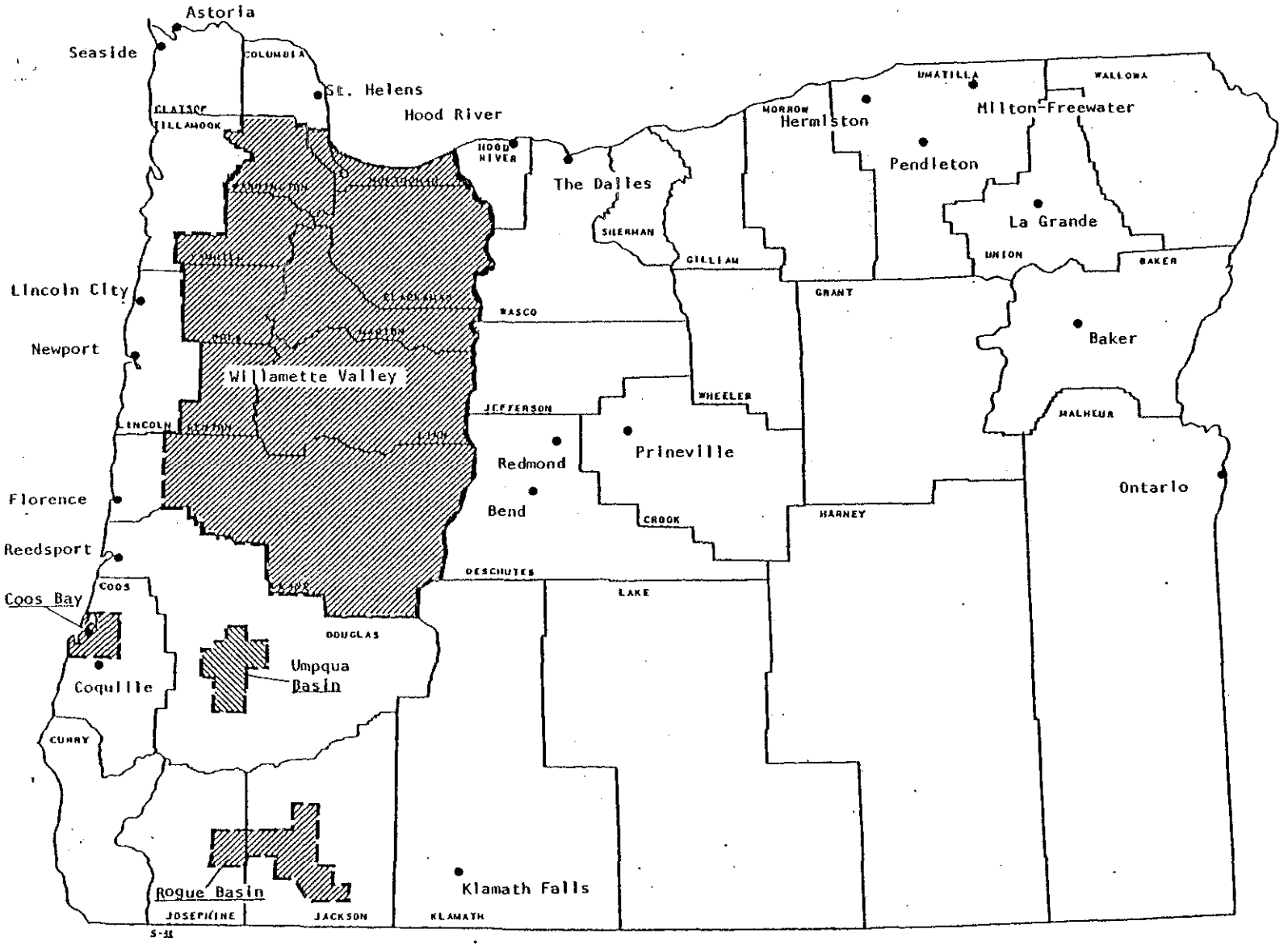

PORTLAND METROPOLITAN AREA
PROHIBITED BURNING ZONE
Prohibited Domestic Burning Area
METRO Seasonal Burning Area
Other area
Department Of Environmental Quality
PORTLAND
Forest Grove
Hillsboro
Beaverton
Tigard
Lake Oswego
Milwaukie
Gresham
Boring
West Linn
Oregon City
Sherwood
Wilsonville
30
26
I-5
84 N
205
217
224
212
SAUVIE ISLAND R.F.P.D. 30
SKYLINE R.F.P.D. 20
FOREST GROVE R.F.P.D.
WASHINGTON CO. R.F.P.D. 1
CORNELIUS R.F.P.D.
WASHINGTON CO. R.F.P.D. 2
POWELLHURST R.F.P.D. 10
HAPPY VALLEY R.F.P.D. 65
BORING R.F.P.D. 59
TUALATIN R.F.P.D.
TUALATIN R.F.P.D. 64J
ROSEMONT R.F.P.D. 67
CLACKAMAS COUNTY R.F.P.D. 54
AURORA R.F.P.D. 63J
BEAVER CREEK R.F.P.D. 55
CANBY R.F.P.D. 62
ESTACADA R.F.P.D. 69
FIRE DISTRICTS

FIGURE 1

OPEN BURNING CONTROL AREAS



OPEN BURNING CONTROL AREAS

● CITIES EXCEEDING POPULATION OF 4,000

FIGURE 2

COOS BAY OPEN BURNING CONTROL AREA
(Coquille Control Area Shown As Circle)

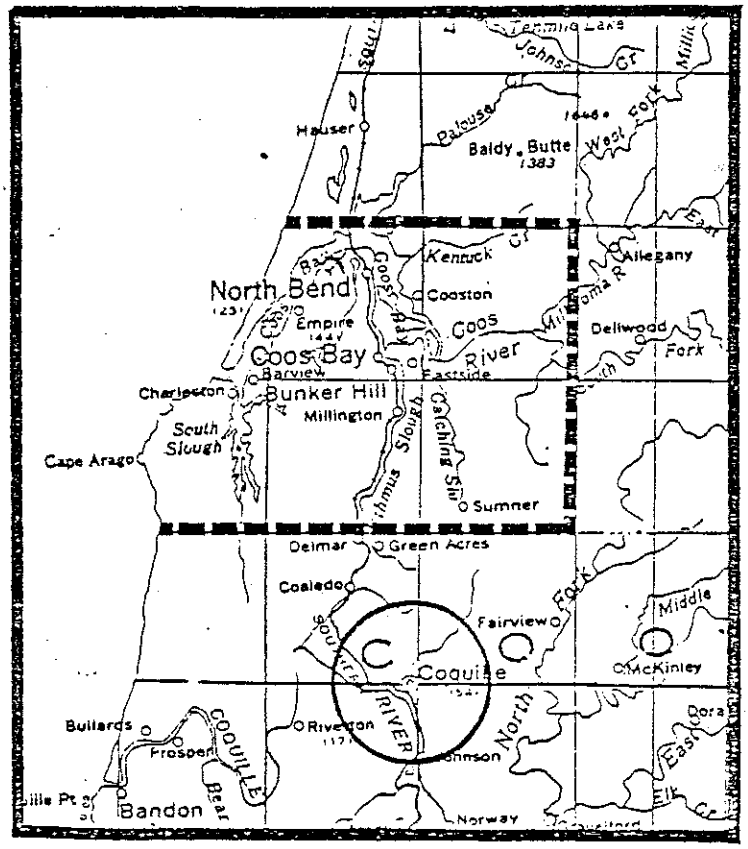


FIGURE 3

ROGUE BASIN OPEN BURNING CONTROL AREA

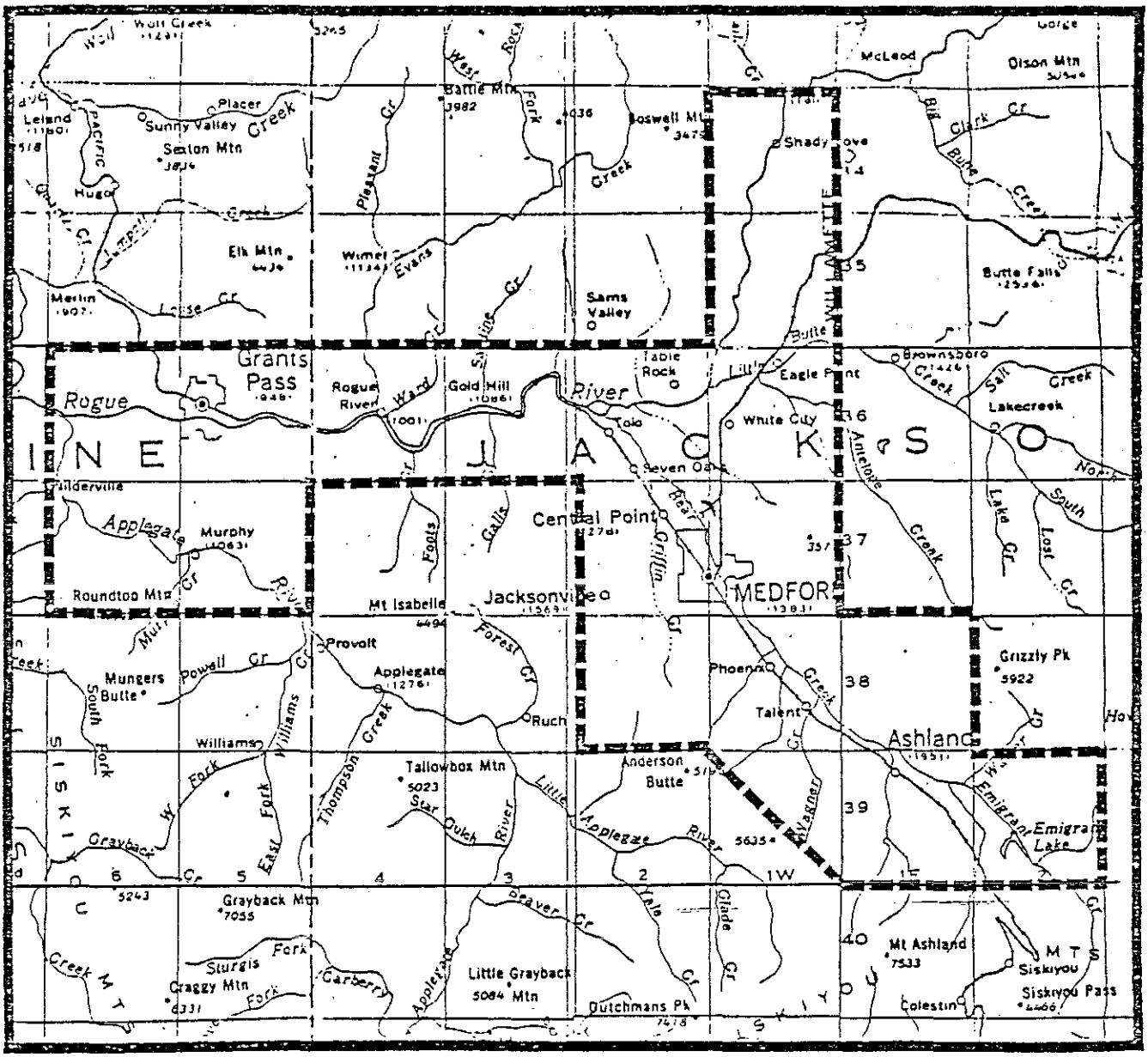


FIGURE 4

UMPQUA BASIN OPEN BURNING CONTROL AREA

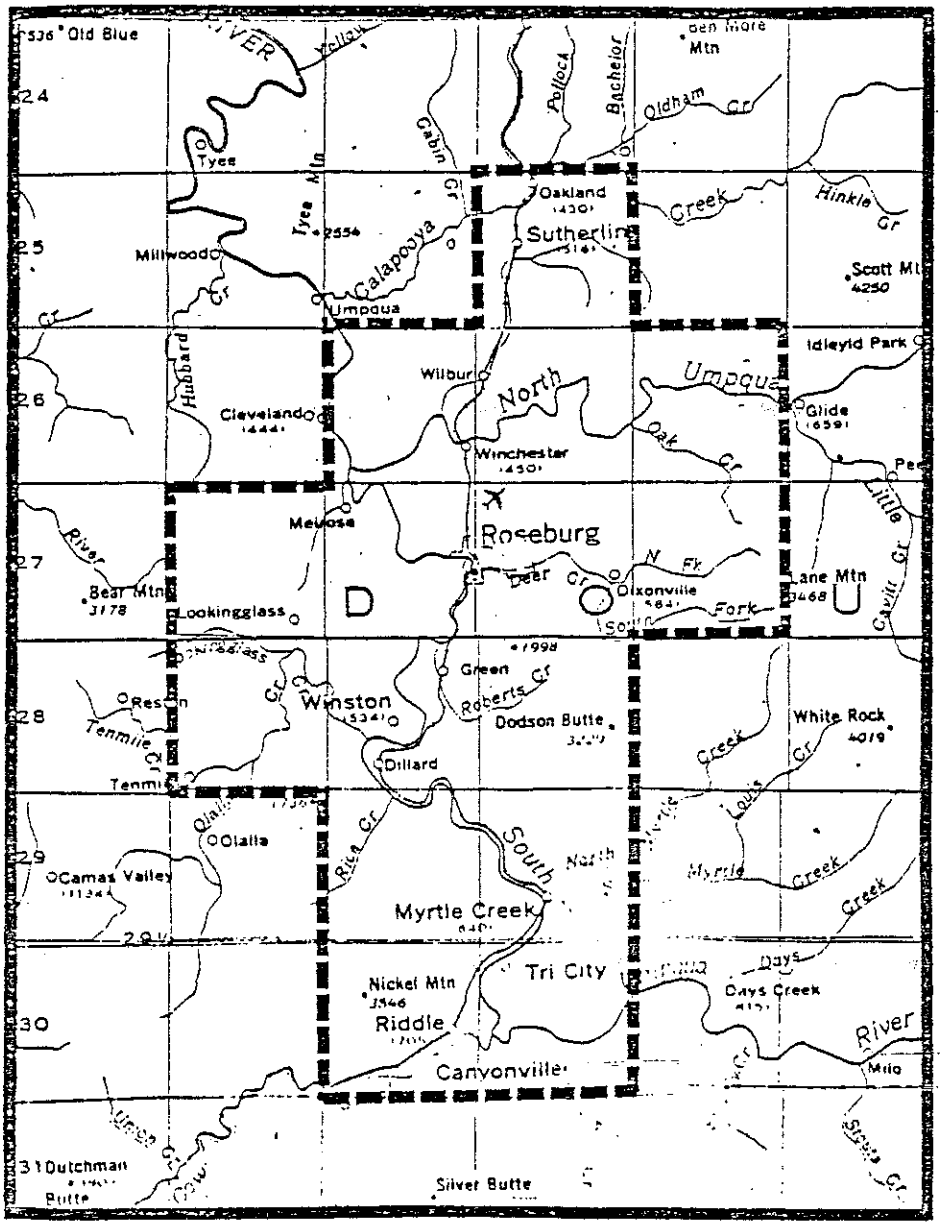


FIGURE 5

Open Burning

340-30-070 [~~No open burning of domestic waste shall be initiated on any day or at any time when the Department advises fire permit issuing agencies that open burning is not allowed because of adverse meteorological or air quality conditions.~~] Any open burning within the Medford-Ashland AQMA shall be in accordance with OAR 340-23-022 through OAR 340-23-080.

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. E, September 19, 1980, EQC Meeting

Request for Authorization to Conduct a Public Hearing to Amend the State Implementation Plan for the Portland AQMA Total Suspended Particulate Control Strategy.

Background

The Portland Air Quality Maintenance Area (AQMA) is designated non-attainment for secondary particulate standards. The 1977 Clean Air Act Amendments required states exceeding particulate standards to revise their particulate State Implementation Plans and obtain EPA approval by July 1, 1979 or incur EPA sanctions. The exception to this requirement was that states exceeding secondary particulate standards primarily because of non-traditional source impacts (i.e. road dust or other area sources) could obtain an 18-month extension. Because of ongoing airshed studies at the time, the Department elected to opt for the extension.

As the Portland Aerosol Characterization Study has indicated, the Portland AQMA exceeds particulate standards predominately because of non-traditional source impacts such as road dust and residential wood burning. Thus, this SIP revision concentrates on such non-traditional area source categories. Two areas of uncertainty complicated the particulate SIP revision process. First, EPA is re-evaluating the appropriateness of the current particulate standards and may revise those standards in the next 6 to 36 months. Because of the uncertainty of the standard, SIP Revision Plan efforts were directed toward identifying and scheduling studies of the most valuable potential effective control strategies. Secondly, most of the potential control techniques for non-traditional emission sources are not proven, and thus there is uncertainty in predicting how effective various non-traditional source controls will be. Efforts were thus directed to identify a possible mix of strategies which may meet the secondary standard if they are found to be effective and practicable.

Recommendations on the SIP Revision effort were solicited and considered by The Portland Air Quality Advisory Committee which met over 30 times during a two year period. Most of their recommendations are believed to be acceptable and have been incorporated herein.

The Evaluation Section of this report summarizes the SIP revision and disusses the major issues of controversy. The Public Notice is presented in Attachment 1. The Statement of Need is presented in Attachment 2. EPA SIP guidance on SIP Plan Requirements is presented in Attachment 3 and the proposed SIP revision in Attachment 4.

Evaluation

Because of the uncertainty of the TSP standard and non-traditional source control techniques, this proposed SIP revision is not a firm control strategy but commits to study and evaluate 8 of the most promising non-traditional source control strategies. The SIP commits the state to evaluate the effectiveness of control strategies in each of these categories and lays out a combination of control strategy programs and schedules which could produce attainment if the strategies are workable and as effective as has been assumed.

The strategies and demonstration projects which this plan commits to study and evaluate, include:

o Control strategies for winter sanding

Local jurisdictions have agreed to revise their sanding programs or to evaluate revising them in the following areas: 1) applying less sanding materials 2) applying sanding materials with less fine material, or 3) 3) cleaning up sanded streets sooner after application.

o Control strategies for construction site trackout

Some local jurisdictions have agreed to evaluate whether their construction site trackout control activities are adequate and to consider modifications. Current building codes will be evaluated and building inspectors may conduct additional enforcement work.

o Efforts to reduce vehicle miles travelled

Metro is working to develop transportation control measures which could slow the region's growth in vehicle miles travelled (VMT). Although no firm commitments are possible, at this time the Department's best estimate is that these efforts may be able to slow the projected growth of 25% in VMT during the period from 1977 to 1987 to 10% for a 15% reduction in expected 1987 traffic levels.

o Programs to reduce emissions from residential wood burning

Several different programs will be developed to address residential wood burning. Some special monitoring will help track whether projected wood burning impacts are actually occurring. Weatherization programs which reduce heating needs and thereby reduce emissions will be supported by the Department. The Department will pursue a variety of funding sources in the attempt to develop emission control techniques for residential wood burning. Most promising among these programs are educational programs to encourage the use of drier wood, an emission certification program for new units and the development of air supply control techniques or add-on hardware which reduce particulate emissions.

o A ban on open burning

The current EQC rules prohibit open burning after December 31, 1980.

o Street sweeping programs

A street sweeping demonstration project will be conducted by the city of Portland with DEQ assistance. If the project demonstrates that sweeping can effectively reduce particulate concentrations then expansion of existing sweeping programs will be strongly considered.

o Programs to identify and control major unpaved areas and dirt trackout sources

Control of the most significant dirt trackout sources within the particulate nonattainment area will be identified. Projects with reasonable control costs will be proposed for implementation.

o Programs to identify local sources impacting areas which are projected to exceed primary particulate standards by 1987.

Micro-scale emission inventories will be developed for areas projected to exceed primary standards by 1987. Historical monitoring indicates these locations have more large particulates than typical sites which implies local fugitive dust sources have a significant impact. Reasonable controls for the identified local fugitive dust sources will be considered for implementation.

Additional industrial source control strategies were evaluated by the Department but were found to be substantially less cost-effective than the potential area source strategies. Industrial particulate sources have been well-controlled under previous SIP revisions and field enforcement activities have maintained those controls. The PACS study indicated that industry generally now is a small contributor to the particulate problem

in the Portland area. EPA has agreed that reasonably available control technology (RACT) has been applied to Portland area industrial particulate sources in March 2, 1979 correspondence with the Department.

This SIP revision identifies target dates when various area source control programs could be initiated and a goal for when they would be implemented, if they are workable. These commitments are tempered, however, with statements that some of these non-traditional strategies may not be practicable on the time schedule that has been delineated and that the entire strategy may need to be revised as the result of a new standard being adopted by EPA.

Nonattainment Area Redesignation

Computer modeling work during the past year has enabled the Department to more clearly define the actual areas projected to exceed particulate standards. So as to comply with the Alabama Power court case decision, which directed EPA to use nonattainment boundaries representative of the actual nonattainment area, this proposed SIP revision would revise the Portland AQMA Nonattainment Area boundaries to the smaller geographic area projected to exceed particulate standards in 1987. This would relieve new sources which do not significantly impact the nonattainment area, from having to obtain offsets.

Three major issues should be considered by the Commission as they review this proposed SIP revision. First, the Federal standard for total suspended particulates may be revised in the near future. If this occurs, will the EQC have the flexibility to revise this SIP revision if the Department's priorities for control strategies are different under the new standard? A statement expressing the intent of the State of Oregon to have that flexibility has been included in the SIP summary to try to address this concern.

Secondly, does this SIP revision irrevocably commit the State to implement the various or equivalent programs discussed in the SIP under the assumed schedule even if a particular strategy is later determined to be unworkable or ineffective? Could a citizen suit force the Department to implement a program which the State has committed to try to develop but later found unreasonable? To protect against this possibility, statements have been made throughout the SIP that the various programs would be implemented only to the extent they are practicable, workable, implementable, and have reasonable cost. If the Commission desires that this SIP revision contain fewer possible commitments to EPA, certain elements could be removed such as:

- o the quantified strategy impact estimates in ug/m^3
- o the goal dates specified for when the strategies may be implemented
- o open burning ban rules

In taking such actions, the Commission should attempt to balance 1977 Clean Air Act Amendment requirements for reasonable further progress and legally enforceable strategies. Recent quidance from EPA on requirements for TSP secondary standards SIPS has been included in Attachment 3. EPA guidance is not very clear on what constitutes an approvable secondary TSP SIP. Hawkins Feb. 1980 memo is the latest national guidance and Dubois' letter is Region X's latest attempt to provide clarification.

Thirdly, is the EQC satisfied with the priorities for controlling sources as identified in this SIP revision. Several potential strategies were not included in the SIP for various reasons. Dust control programs were primarily restricted to the areas projected to exceed particulate standards by 1987 because it was thought preferable to focus attention first on the highest priority areas. Residual oil restrictions were not incorporated because the estimated $20 million annual cost for a .5% sulfur content regulation did not appear justifiable. Restrictions on residential coal were not included because a) particulate emissions from residential coal burning are not greater on a mass basis than from residential wood burning (although they potentially contain far more hazardous substances), and b) it was thought that if residential coal usage restrictions are ever adopted, such restrictions should be included in EQC administrative rules rather than in the federal State Implementation Plan.

If the Commission decides that a different emphasis on various strategies is important, then the Department can revise this SIP revision to incorporate those changes.

Despite the uncertainties about future particulate standards and the effectiveness of nontraditional control strategies, the Department perceives this SIP revision lays out a reasonable and prudent plan for addressing particulate problems. Woodburning impacts will likely be significant under any revised standard. Street sweeping program improvements may allow local jurisdictions to use vacuum sweeping machines which have considerably lower maintenance costs. Such street cleaning evaluation work will help the area be better prepared for future potential ashfalls from Mt. St. Helens. If the TSP standard is revised to a 15 micron standard, then soil dust sources will still be the single largest impacting source category. Sanding program revisions may allow jurisdictions to save money by applying less material. Construction trackout control program improvements will be appreciated by businesses and residences which are exposed to nuisance conditions.

Transportation planners generally recognize the need to slow the growth in vehicle miles travelled to reduce congestion and energy consumption. Nationally, banning of open burning has been one of the first steps taken in improving urban air quality and potentially allowing recovering a valuable resource.

Summation

1. The Portland Air Quality Maintenance Area is designated by EPA as a nonattainment area for the National Ambient Secondary Standards for Total Suspended Particulates.
2. The Clean Air Amendments of 1977 require states to submit to EPA a plan for achieving particuate standards and to obtain EPA approval by January 1, 1981 or potentially incur EPA sanctions.
3. The bulk of the Portland AQMA's particulate problem can be attributed to population-related sources such as motor vehicles, road dust, or wood space heating. Control techniques for many of these sources are unproven and thus the effectiveness of these strategies is uncertain.
4. There is some uncertainty regarding the current particulate standard because EPA is reevaluating the standard and considering revisions to it.
5. The Department perceives that the best format for the required SIP revision, given the various uncertainties, is to commit to a schedule for study and evaluation of the most potentially effective control strategies.
6. The SIP revision commits to evaluate the following control strategies and lays out a possible implementation schedule.

    - Winter sanding control programs
    - Construction site trackout control programs
    - Efforts to reduce vehicle miles travelled
    - Program to reduce emissions from residential wood burning
    - A ban on open burning
    - Street sweeping programs
    - Unpaved area and dirt trackout control programs
    - Programs to identify and control local sources at predicted primary standard violation sites.

7. The proposed SIP revision has been generally endorsed by the Portland Air Quality Advisory Committee which met over 30 times during the last two years to evaluate potential particulate control strategies.
8. The Commission should attempt to balance the 1977 Clean Air Act Amendment requirements for reasonable further progress and legally enforceable strategies with the need for the State to protect itself from irrevocably committing to control programs which may later prove to be unworkable or unreasonable. Items which might be deleted from the SIP to protect against undue committments are:

    - Strategy effectiveness estimates in ug/m^3
    - Goal dates for implementation
    - The open burning ban

Recommendation

The Director recommends the Commission authorize a hearing on this proposed State Implementation Plan revision for Total Suspended Particulates in the Portland AQMA and solicit comments on whether any commitments contained therein should not be a part of a federally enforceable SIP.

William H. Young WLS for

Attachments: 1) Public Notice
2) Statement of Need for Rule Making
3) EPA Guidance on TSP Secondary Standards SIP's
4) Proposed SIP Revision for TSP Standards for the Portland Air Quality Maintenance Area

William T. Greene:kmm
229-6279
September 5, 1980
AQ374.1

ATTACHMENT 1
Agenda Item E, 9/19/80

VICTOR ATIYEH
GOVERNOR

Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

Prepared: 9/5/80
Hearing Date: 10/21/80

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

Proposed Revisions to the State Clean Air Act Implementation Plan for Total Suspended Particulate in the Portland-Vancouver Air Quality Maintenance Area

The Department of Environmental Quality is proposing to revise its State Implementation Plan for Total Suspended Particulate (TSP) in accordance with the federal Clean Air Act Amendments of 1977. The proposed revisions contain an analysis of existing and projected ambient particulate concentrations and a plan to study and evaluate control strategies which could achieve attainment with the federal secondary TSP standards.

WHAT IS THE DEQ PROPOSING?

Interested parties should request a copy of the complete proposed rule package. Some highlights are:

** Total suspended particulate levels are projected to exceed the National Ambient Air Quality Standards through 1987 at specific locations within the Portland-Vancouver AQMA unless further control measures are enacted.

** A revised nonattainment area is delineated, identifying the boundaries of areas projected to exceed particulate standards by 1987.

** The proposed TSP Plan commits to studying several possible control measures and identifies a possible mix of area source strategies and a schedule which if found practical would attain standards.

WHO IS AFFECTED BY THIS PROPOSAL:

The residents and industries in the Portland-Vancouver Interstate Air Quality Maintenance Area.

HOW TO PROVIDE YOUR INFORMATION:

Written comments should be sent to the Department of Environmental Quality, Air Quality Division, Box 1760, Portland, Oregon 97207, and should be received by October 21, 1980.

Oral and written comments may be offered at the following public hearing:

City	Time	Date	Location
Portland	9:30 a.m.	Oct. 21, 1980	Dept. Fish & Wildlife Commission Room 506 SW Mill Portland, Oregon

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed strategy may be obtained from:

William T. Greene
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
(503) 229-6279

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR 340-20-047. It is proposed under authority of ORS 468.020 and 468.305 and the Clean Air Act Amendments of 1977 (P.L. 95-95).

LAND USE PLANNING CONSISTENCY

The Department has concluded that the proposals do affect land use.

With regard to Goal 6 (air, water, and land resources quality) the rules are designed to enhance and preserve air quality in the affected area and are considered consistent with the goal.

Goal 11 (public facilities and services) is deemed unaffected by the proposals.

Public comment on any land use issue is welcome and may be submitted in the same fashions as are indicated for testimony in this NOTICE OF PUBLIC HEARING.

It is requested that local, state, and federal agencies review the proposed action and comment on possible conflicts with their programs affecting land use and with Statewide Planning Goals within their expertise and jurisdiction.

The Department of Environmental Quality intends to ask the Department of Land Conservation and Development to mediate any apparent conflict brought to our attention by local, state or federal authorities.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same subject matter, or decline to act. The adopted regulations will be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come in November, 1980 as part of the agenda of a regularly scheduled Commission meeting.

A Statement of Need and Fiscal Impact Statement are attached to this notice.

ATTACHMENT 2
Agenda Item E, 9/19/80

STATEMENT OF NEED FOR RULEMAKING

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend the State Implementation Plan for Total Suspended Particulate for the Portland-Vancouver Interstate Air Quality Maintenance Area.

Legal Authority

ORS 468.020, ORS 468.305, and the Federal Clean Air Act Amendments of 1977 ~~(PL 95-95)~~.

Need for the Rule

The Portland-Vancouver AQMA has been designated a nonattainment area for secondary total suspended particulate standards by the Environmental Protection Agency. The State is therefore required to submit a plan to EPA which delineates how the state intends to achieve compliance with the TSP standards.

Principle Documents Relied Upon

1. Clean Air Act Amendments of 1977 Public Law 95-95 August, 1977
2. DEQ Emission Inventory, 1977
3. Oregon Air Quality Report, 1978, Oregon Department of Environmental Quality
4. Portland Aerosol Characterization Study Final report, 1979, J.G. Cooper, Oregon Graduate Center.

Fiscal Impact Statement

This proposed rule change imposes minimal additional fiscal impact because no new regulations on particular sources have been adopted. The various non-traditional control strategies will have fiscal impacts if they are later required and implemented, but such costs will be evaluated and specified prior to the adoption of any such new regulations. A $267,000 vacuum street sweeping demonstration project has been committed to in this SIP, $67,000 of which will be local match funds.

ATTACHMENT 3
Agenda Item E, 9/19/80

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 23 1980

WHITE DRAFT

COMMUNICATIONS CENTER

OFFICE OF AIR, NOISE, AND RADIATION

To: Dick Thiel
Page 1 of 2
399-1230

SUBJECT: Requirements for Secondary Standard Total Suspended Particulate Plans

FROM: David G. Hawkins, Assistant Administrator for Air, Noise, and Radiation

TO: Regional Administrator, Regions I-X

The purpose of this memorandum is to reiterate what constitutes an approvable State Implementation Plan (SIP) for attaining the secondary standard for total suspended particulate (TSP). July '80

EPA policy for both primary and secondary standards attainment plans allows States to develop and submit schedules for both studying the specific cause of the problem as well as for the evaluation, development, and adoption of nontraditional source control measures sufficient to demonstrate attainment as expeditiously as possible. Except for the final attainment date, and the difference in the applicability of emission offsets, the requirements for a secondary standard nonattainment area plan are the same as for a primary nonattainment plan and are independent of the granting of an 18-month extension.

For TSP nonattainment areas violating the secondary standard only, emission offsets are required for all major new sources permitted prior to approval of the State nonattainment plan for that area, or prior to expiration of the Federal offset policy, whichever comes first. Following submittal by the State and approval by EPA of any secondary standard plan, emission offsets would no longer be required for any new source locating in or impacting a nonattainment area dominated by agricultural and related fugitive dust sources if offsets from industrial sources are not reasonably available.

Briefly, the key elements of an approvable plan would consist of the following: Reasonably available control technology (RACT) must be employed by all major sources in the nonattainment area unless the SIP control strategy clearly shows that control of such a source or sources is not needed for attainment. Lowest achievable emission rate (LAER) must be installed on all major new stationary sources locating in or significantly impacting the designated nonattainment area. Also, if necessary, a commitment to study and eventually adopt control measures for unconventional sources must be included. Such unconventional source control measures would not necessarily need to be adopted prior to 1982

From: Tom Helms
629-5226

Page 2 of 2

if a post-1982 attainment date had been justified by the State as being as expeditious as possible and approved by EPA. However, the State must quantify the air quality/emissions relationship and determine the needed emission reductions necessary to demonstrate reasonable further progress, including those reductions estimated from any nontraditional source measures under study. Such a reasonable further progress demonstration must also be submitted as part of the plan.

In order to assure thorough dissemination of Agency policy and procedures with regard to the requirements of Part D of the Act, I am having this memorandum published in the Federal Register.

cc: Director, Air and Hazardous Materials Division, Regions I-X
J. Miller
M. Jazes

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION X
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

REPLY TO ATTN OF: M/S 625

JUN 13 1980

William H. Young, Director
Department of Environmental Quality
P. O. Box 1760
Portland, Oregon 97207

Dear Mr. Young:

Thank you for your letter of April 30, 1980 concerning requirements for State Implementation Plans for attainment of secondary standards for TSP. I very much appreciate your concern about this and your efforts to develop effective plans.

As you know we are having difficulty finalizing an agency policy for secondary TSP. One of the problems, of course, is the intent of the agency to revise the standard in the future to better account for the health effects of the fine, inhalable fraction of suspended particulates. We also recognize that volcanic ash from the eruption of Mt. St. Helens will likely have an impact on attainment of TSP standards. The agency, therefore, is reluctant to state at this time that sanctions would be imposed for failure to have an approvable SIP by January 1, 1981.

I have personally discussed the need for a policy directive on this issue with the Administrator and am hopeful that one will be forthcoming from headquarters in the near future. In the meantime I encourage you to proceed with your development of a SIP for secondary TSP. It seems clear at this time that an approvable plan would require RACT for stationary sources and LAER for major new sources. It would also include a commitment to study particle size distribution and adoption of control measures for unconventional sources. These measures would represent progress in meeting the present and any revised particulate standard. Aggressively pursuing this course of action now would demonstrate a good deal of environmental leadership on the part of the State of Oregon.

Unfortunately I cannot provide further guidance on attainment of secondary TSP standards at this time. I will provide you with any new information from headquarters as soon as I receive it.

Please let me know if you would like to discuss this further with me or have your staff contact Mr. Richard Thiel at (206) 442-1230.

Sincerely,

Donald P. Dubois
Regional Administrator

cc: Dave Hawkins
Walt Barber

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

PN-110-80-02-27-028

OFFICE OF
AIR, NOISE, AND RADIATION

27 FEB 1980

SUBJECT: Nontraditional TSP Source Control Programs

FROM: David G. Hawkins, Assistant Administrator
for Air, Noise and Radiation (ANR-443)

TO: Regional Administrator, Regions I-X

SIP revisions providing for attainment of TSP NAAQS are currently in various stages of submittal, proposal, or approval. An examination of the SIP revisions thus far submitted reveals that further direction is needed concerning control of nontraditional sources of TSP. Accordingly, I am providing the following guidance for calendar year 1980.

BACKGROUND

The Administrator's memorandum of February 24, 1978 contained certain special provisions relating to TSP control strategies. These provisions allowed the States, after adoption of RACT regulations for traditional sources, to conduct demonstration projects and studies for controlling nontraditional sources of TSP in lieu of immediately adopting control measures for these sources. The provisions were designed to allow enough time to obtain the necessary additional data and coordination prior to the adoption of the control measures to provide for attainment by December 1982.

The Administrator's memorandum required the States to have obtained sufficient information by the time of SIP submission to determine the contribution of nontraditional sources and the degree of reductions needed for attainment. The SIPs were to provide for the step-wise implementation of control measures while assessing their effectiveness and drawing final conclusions on the degree of controls necessary.

It is now recognized that TSP problems are more complex than originally thought. Assessments must adequately identify the specific sources contributing to the nonattainment problem and determine the reductions needed from those sources.

As you are aware, §109(d)(1) of the Act requires EPA to review the NAAQS by the end of 1980. The review of the particulate matter standard currently underway could result in revised primary or secondary standards. As a result of the potential change in the standards, many States have been reluctant

to initiate new control programs. Because alternative standards addressing smaller particles are likely to be considered, EPA has stated that deferred compliance schedules are acceptable for new control measures designed primarily to control large-size particles (Memo, David G. Hawkins to Regional Administrators, Impact of Potential Revision to Particulate Matter NAAQS, September 11, 1978). As long as compliance is required not later than 1982, such schedules may include dates which are late enough so that the uncertainty over the particulate matter standard can be resolved prior to significant expenditures for control.

CALENDAR YEAR 1980 PROGRAM

For calendar year 1980, and likely extending into 1981, States' goals toward alleviating the particulate matter nonattainment problem should include: (1) completion of adequate problem assessments to determine the sources, source emissions, and nature of particulate matter (especially size distribution), and (2) assurance that RACT is applied to all traditional TSP sources. Achievement of these two goals will bring all States up to a common level and will provide a basis for developing plans to attain either the current or revised particulate matter standards.

Problem Assessment -- Those States which have not completed adequate assessments of their nontraditional TSP problem must carry out further analyses during 1980. In light of the fact that the Agency is considering possible inhalable particulate (IP) or fine particulate standards as a result of the current particulate matter standard review, data on particle size distributions should be gathered as part of the analyses. Inclusion of particle size data will provide a dual purpose for the analyses: (1) It will provide additional data to better understand the current TSP problem, and (2) it will provide background and support for a program for attaining any revised particulate matter standard. Those States which have already completed an adequate non-traditional TSP problem assessment, therefore, should also be strongly encouraged to gather particle size data during 1980. Particle size determinations should initially include at least the 15 micrometer (um) cut point. The use of the selective modified hi-vol is recommended for this purpose.

Evaluation of RACT - It is important that the degree of control considered RACT is that which could be considered reasonable considering the latest technology. During 1980, States should reexamine their RACT determinations and provide for further controls as needed.

EPA SUPPORT ACTIVITIES

Concurrent with the States' efforts during 1980, EPA will provide guidance on how States can determine control effectiveness at the local level. Also, it is planned to carry out several major scale demonstration studies with EPA funding support. The studies will be of nontraditional source control measures that are considered applicable to many areas, but for which little information on effectiveness is known (e.g., control of reentrained dust from paved roadways). The studies will develop source-receptor relationships, determine control measure effectiveness, and monitor the ambient air impact of the controls. The studies will provide useful information to the States in choosing control measures.

cc: Jeff Miller, OE
Mike James, OGC

Table of Contents

LIST OF TABLES

List of Tables (continued)

LIST OF FIGURES

4.1.0 PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA (OREGON PORTION) STATE IMPLEMENTATION PLAN FOR TOTAL SUSPENDED PARTICULATE

4.1.0.1. Introduction

The 1977 Clean Air Act Amendments specify that states are required to submit plans that demonstrate the method and schedule by which the National Ambient Air Quality Standards will be met and maintained. States must demonstrate compliance with the total suspended particulate (TSP) primary* standards by December 31, 1982, and as expeditiously as possible thereafter for TSP secondary** standards. The Portland-Vancouver Air Quality Maintenance Area has been designated a nonattainment area for secondary Total Suspended Particulate standards by the Environmental Protection Agency. An eighteen month extension was granted until July, 1980 for the state to revise and incorporate appropriate additional control strategies in the State Implementation Plan (SIP).

4.1.0.2 Summary

The purpose of this SIP revision is to delineate a plan whereby particulate standards throughout the Portland area can be attained

*75 micrograms/cubic meter or 75 ug/m^3 for annual average; 260 ug/m^3 second-highest day standard.
**60 ug/m^3 annual standard; 150 ug/m^3 daily standard.

and maintained. Since all the control strategies involved are for non-traditional sources, some of the control strategies may not be completely practical or implementable. This SIP revision lays out a schedule for evaluating and developing those strategies and identifies a mix of strategies which could produce attainment.

Over 60 square kilometers of area are projected to exceed the annual secondary particulate standard by 1987 and over 120 square kilometers of area are projected to exceed the 24-hour secondary standard by 1987. Unless new control programs are adopted, 8 square kilometers of area are projected to exceed the annual primary (health) standard by 1987. Projections indicate that the maximum site concentrations in 1987 will be 254 ug/m^3 on the second-highest day and 84 ug/m^3 annual average in the southeast Portland industrial area.* These values exceed the daily secondary standard of 150 ug/m^3 by 104 ug/m^3 and the annual 60 ug/m^3 secondary standard by 24 ug/m^3 (or the annual 75 ug/m^3 primary standard by 9 ug/m^3).

During the period from 1976 to 1978, 24-hour concentrations exceeded the standard of 150 ug/m^3 by up to 70 ug/m^3. Annual concentrations at regional monitoring sites exceeded the 60 ug/m^3 annual standard by up to 11 ug/m^3.

Boundaries of the Nonattainment Area have been revised to include only those areas projected to exceed secondary particulate standards in 1987. Figure 4.1.1-4 shows the revised Particulate Nonattainment Area.

*For reference, see Tables 4.1.3-2 and 4.1.3-3

The DEQ has been developing particulate control strategies since 1970. Initial efforts concentrated on reducing industrial source emissions. These emissions have been substantially reduced by the application of reasonably available control technology (RACT) and by vigorous field inspection work which is scheduled to continue. In 1975, the Environmental Quality Commission (EQC), with the support of industry and commerce, determined that a comprehensive study of particulate sources in the Portland area was needed to identify which sources were truly responsible for the remaining particulate concentrations. That study, the Portland Aerosol Characterization Study (PACS), was completed in 1979** and produced results that for the first time identified the sources of particulates based on chemical tracing of the various sources by the unique "chemical fingerprints" of their emissions. In 1979 and 1980 those results were used to calibrate the DEQ's airshed simulation model such that the amount of impact attributed to various sources was consistent with the results of the PACS study.

The PACS study indicated that industrial source impacts were less than had been previously thought and that emissions from population-related (or "area") sources were greater than previously recognized, especially road dust and vegetative burning sources, such as residential wood burning. Impacts of other sources identified included motor vehicle exhaust, other vegetative burning sources, and residential oil combustion impacts.

** Portland Aerosol Characterization Study Final Report, John G. Cooper, Oregon Graduate Center, June 1979.

AQ0084.1

An Advisory Committee representing a wide range of interests from the community was established in the fall of 1978 to advise the DEQ on which potential control strategies were most acceptable to the public. Over 30 public meetings were held during the two year strategy development period. The control strategies which this plan incorporates have generally been endorsed by members of that committee.

The potential programs to control particulate concentrations focus largely on area sources not because those sources will be easy to control, but rather because those sources are primarily responsible for the exceedances of standards in the Portland metropolitan area. For many area sources, control technology has been neither well-defined or verified. Demonstration projects therefore need to be undertaken to quantify the effectiveness of potential control strategies.

The strategies and demonstration projects which this plan commits to study and evaluate, include:

- Control strategies for winter sanding
- Control strategies for construction site trackout,
- Efforts to reduce vehicle miles travelled,
- A ban on open burning,
- Programs to reduce emissions from residential wood burning,
- Street sweeping programs,
- Programs to identify and control major unpaved areas and dirt trackout sources

Generally, the DEQ will seek to adopt or ask local jurisdictions to adopt control programs on an expeditious basis for these source categories with the DEQ goal of having those programs implemented by the end of 1984. If all the control programs delineated herein are workable and implementable -- to which there is still some question -- attainment of the standards should be accomplished during the 1984 to 1986 period.

In order to present a perspective on how much of a reduction in particulate concentrations may be expected if these various strategies can be implemented, Table 4.1.0-1 is presented below which shows the improvement in 24-hour air quality (on a worst case day) which could be expected at three key monitoring sites--a SE Portland residential site, a downtown Portland site, and a NW Portland industrial area site. Maximum reductions from wood burning strategies occur at the residential site and maximum reductions from road dust control strategies occur at the downtown Portland and industrial area site.

Full implementation of all these strategies could produce a growth margin of 27, 22, and 6 ug/m^3 on a worst case day at the downtown Portland site, the southeast residential site, and the northwest Portland industrial site, respectively. Full implementaion would produce an annual standard growth margin of 2.5, 8.7, and 16.4 ug/m^3 at the respective sites.

Table 4.1.0-1

TSP Air Quality Improvement Which Could Result If Non-Traditional Source Control Strategies Are Implemented And Successful

Control Strategy Element	Daily TSP Air Improvement At Downtown Site (ug/m^3)	Daily TSP Improvement At Residential Site (ug/m^3)	Daily TSP Improvement At Industrial Site (ug/m^3)
VMT Reduction Measures 15% reduction	10.86	8.78	13.0
Construction Site Trackout Control	1.65	1.65	1.65
Winter Sanding Controls	30.00	14	4
Wood Burning Control Strategies			
Weatherization of 30% of Regions Homes by 1987	2.41	9.52	1.48
Reduction of Average Wood Moisture Content From 28% to 23%	2.14	8.46	1.31
75% Effective Control Device Installed on 50% of Stoves Installed During 1985 - 1987	.84	3.17	.49
Air Supply Regulation Device Which Reduces Emissions 30% Installed on 50% of Stoves Sold During 1984 - 1987	.40	1.59	.25
Open Burning Ban	NA	NA	NA
Street Sweeping			
Reduce Paved Road Dust Impacts by 10% By Increased Sweeping Near Violation Areas	6.4	3.0	.88
Unpaved Area Controls			
Paving, Stabilization, or Traffic Diversion at the 20 Locations With Maximum Impacts	6.4	6.5	26.4
Local Fugitive Dust Controls			
Control of Fugitive Sources Causing Undue Bias of Levels	NA	NA	8.3

The reductions identified for various strategies are being adopted as goals for purposes of this plan, and may obviously need to be revised as additional knowledge is gained about the actual effectiveness of such strategies. If all the programs for control measures were implementable and successful in obtaining the expected reductions, particulate standards would be met throughout the nonattainment area.

There is some uncertainty about the federal particulate standards because EPA is re-evaluating those standards and considering revisions to them. In the event that the federal particulate standard is revised it is the express intent of the State of Oregon to re-evaluate whether the control strategies in this SIP revision are still appropriate. Furthermore, although the State intends to try to develop control programs in each of the eight areas delineated, it is clear that some of the strategies may not be completely practicable or implementable. The State reserves the right to re-evaluate what proportion of the air quality improvement is to be achieved by various control measures as knowledge is gained on the workability, practicability, and costs of various non-traditional source control measures.

The DEQ assumes that ashfall impacts from Mt. St. Helens, which began in May, 1980, will be a short-term phenomena which will not impact long-term particulate air quality. In the event that ashfall events or residual ash re-entrainment continues past the summer

of 1980, the priorities of the DEQ and other state and local agencies will obviously need to be revised to focus more on clean up of the deposited ash.

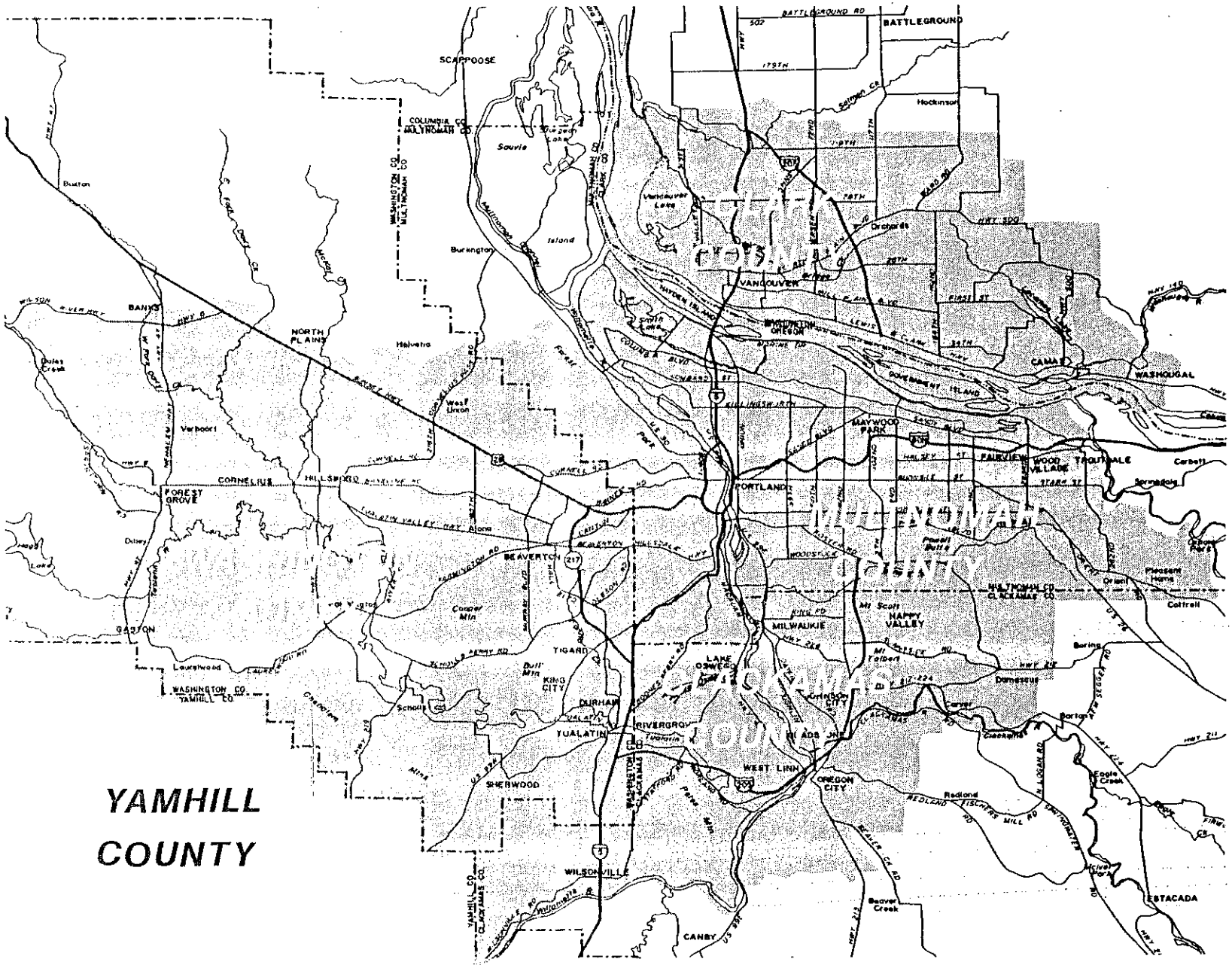
4.1.1.1. Identification of Study Area

In accordance with EPA regulations the Portland-Vancouver Interstate Air Quality Maintenance Area (AQMA) boundaries were designated by the EPA on March 18, 1974. The boundary chosen was identical to the original Columbia Region Association of Governments Transportation Study Area (1970). This area encompasses 2,230 square kilometers (861 square miles). Figure 4.1.1-1 is a map representing the area and boundaries of the AQMA.

The Oregon portion of the Portland-Vancouver AQMA is situated in the northernmost part of the Willamette Valley. Topographical features include the Cascade Mountains to the east, the Coast Range to the west, and the Columbia River which forms the northern boundary of the State. The area is contained within a wide valley, through which the Willamette River flows north joining the Columbia River in Portland. Foothills are scattered throughout the region on both sides of the Willamette River reaching elevations of up to 1,200 ft. The Oregon portion of the AQMA covers 1800 square kilometers (695 square miles) and has an approximate population of 851,000 which includes most of Washington, Clackamas and Multnomah counties. The Portland metropolitan area contains the largest urbanized sector of the state, with the greatest population density and industrial development located in Multnomah County.

Figure 4.1.1-1

Portland-Vancouver Interstate Air Quality Maintenance Area(AQMA)



The Washington portion of the AQMA lies on the north side of the Columbia River, and is composed primarily of the urbanized section of Clark County which includes the City of Vancouver. This region has a population of approximately 105,500 and contains 430 square kilometers (166 square miles).

The Portland-Vancouver metropolitan area climate is fairly moderate year round, with average temperatures for January of 4°C and July of 19°C. Rainfall is most abundant from October to May, and measurable snowfall amounts to only a few inches during the year; the average annual precipitation is about 40 inches. During the spring and summer air flows are usually northwesterly, with southeasterly winds generally predominating the fall and winter months. Because the AQMA is located in a valley with surrounding hills and mountains, stagnant meteorological conditions (slow wind speeds and temperature stratifications) create inversions with high concentrations of air contaminants accumulating during certain times of the year. These episodic inversions which trap air pollutants regionally occur during the winter and fall. Basically, six surface wind flow conditions prevail in the area, and two of these show different seasonal stability patterns. The most frequent condition is a northerly flow with moderate wind speeds commonly occurring during the summer months, exhibiting strong diurnal variations in mixing heights and wind speeds. The second most frequent condition is associated with winter storms, has relatively high wind speeds and flows from a southerly

direction with minimal diurnal variation. This situation is the most favorable in terms of air pollution dispersion.

Occasionally during the winter, cold air masses from the east flow down through the Columbia River Gorge resulting in subfreezing temperatures in the Portland area. Ice storms have occurred when this situation has coincided with warmer marine air masses from the Pacific entering the region over the top of the colder layer resulting in freezing rain and very poor ventilation despite relatively high surface level wind speeds.

4.1.1.2. Monitoring Data

The DEQ air monitoring surveillance network for total suspended particulate currently has 14 sites in the Portland AQMA; four of these are NAMS sites (National Air Monitoring Stations) and four are SLAMS (State and Local Air Monitoring Stations) sites. The same sets of criteria apply to both NAMS and SLAMS for quality assurance and siting guidelines. EPA uses monitoring data from both NAM and SLAM stations in assessing national air quality trends. Data for suspended particulate are collected with Hi-Vol samplers every sixth day on a 24 hour basis. Concentrations are determined by the total mass of particulate matter deposited on a filter during each sampling period. Air quality monitoring and data reporting are handled by

the state and local agencies through the SLAMS monitoring network. NAMS sites are actually a subset of SLAMS sites; NAMS were established to represent locations with high pollutant concentrations or high population exposure or both. Figure 4.1.1-2 is a map showing the site locations for these stations.

The federal annual geometric mean and the 24 hour TSP standard have been exceeded in the Oregon portion of the AQMA at the NAMS and SLAMS sites as indicated in the following table (Table 4.1.1-1). Five of the eight sites recorded violations of secondary standards during 1976-1978. The AQMA is designated in violation of the secondary standards only. Recent exceedances of the primary standard which have occurred at the 1830 SE Schiller site can be attributed to atypical meteorological conditions (severe ice storm with heavy road sanding) and sampler bias due to nearby construction.

Violation of the secondary standards at sites other than the 1830 SE Schiller ranged from 1 to 70 ug/$m^3$for the 24-hour average and 5.1 to 10.7 ug/m^3 for the annual geometric mean.

The monitoring sites at 1845 NE Couch and at 12240 NE Glisan did not surpass the federal standards during this period for either the daily or annual concentrations.

Table 4.1.1-1

SLAM Sites Particulate Concentrations

Monitoring Sites	Annual Geometric Mean	24 hr Average Max	24 hr Average 2nd highest	# of samples greater than 150 ug/m^3	# of samples greater than 260	Total # of Samples
55 SW Ash						
1976	65.5	220	200	4	0	76
1977	70.7	290	160	2	1	60
1978	66.4	173	159	3	0	34
1845 NE Couch						
1976	48.3	160	140	1	0	60
1977	52.1	200	120	1	0	58
1978	50.3	143	139	0	0	48
3200 NW Yeon						
1976	65.1	340	220	6	1	59
1977	67.5	170	160	2	0	56
1978	69.9	224	210	7	0	57
6941 N. Central						
1976	46.2	170	150	1	0	61
1977	47.1	120	110	0	0	57
1978	51.2	196	130	1	0	53
11212 NW St. Helens						
1976	52.4	200	200	2	0	58
1977	52.6	190	170	3	0	56
1978	56.3	228	172	4	0	59
12240 NE Glisan						
1976	47.9	140	110	0	0	59
1977	53.0	140	110	0	0	58
1978	57.7	163	144	1	0	53
1830 SE Schiller						
1976	77.5	240	220	9	0	67
1977	77.1	200	180	4	0	57
1978	84.4	276	269	11	2	53
13333 N Rivergate						
1976	45.8	385	160	2	1	58
1977	44.2	110	100	0	0	60
1978	44.5	159	116	1	0	58

	Federal Standards (ug/m^3) Primary	Secondary
Annual Geometric Mean	75	60
24 hour (not to be exceeded more than once/year)	260	150

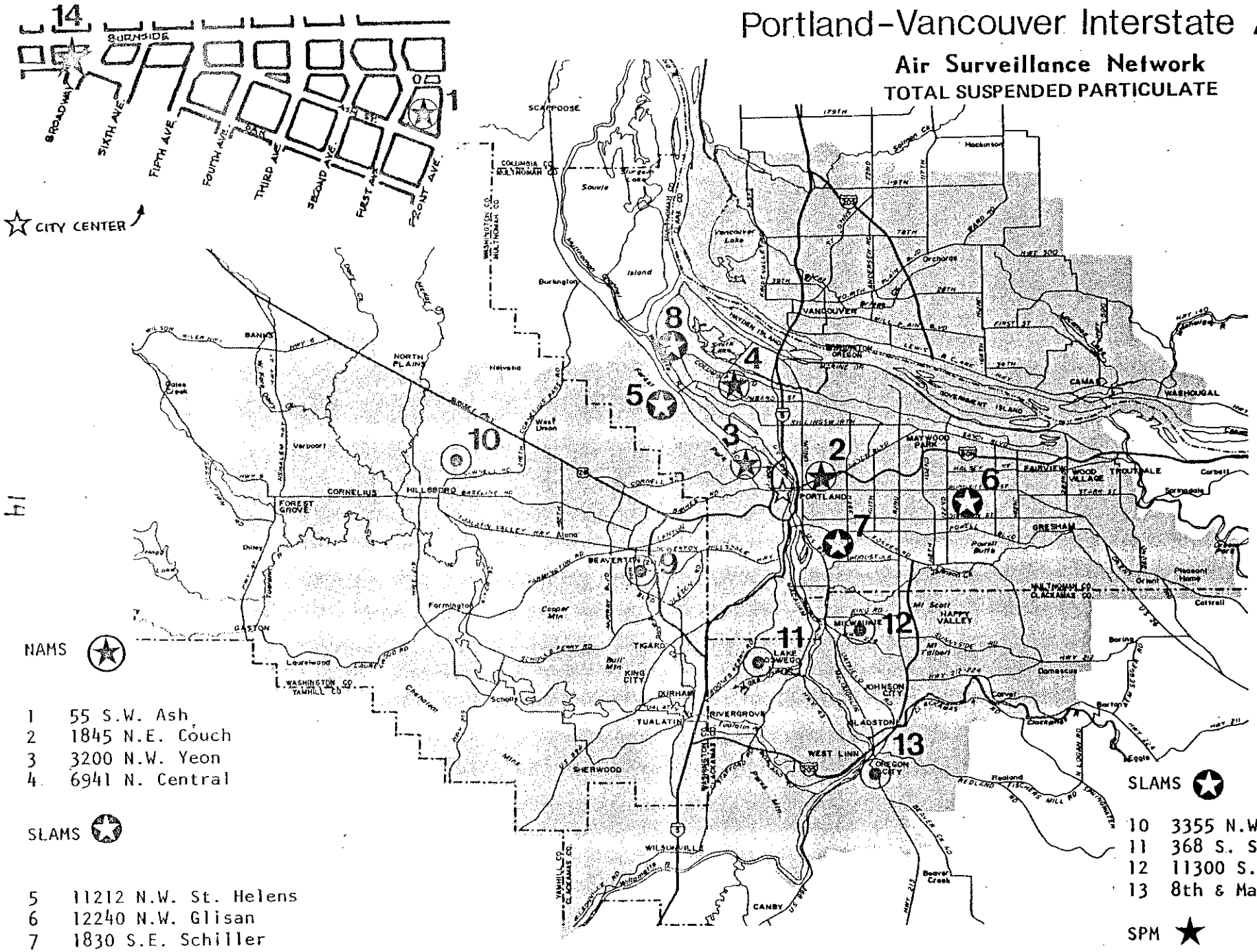
AQ0084.1

Figure 4.1.1-2

Portland-Vancouver Interstate AQMA

Air Surveillance Network

TOTAL SUSPENDED PARTICULATE



NAMS

1 55 S.W. Ash
2 1845 N.E. Couch
3 3200 N.W. Yeon
4 6941 N. Central

SLAMS

5 11212 N.W. St. Helens
6 12240 N.W. Glisan
7 1830 S.E. Schiller
8 13333 N. Rivergate
9 4950 S.W. Hall

SLAMS

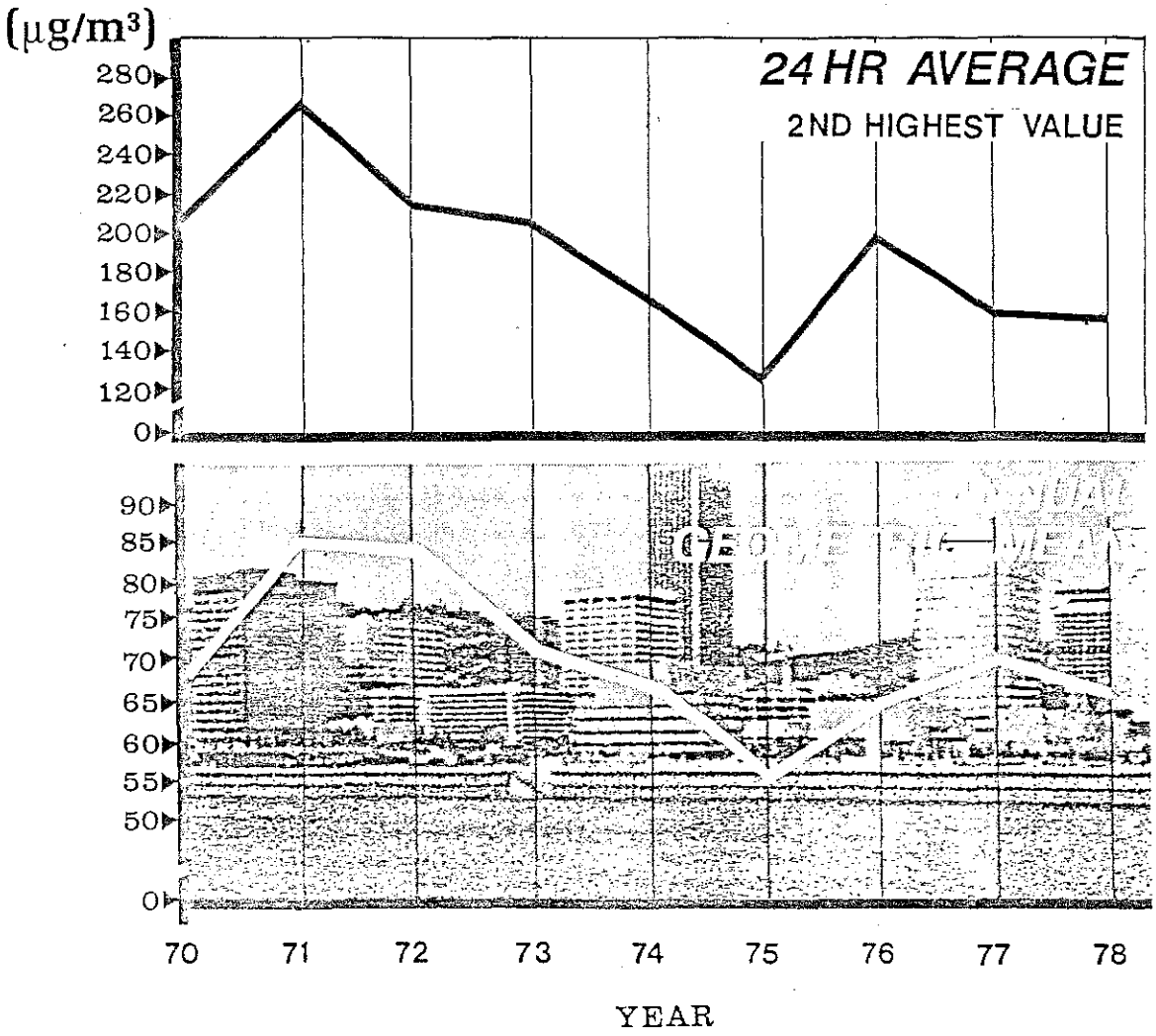
10 3355 N.W. Cornell
11 368 S. State (L.O.)
12 11300 S.E. 23rd
13 8th & Main (O.C.)

SPM

14 718 W. Burnside

Regional particulate air quality has improved since 1970, primarily due to the imposition of strong control requirements for stationary sources. Figure 4.1.1-3 below shows the long term trends at the downtown Portland site for the 1970 to 1978 period.

Figure 4.1.1-3



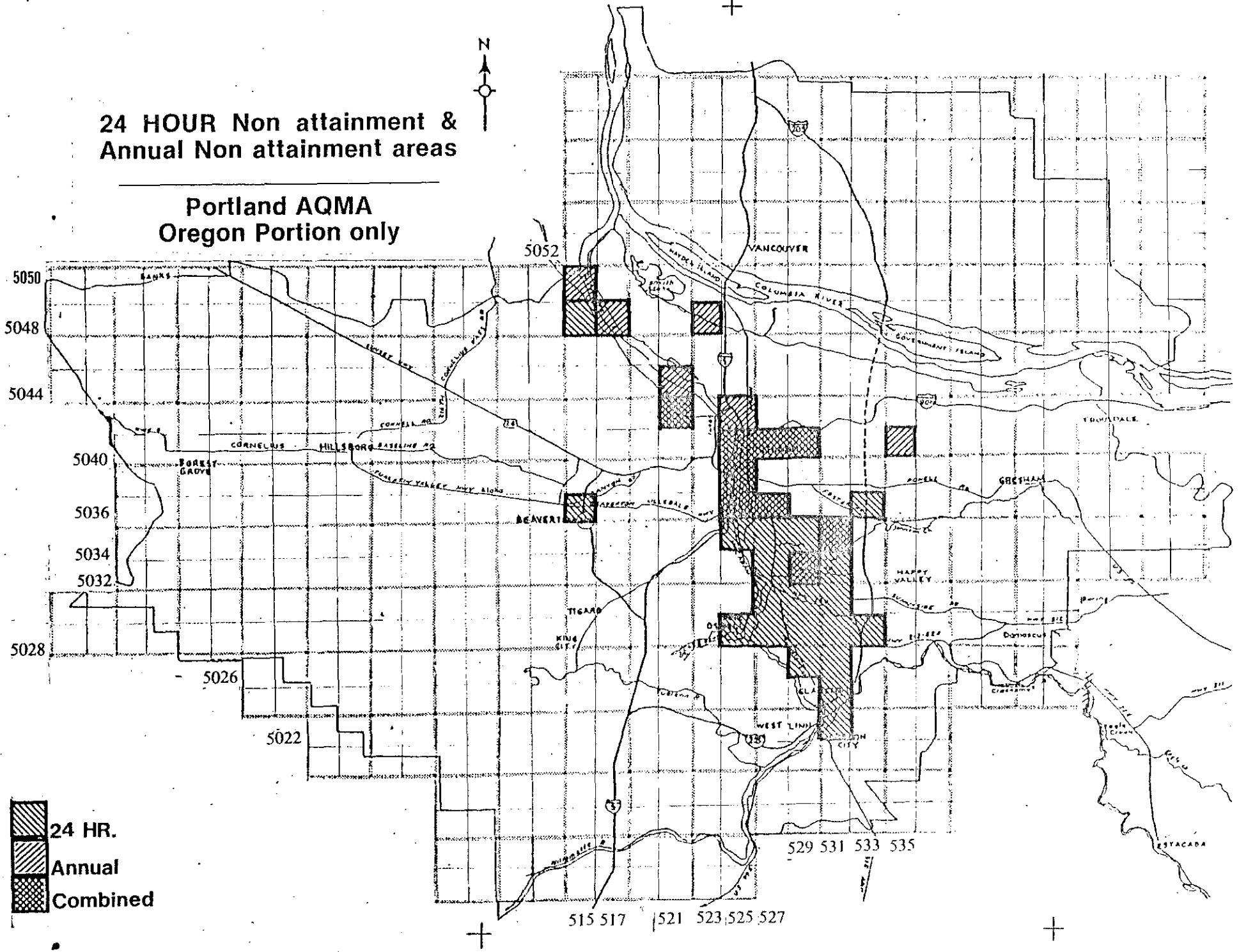
4.1.1.3 Nonattainment Area Boundaries

Application of the calibrated computer model for simulated particulate concentrations has allowed the Department to define much more precisely the geographical area actually exceeding TSP standards. Prior to this SIP revision, the entire AQMA was designated as the Nonattainment Area. As part of this SIP revision, the boundaries of the "Nonattainment Area" will be revised to include only those areas expected to exceed particulate standards by 1987.

Figure 4.1.1-4 below shows the annual and 24-hour Nonattainment area as projected for 1987. A portion of all 3 counties in the Oregon portion of the AQMA is within the Nonattainment Area. Approximately 120 square kilometers will exceed the 24-hour secondary standard and about 60 square kilometers will exceed the annual secondary standard in 1987. The most common characteristic of all these areas is that they tend to be low lying areas adjacent to the Willamette River and near high traffic areas. The violation area primarily covers the area to the east of downtown Portland for about 6 kilometers and extending south from Multnomah County into Clackamas County near Oregon City. Several industrial areas with heavy truck traffic in North Portland are also included, as are isolated high traffic areas in Washington and east Multnomah Counties.

The precise definitions of the Nonattainment Areas are presented in Appendix 4.1-1.

Figure 4.1.1-4


24 HOUR Non attainment &
Annual Non attainment areas
Portland AQMA
Oregon Portion only
N
5052
5050
5048
5044
5040
5036
5034
5032
5028
5026
5022
515 517
521
523 525 527
529 531 533 535
VANCOUVER
COLUMBIA RIVER
HAYDEN ISLAND
SAUVIE ISLAND
GOVERNMENT ISLAND
TROUTDALE
GRESHAM
BANKS
CORNELIUS
HILLSBORO
FOREST GROVE
BEAVERTON
TIGARD
KING CITY
TUALATIN
HAPPY VALLEY
DAMASCUS
GLADSTONE
WEST LINN
OREGON CITY
ESTACADA
24 HR.
Annual
Combined

4.1.2.1 Emission Inventory Summary

Total suspended particulate emissions are projected to increase by 25% during the 1977 and 1987 period, primarily because of growth in wood burning and road dust emissions. This section describes the method by which emission sources and projections have been calculated and discusses expected growth trends.

The Portland Aerosol Characterization Study (PACS)* was conducted in 1977-1978 to clearly delineate and quantify source contributions to the total and fine suspended particulate concentrations in the airshed. State-of-the-art chemical element balance evaluation and statistical analysis resulted in substantial improvements in specific source emission composition and identification. The PACS study resulted in significant upgrading in the accuracy of the emissions inventory data base. Figure 4.1.2-1 below depicts major revisions in the emission inventory as a result of the chemical mass balance data analysis.

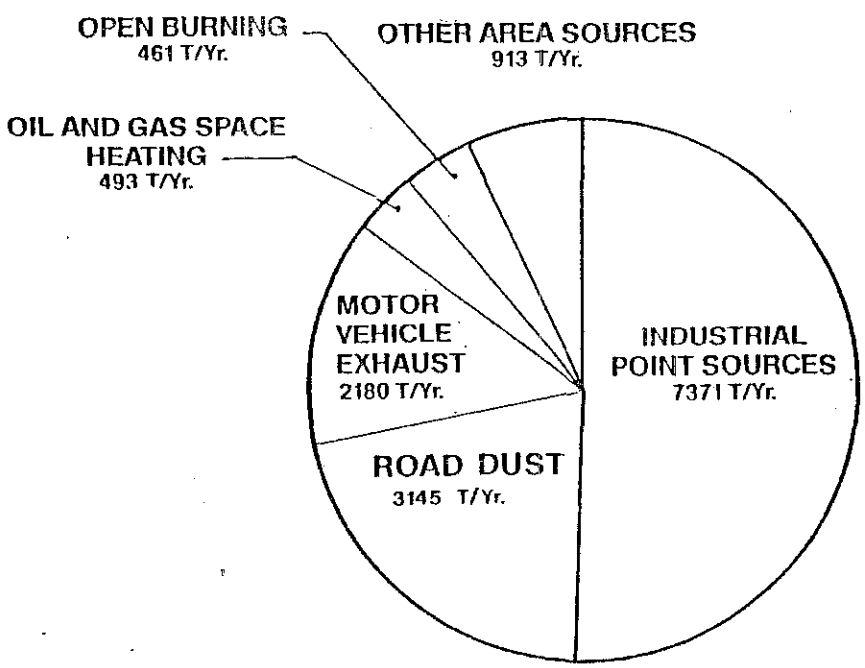
The revised area and point source emission inventory data were then used to model 10 year predicted TSP concentrations in the AQMA.

* Portland Aerosol Characterization Study Final Report, John G. Cooper, Oregon Graduate Center, June 1979.

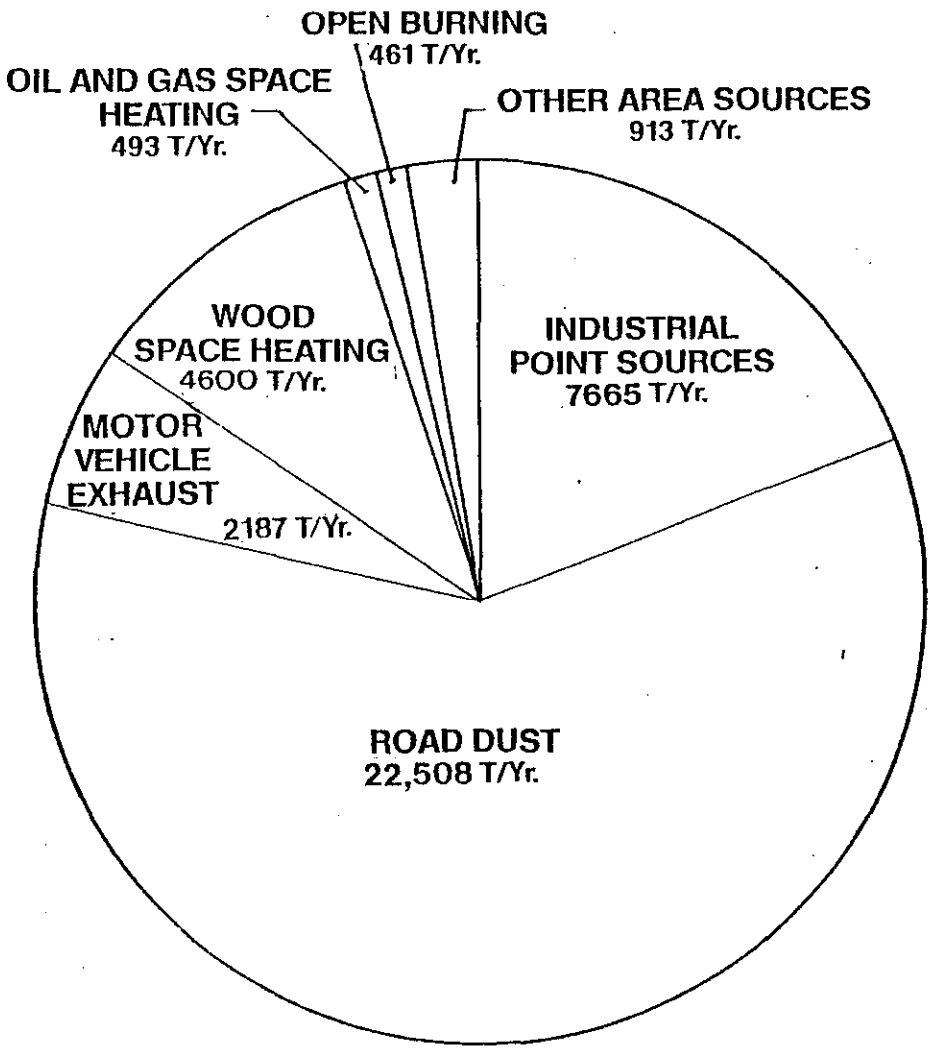
Figure 4.1.2-1

Portland AQMA Emission Inventory

1977 Total Particulate



Before CEB Adjustment
14,563 Tons/Yr.



After CEB Adjustment
38,827 Tons/Yr.

Table 4.1.1-2 provides a breakdown of area source emissions in tons per year for the baseline year (1977) and the projected values for 1987. Totals are given for both point and area sources.

Particulate emissions for industrial and commercial point sources are expected to be lower in 1987 than they were in 1977. Most major industrial sources of TSP over the last several years have applied control equipment to reduce their air pollution discharges as required by Oregon's first State Implementation Plan.* Projections show that point source emissions in 1987 will be slightly over 12% of total emissions as compared to 18% of the total in 1977.

Most area sources are projected to grow significantly in the coming years, especially road dust and wood space heating. Emissions from residential wood space heating are projected to increase 139% by 1987 to a level nearly double that from industrial point sources. Road dust emissions from paved and unpaved roads will increase from 22,500 tons/year (58% of total) to 27,300 tons/year (56% of total) during 1977 to 1987.

Area sources for the most part are expected to increase. This can be attributed to population and corresponding vehicle mile growth factors which will likely occur through 1987. The PACS and subsequent studies** have recently identified residential woodburning as a significant

* Oregon State Implementation Plan, 1972, Oregon Department of Environmental Quality.

** in Vail, Colorado, and Missoula, Montana. Also the Residential Wood Combustion Assessment, Monsanto, 1979.

AQ0084.1

contributor to urban particulate levels on a 'worst case' day basis. Consultants have projected an increase of nearly 140% in tons of particulates emitted from household combustion of firewood in the Portland area from 1977 to 1987.***

Transportation related area sources are the largest contributors to TSP levels. Paved, unpaved and tracked out road dust should be considered associated with motor vehicle impacts since motor vehicles mechanically disrupt, fractionate, and re-entrain considerable quantities of soil dust into the atmosphere.

*** Residential Wood Survey, Talbot and Wong, 1980.

AQ0084.1

TABLE 4.1.1-2

PORTLAND-VANCOUVER AIR QUALITY MAINTENANCE AREA

EMISSIONS SUMMARY

Tons Particulate/Yr.

	1977	1987	Percentage of Growth During 1977-87	Net Change in Tons of Emissions 1977 - 1987
Paved Road Dust	12340	15490	25%	3150
Motor Vehicle Exhaust	2187	1644	-25%	-543
Residential Sp. Heating Oil	241	278	15%	37
Res. Space Heating, Wood	4600	11000	139%	6400
Commercial Sp. Heating Oil	152	152	0	0
Natural Gas Space Heating	100	116	16%	16
Open Burning and Incineration	461	34	-93%	-427
Ships/barges	68	80	17%	12
Field/slash burning	25	25	0	0
Railroads/Aircraft	175	201	15%	26
Unpaved and Trackout Road dust	10168	11787	16%	1619
Small Point Sources	737	818	11%	81
Agricultural tilling	645	645	0	0
Total Area Sources	31899	42070	32%	10171
Point (Industrial) Sources	6928	5964	-14%	-964
TOTAL	38827	48034	24%	9207

AQ0084.1

4.1.2.2 Growth Factors

The growth factors used in developing air quality projections are consistent with 208 water quality planning efforts and the Metropolitan Service District's Regional Transportation Plan.*

Most of the major area source categories show an increase in emissions by 1987. However, a significant decrease is anticipated for open burning and incineration, since the Environmental Quality Commission (EQC) has banned open burning in most of the Portland Metropolitan area, effective December 31, 1980. No increase in emissions are projected for commercial space heating with oil, field and slash burning, and agricultural tilling since these activities are expected to decline or remain constant in future years. Major point source emissions are projected to be smaller in 1987 than in 1977 due to control equipment installed during 1977 to 1979.

Motor vehicle exhaust emissions are projected to be reduced by 1987 due to the scheduled lead phase out in gasoline to 0.5 grams/gallon by October, 1980 for major refineries and October, 1982 for smaller gasoline refineries.

Paved road dust growth factors were based on traffic growth projections supplied by the regional transportation agency, the Metropolitan Service District, or Metro. The unpaved road dust emission increase is based on population growth factors.

* 1979 Ozone State Implementation Plan, Oregon DEQ, and A Regional Employment, Population, and Household Forecast for the Portland SMSA (T.M. 23) CRAG, April 1978.

AQ0084.A

The remainder of source categories are based on expected population increases with the exception of small point sources, which is based on projected industrial growth rates.

4.1.3 CONTROL STRATEGY

4.1.3.1 Introduction On How Strategy Effectiveness Was Analyzed

The Portland Aerosol Characterization Study (PACS)* was conducted during 1977 to 1979 to determine more accurately which sources were causing the region's particulate problem. The study was relied on chemical tracing techniques to determine which sources contributed the particulates collected at 6 representative monitoring sites throughout the region. As a result of the study, source contribution data was vastly improved and two source categories, road dust and vegetative burning, were found to be responsible for a much larger portion of the particulate problem than had been identified previously.

After completion of the PACS study in July of 1979, the DEQ's computer model and emission inventory were calibrated so as to attribute impacts to source categories in the proportions determined by the PACS study. This is a monumental step in the development of particulate strategies, and represents the first time that computer models have been calibrated with independent chemical data on the contributions of specific source categories. As a result, road dust emissions were increased from 3500 tons/year to over 22,000 tons/year and vegetative burning emissions were increased from 530 tons/year to over 4600 tons/year.

Using this calibrated computer simulation model, future particulate concentrations were projected, source category impacts were modeled, and

* PACS Final Report, John G. Cooper, Oregon Graduate Center, June, 1979.

control strategy effectiveness at improving particulate concentrations were identified. (Appendix 4.1-2 discusses the grid model and the model calibration process.) The information cited in the balance of this section is based on computer modeling results completed by the Department during 1979 and 1980.

The remainder of this section covers the following aspects of the control strategy; Section 4.1.3.2 discusses the reductions needed to attain standards. Section 4.1.3.3 discusses the daily and annual impacts attributable to various source categories for both total and fine particulates. Section 4.1.3.4 covers the impact of selected control strategies. Within Section 4.1.3.4, Part 1 summarizes the strategies, and Part 2 identifies the reductions which could result from those strategies.

4.1.3.2 Emission Reduction Necessary for Attainment

In the Oregon portion of the AQMA, six monitoring sites are predicted to exceed the secondary federal standards for TSP on an annual basis in 1987 (60 ug/m^3 annual geometric mean). For the short term (150 ug/m^3 24-hour basis), eight sites are expected to exceed the secondary standard. These stations and the amount by which they are expected to be in excess of the standards are shown below in Table 4.1.3-1.

Table 4.1.3-1

MARGIN OF STANDARD EXCEEDANCE AT 1987 VIOLATION SITES

Site	Margin of 60 ug/m^3 Annual Exceedance	Margin of 150 ug/m^3 24-Hour Exceedance
3200 NW Yeon	12.4	69
718 W Burnside	2.3	19
55 SW Ash	9.2	27
SE 74th & Flavel	2.6	28
1830 SE Schiller	24.0	104
12240 NE Glisan	5.2	0
4950 SW Hall	0	14
368 S State	0	79
11212 NW St. Helens	0	39

Based on the computer modeling results, approximately 60 square kilometers of area within the Portland-Vancouver AQMA are projected to surpass the annual 1987 secondary TSP NAAQS*; this compares to a violation area of 36 square kilometers in 1977. This area is primarily located along the Willamette River, with the largest region of projected violations in the downtown Portland area, extending south about ten miles along the

* National Ambient Air Quality Standards

AQ0084.A

McLoughlin Corridor. Figure 4.1.1-4 showed the nonattainment area boundaries.

Violation of the primary standard in 1987 is projected to occur at the 1830 SE Schiller monitoring site in southeast Portland, if the expected growth in emission occurs and no new control strategies are adopted.

4.1.3.3 Analysis of Source Category Impacts on TSP Levels

4.1.3.3.1 Total Particulate Source Impacts

Table 4.1.3-2 shows the yearly TSP impacts in micrograms per cubic meter from point source and area sources in the Portland region for 1977 and 1987.

Table 4.1.3-3 shows the worst case 24-hour TSP concentrations in micrograms predicted for 1977 and 1987 point and area sources. Contributions from area sources are divided into six major categories for both years. The data presented in the tables below are a summary of computer modeling results displaying the impact of particulate pollution sources on air quality in the Portland-Vancouver area.

These modeling results attribute impacts to various source categories based on:

1) The Department's best available information on particulate emissions from various sources.
2) Information on air quality impacts from various sources as determined by chemical-tracing work as part of the Portland

Table 4.1.3-2

ANNUAL PARTICULATE CONCENTRATIONS FROM VARIOUS SOURCES
in 1977 and 1987
(ug/m^3 Annual Geometric Mean)

Site	1977 Annual Geometric Mean (Typical Meteorology)*	1987 Annual Geometric Mean (Typical Meteorology*)	1987 Margin of Exceedance Over 60 ug/m^3 Standard	Fractions of Local 1977 Impacts Predicted by Model	Point Source Impacts 1977	Point Source Impacts 1987	Area Source Impacts 1977	Area Source Impacts 1987	1987 Wood Burning Impact	Other Impacts**
3200 NW Yeon	66.3	72.4	12.4	.79	2.6	2.2	30.9	37.4	3.1	-8.8
718 W Burnside	61.2	62.3	2.3	1.27	5.2	2.5	32.0	35.8	3.9	+9.9
1830 SE Schiller	77.9	84.0	24.0	.76	3.5	2.5	37.3	44.3	6.0	-13.2
SE 74th & Flavel	58.3	62.6	2.6	.74	2.2	1.5	23.3	28.4	9.0	-8.8
55 SW Ash	69.4	69.2	9.2	1.19	7.2	3.3	38.2	41.9	3.8	+8.8
1845 NE Couch	53.8	55.7	-	1.50	4.3	2.4	25.5	29.3	5.3	+15.0
6941 N. Central	44.3	47.8	-	.89	2.6	2.1	15.3	19.4	3.7	-2.3
11212 NW St. Helens	51.5	55.7	-	.66	2.4	2.1	15.9	20.3	1.0	-9.2
13333 N. Rivergate	41.4	42.7	-	1.33	4.1	2.7	13.3	16.0	1.0	+5.8
4950 SW Hall	45.7	51.2	-	.76	0.1	0.1	16.3	27.8	5.5	-5.3
55 NE Cornell, Hillsboro	31.8	33.2	-	.36	0.0	0.0	2.8	4.1	1.1	-5.0
368 S. State	59.9	59.6	-	.49	6.7	4.3	10.8	12.9	2.5	-18.4
800 SE 23rd, Milwaukie	46.8	50.3	-	1.27	2.1	1.6	20.7	24.7	3.9	+6.1
4th and Main	51.6	54.0	-	.78	4.4	6.5	17.1	19.3	3.8	-6.2
625 SW 35th	32.3	33.3	-	2.31	0.4	0.3	7.9	8.8	1.5	+10.9
516 SW Barnes	32.6	34.3	-	1.66	0.8	0.6	7.8	9.7	1.6	+5.7
12240 NE Glisan	59.2	65.2	5.2	.51	1.0	0.9	17.0	23.8	7.2	-17.1
Troutdale Airport	31.3	30.9	-	.83	4.4	3.1	1.7	2.5	0.9	-1.3

*Annual geometric means normalized to account for differences between 1977 meteorology and typical meteorology; adjustment typically less than ± 2 ug/m^3

**This column represents the amount by which the model over predicted or under predicted the TSP air quality in 1977.

+ overpredicted
- underpredicted

March 7, 1980 (AQ0009)

Table 4.1.3-3

WORST CASE DAY PARTICULATE CONCENTRATIONS FROM VARIOUS SOURCES IN 1977 AND 1987
(ug/m^3)
(METEROLOGICAL REGIME 8: SLOW NORTH WIND WINTER CONDITIONS)

High TSP Sites	Design Values* 1977	1987	Margin Over 150 ug/m^3 Standard In 1987	Fraction of 1977 Impacts Predicted by Model	Paved Road Dust Impacts 1977	1987	Trackout and Unpaved Road Dust Impacts 1977	1987	Residential Woodburning Impacts 1977	1987	Point Source Impacts 1977	1987	Residual Oil*** Impacts 1977	1987	Motor Vehicle Exhaust Impacts 1977	1987	Impact of Miscellance Sources Accounted For By Model 1977	1987
3200 NW Yeon	197	219	69	.77	8.8	12.4	80.8	93.7	3.8	8.2	6.6	7.1	2.0	2.0	1.2	1.0	6.0	7.3
718 W. Burnside	161	169	19	1.18	45.8	49.0	28.5	33.0	6.2	6.9	10.8	6.2	3.0	3.0	6.5	4.2	6.2	12.9
1830 SE Schiller	223	254	104	.91	56.9	62.2	49.9	57.8	15.4	37.0	9.9	7.4	3.0	3.0	8.0	5.2	11.8	12.9
SE 74th & Flavel	147	178	28	.99	28.5	30.3	21.7	25.2	24.8	52.9	5.8	4.4	0.7	0.7	4.6	3.0	4.0	4.4
55 SW Ash	173	177	27	1.19	60.1	63.6	21.3	24.7	6.6	13.4	13.8	6.6	2.6	2.6	8.5	5.4	5.6	6.2
1845 NE Couch	133	142	0	1.70	35.6	37.4	12.3	14.3	9.3	19.8	8.8	5.2	2.3	2.3	5.0	3.2	5.0	5.3
4950 SW Hall	146	164	14	.46	20.8	27.9	8.5	9.8	8.0	18.6	0.0	0.0	0.3	0.3	2.9	2.4	0.5	0.5
800 SE 23rd	127	143	0	1.68	27.7	31.3	21.1	24.5	9.3	19.4	3.6	2.8	1.4	1.4	3.9	2.6	4.4	4.9
High TSP Sites With Large Local Influences Not Identified by Model																		
368 SE State	219	229	79	.33	13.5	16.2	11.3	13.1	8.1	19.6	14.6	9.2	0.7	0.7	1.9	1.4	3.5	2.9
11212 NW St. Helensn	181	189	39	.31	2.0	3.6	32.2	37.3	0.5	1.0	3.7	4.4	0.2	0.2	0.3	0.3	0.0	0.0

*These columns are the particulate concentrations on the second highest TSP day in a year. The 1977 value is the average of second highest days in 1976, 1977, and 1987. The 1978 design values projected via computer simulation. Primary and secondary standards are 260 and 150 ug/m^3, respectively.

**These columns include miscellaneous source impacts such as residential oil or gas burning which are accounted for by the model.

***Residual oil impact is shown separately, but is partially included in the two categories "point sources" and "other miscellaneous sources" (Residual oil users are a combination of large point sources and small miscellaneous sources).

AQ0009.B
March 7, 1980

Aerosol Characterization Study, and,

3) The best available computer model for simulating the particulate concentrations which result from the Portland-Vancouver area's unique combination of emission source characteristics, (emission rates and variance by day and month), meteorology, and topography.

Columns 1 and 2 of Table 4.1.3-2 represent the projected annual geometric mean concentrations for 1977 and those projected for 1987. Column 3 shows the margin by which various sites are predicted to exceed the 60 ug/m^3 level.

Column 4 shows how much of the known contributions of sources within the AQMA is predicted by the model at various locations. In some cases, the model does not account for all of the local impact to occur. This is due to either uninventoried local particulate sources near monitoring sites or some other unknown influence. Quite simply, no regional air quality simulation model can accurately simulate all the physical processes which result in observed concentrations of pollution.

Columns 5 through 8 show the 1977 and 1987 impacts from point or industrial sources as compared to area (population or motor-vehicle related) sources. Area source impacts clearly dominate point source impacts at most monitoring sites. The 1987 residential wood burning impacts are shown in Column 9. A maximum impact of 9.0 ug/m^3 is projected to occur at the SE 74th and Flavel residential site in Southeast Portland in 1987. These impacts are a subset of the area source impacts shown in Column 8.

Table 4.1.3-3 summarizes the impacts from major sources for a worst case day. The format used is similar to that in Table 2. Only those sites with particulate concentrations greater than the 150 ug/m^3 daily standard have been summarized in the Table. Column 1 shows the 1977 typical second worst case day concentrations and Column 2 shows the projected 1987 concentrations. Column 3 shows the margin by which various sites are projected to exceed the 150 ug/m^3 standard. Columns 5 through 14 show the expected worst case impacts from major source categories in 1977 and 1987. Soil dust sources clearly dominate other source impacts. Residential wood burning impacts on a worst case 24-hour basis are projected to be a maximum of 53 ug/m^3 in 1987 at the Flavel Park residential site.

4.1.3.3.2 Fine Particulate Issues and Source Impacts

EPA is currently assessing whether the current particulate standard should be revised or augmented to include a standard for fine (smaller sized) particulates. EPA is considering such a revision is because the adverse health impacts of particulates are thought to be associated most closely with fine particulates (less than 15 u)* as opposed to larger particulates. It is not clear whether EPA will revise or add to the current standard, but EPA has expressed an intent to make a preliminary decision late in 1980. The best current information is that if a revision is made, the standard would probably be revised to include either a 2 micron or a 15 micron size cut standard or both.

*"Size Considerations for Establishing a Standard for Inhaleable Particulates", Miller et al, Journal of the Air Pollution Control Association, June 1979.

AQ0084.A

Table 4.1.3-4

1977 and 1987 Concentrations of Respirable Particulates (0-2 μ)
From Various Sources On Worst Case (Slow North Winter Wind) Days
(ug/m^3)

Site	Paved Road Dust Impacts 1977	1987	Unpaved Road Dust Impacts 1977	1987	Residential Woodburning Impacts 1977	1987	Point Source Impacts 1977	1987	Other Impacts 1977	1987	Motor Vehicle Exhaust Impacts 1977	1987	Total Impacts 1977	1987
3200 NW Yeon	0.9	1.2	8.1	9.4	3.0	6.6	3.3	3.6	2.0	2.4	1.0	0.8	18.3	24.0
718 W Burnside	4.6	4.9	2.8	3.3	5.0	5.5	5.4	3.1	2.0	4.3	5.2	3.4	25.0	24.5
1830 SE Schiller	5.7	6.2	5.0	5.8	12.3	29.6	5.0	3.7	3.9	4.3	6.4	4.2	38.3	53.8
SE 74th & Flavel	2.9	3.0	2.2	2.5	19.8	42.3	2.9	2.2	1.3	1.5	3.7	2.4	32.8	53.9
55 SW Ash	6.0	6.4	2.1	2.5	5.3	10.7	6.9	3.3	1.8	2.0	6.8	4.3	28.9	29.2
1845 NE Couch	3.6	3.8	1.2	1.4	7.4	15.8	4.4	2.6	1.7	1.7	4.0	2.6	22.3	27.9
4950 SW Hall, Beaverton	2.1	2.8	0.9	1.0	6.4	14.9	00	00	0.2	0.2	2.3	1.9	11.9	20.8
11300 SE 23rd, Milwaukie	2.8	3.1	2.1	2.5	7.4	15.5	1.8	1.4	1.4	1.6	3.1	2.1	18.6	26.2
368 S. State, Lake Oswego	1.4	1.6	1.1	1.3	6.5	15.7	7.3	4.6	1.2	1.0	1.5	1.1	19.0	25.3
11212 NW St. Helens, Linnton	0.2	0.4	3.2	3.8	0.4	0.8	1.9	2.2	0.0	0.0	0.2	0.2	5.9	7.4
Percent Respirable*	(10%)		(10%)		(80%)		(50%)		(33%)		(80%)			

*Fraction of a Source Category's total suspended particulate which is between 0 and 2 microns in size.

AQ0009.C
March 7, 1980

Table 4.1.3-5

1977 and 1987 Concentrations of Inhalable Particulates (0-15 μ)
On Worst Case Slow North Wind Winter Days

Site	Paved Road Dust Impacts 1977	Paved Road Dust Impacts 1987	Unpaved Road Dust Impacts 1977	Unpaved Road Dust Impacts 1987	Residential Woodburning Impacts 1977	Residential Woodburning Impacts 1987	Point Source Impacts 1977	Point Source Impacts 1987	Other Impacts 1977	Other Impacts 1987	Motor Vehicle Exhaust Impacts 1977	Motor Vehicle Exhaust Impacts 1987	Total Impacts 1977	Total Impacts 1987
3200 NW Yeon	2.6	3.7	24.2	28.1	3.4	7.4	5.0	5.3	4.0	4.9	1.2	1.0	40.4	50.4
718 W. Burnside	13.7	14.7	8.6	9.9	5.6	6.2	8.1	4.7	4.2	8.6	6.5	4.2	46.7	48.3
1830 SE Schiller	17.1	18.7	15.0	17.3	13.9	33.3	7.4	5.5	7.9	8.6	8.0	5.2	69.3	88.6
SE 74th & Flavel	8.6	9.1	6.5	7.6	22.3	47.6	4.4	3.3	2.7	2.9	4.6	3.0	49.1	73.5
55 SW Ash	18.0	19.1	6.4	7.4	5.9	12.1	10.4	5.0	3.8	4.2	8.5	5.4	53.0	53.2
1845 NE Couch	10.7	11.2	3.7	4.3	8.4	17.8	6.6	3.9	3.3	3.6	5.0	3.2	37.7	44.0
4950 SW Hall, Beaverton	6.2	8.4	2.6	2.9	7.2	16.7	0.0	0.0	0.3	0.3	2.9	2.4	19.2	30.7
11300 SE 23rd, Milwaukie	8.3	9.4	6.3	7.4	8.4	17.5	2.7	2.1	3.0	3.3	3.9	2.6	32.6	42.3
368 S. State, Lake Oswego	4.1	4.9	3.4	3.9	7.3	17.6	11.0	6.9	2.3	1.9	1.9	1.4	30.0	36.6
11212 NW St. Helens, Linnton	0.6	1.1	9.7	11.2	0.4	0.9	2.8	3.3	0.0	0.0	0.3	0.3	13.8	16.8
Percent Inhalable*	(30%)		(30%)		(90%)		(75%)		(67%)		(100%)			

*Fraction of a Source Category's total suspended particulate that is smaller than 15 microns in size.

AQ0009.C
March 7, 1980

In order to define fine particulate control issues, as clearly as possible, impacts from various sources are presented in Table 4.1.3-4 and 4.1.3-5.

Fine particulate ($\leq$ 2 microns) concentrations on worst case days are projected to increase significantly in residential areas due to the projected doubling of residential wood burning by 1987. For example, worst case day fine particulate concentrations from local sources at the SE 74th and Flavel site are projected to increase from 33 ug/m^3 in 1977 to 54 ug/m^3 in 1987. Local source fine particulate concentrations on worst case days at the 1830 SE Schiller site (also residential wood burning influenced) are projected to increase from 38 ug/m^3 to 54 ug/m^3 by 1987.

4.1.3.4. Impact of Selected TSP Control Strategies

4.1.3.4.1 Summary of Control Strategies Being Pursued

Three major factors had a significant impact on the selection of the package of control measures described below. The PACS study*, completed in 1979, indicated that 1) relatively little improvement in total particulate air quality could be achieved by further industrial source reductions and that 2) two population-related sources, road dust and wood space heating, were responsible for more impact than had been previously thought. The third major factor was the advisory committee process, under which over 30 public meetings were held to discuss the development of different control strategy alternatives. Recommendations of the Portland Air Quality Advisory Committee are presented in Appendix 4.1-3.

* PACS Final Report, John G. Cooper, Oregon Graduate Center, June 1979

During the strategy review process, several potential strategies were rejected as either too costly, unproductive, or socially unacceptable. An analysis of additional industrial process emission control strategies indicated that all major sources were controlled to the RACT (reasonably available control technology) level. All additional reasonable controls on industry in combination would only reduce daily concentrations by 1 ug/m^3 at the maximum impact site at a cost of over $2.6 million per year. A decision was made not to attempt to ban the use of wood stoves or fireplaces as this would be socially unacceptable. It was further decided to promote the development of control equipment that potentially could be applied to new woodburning unit sales. Slash burning control programs were not included because background site data indicated that slash intrusions during 1978 and 1979 had a relatively small impact on particulate air quality in the Portland area. It was also decided that road dust control measures such as sanding controls, construction site trackout controls, and additional emission inventory work should focus primarily on the areas exceeding particulate standards rather than the whole AQMA so as to apply limited resources where they could produce the greatest benefit.

Listed below are the eight major potential elements of the TSP control strategy for the SIP. Each of these is described briefly in the discussion below. Administrative agreements and tentative schedules for completing

analysis and programs are presented in Section 4.2.5.1. As is demonstrated in Section 4.1.3.4.2, full development and implementation of these strategies could produce attainment of the particulate standards.

- Implement a program to reduce winter sanding impacts, concentrating on the particulate violation area.

- Implement a program to reduce construction site trackout impacts, concentrating on the particulate violation area.

- Prohibit open burning in the urbanized area.

- Promote and implement VMT reduction measures to the extent practicable.

- Develop Wood burning control measures;
  - Implement a moisture content reduction program to the extent practicable
  - Fund control device research.
  - Implement an emissions testing program.
  - Conduct additional residential monitoring during winter periods to track the impact of residential burning.
  - Develop emission control requirements as are warranted and practicable.

- Implement a street vacuuming demonstration project.

- Develop a more detailed inventory on where the unpaved roads and lots within the violation area are and what their approximate traffic levels are.

- Implement a localized dust control program for those areas projected to exceed primary particulate air quality standards by 1987.

1. Implement a program to reduce winter sanding impacts concentrating on the particulate violation area.

Winter sanding controls appear to be one of the most cost-effective control strategies. Reduction of up to 30 ug/m^3 (see Table 4.1.3-7 through 10) during post-sanding periods could be achieved at some locations. The City of Portland has agreed to evaluate their winter sanding program to determine whether winter sanding impacts on particulate concentrations could be reduced by either a) applying less material or b) applying sanding materials with less fines or c) cleaning up the sanded streets sooner such that less reentrainment of sand material occurs. Program operation revisions which reduce particulate concentrations from winter sanding at a reasonable cost will be considered by the city thereafter. The greatest emphasis will be on revising practices within the actual particulate nonattainment area.

The Oregon Department of Transportation has agreed to conduct a similar evaluation of their sanding practices on state roads within the TSP violation area. Clackamas County has agreed to revise their sanding program to accomplish reductions in sanding particulate impacts.

Other jurisdictions with minor portions of their area within the TSP violation area will be requested to consider revising their sanding practices within the violation area during this next year. These jurisdictions include Multnomah County, Washington County and Beaverton. The administrative agreements discussed above are presented in Section 4.1.5.1.1.

2. Implement program to reduce construction site track out

Construction site track out controls also appear to be among the most cost-effective of possible strategies. Average particulate concentration improvements of 1.65 ug/m^3 on a daily basis and .66 on an annual basis are projected (see Table 4.1.3-7). The City of Portland has agreed to evaluate the effectiveness of the existing city building code as a means to prohibit and enforce against significant construction site track out. The outcome of the evaluation will either be a) a determination that existing codes are sufficient to adequately enforce against track-out problems or b) a proposal to the City Council regarding how the code should be revised to ensure adequate enforcement.

The Oregon Department of Transportation has agreed to notify contractors for DOT projects that construction site trackout needs to be more carefully controlled for construction activities which occur within the TSP violation area. The DEQ will work with other jurisdictions to develop similar programs. Administrative agreements from the city of Portland, Clackamas County, and the Oregon Department of Transportation are presented in Section 4.1.5.1.1.

DEQ will utilize its existing field enforcement staff to enforce its nuisance regulations against obvious and significant violators. The DEQ perceives however, that individual construction site trackout problems can be most effectively identified by building inspectors who must otherwise visit each site on several occasions.

3. Prohibit open burning in the urbanized area.

Environmental Quality Commission rules prohibit backyard burning within the Portland metropolitan area for dates after December 31, 1981. Specific regulations to this effect are included in section 4.1.4. Strong efforts by DEQ and Metro have been made to help assure that disposal alternatives other than open burning will be available by that date.

4. Promote measures to reduce vehicle miles traveled

Since motor vehicles are the single largest source of emissions of particulates as well as carbon monoxide and hydrocarbons, and since the transportation sector uses about 40% of Oregon's total energy, the reduction of the amount of vehicle miles traveled (VMT) is one of the highest priority control strategies identified by the DEQ. For these reasons, the Department has identified as a potential control strategy the reduction of expected 1987 VMT in the region by 10 to 20%. A 15% reduction in expected vehicle miles traveled would limit the 1977 to 1987 growth in VMT to 5 to 15% and would improve expected air quality by 13 ug/m^3 on a worst case day and by 4.35 on an annual basis at the Industrial Air Products Site (see Table 4.1.3-7 through 10).

Metro, the lead agency for transportation planning will complete its preliminary analysis of the effectiveness of transportation control measures by September 30, 1980 and will seek to implement or promote those measures identified as reasonable during the 1980 to 1987 period. The Joint Policy Advisory Committee; a body of local decision-makers, has previously endorsed the goal of trying to reduce the expected growth in traffic levels in the region.* News reports** indicate that vehicle miles travelled nationally during 1979 actually dropped 4% instead of growing 2%. Metro intends to conduct a survey during fall 1980 to determine to what extent a commitment to reduce vehicle miles travelled is politically acceptable.

5. Develop wood burning control measures

The development of residential wood burning control strategies can be categorized into three program areas; 1) tracking and verification of ambient air impacts by special monitoring work, 2) the promotion of weatherization programs to reduce heating needs and thereby wood burning emissions and 3) the development of control device research funding. All these strategies in combination could result in a calculated 19.7 ug/m^3 daily improvement or a 3.35 ug/m^3 annual average improvement at the residential site with maximum wood burning impacts (see Table 4.1.3-7 through 10).

*JPACT meeting minutes, October 1979.
** "Driving Habits Spark Change in Oil Imports", Oregonian, August 22, 1980

Monitoring

Ambient worst day particulate impacts of 25 - 30 ug/m^3 were identified for some January 1978 days during the Portland Aerosol Characterization Study. Since wood cutting trend information indicates that residential wood usage is likely to double between 1977 and 1987*, it is critical that the Department monitor ambient particulate impacts to verify whether the expected growth in emissions impact is actually occurring. During the winter of 1980-1981 chemical analysis (including C_{12}/C_{14} radiocarbon dating and carbon enrichment analysis) will be conducted for at least 5 samples which appear to have been significantly impacted by residential wood burning. The purpose of this analysis will be to determine the likely peak impacts which can be attributed to residential wood burning.

A new residential site in SE Portland with the capability of particulate monitoring which allows chemical mass balance identification of particulate emission sources will be in operation by October of 1981. Chemical mass balance identification techniques will be used to determine likely peak daily particulate impacts from residential burning for at least 6 days which appear to have had significant residential wood burning impacts.

Weatherization Programs

Weatherization programs reduce wood burning by reducing the heating needs for individual structures. The City of Portland has adopted an Energy

* Residential Wood Survey, Talbot and Wong, 1980.

Policy which provides for the implementation of an aggressive weatherization policy during the next five years*. Under the program, all homes sold after June, 1984, will be required to be weatherized (up to a 10 year pay back standard) before they can be sold. The implementation of the program is contingent upon continuing support by the Portland City Council and area voters, and on the availability of low interest loan funds to assist low income property owners in financing the initial costs of weatherization.

DEQ will support the expansion of weatherization programs throughout the Portland metropolitan area.

* City of Portland Energy Conservation Policy, August 1979

AQ0091.1 (1)

Development of Control Technique Research Funding

Air pollution impacts from residential wood burning are likely to increase significantly in future years, unless wood burning devices are either modified or operated differently such that they produce less emissions. Given this potential large increase in air pollution in populated areas which already exceed air quality standards, a strong program seems necessary to reduce wood burning emissions by either improved operating practices, improved stove design, or pollution control devices. Most likely all three approaches are needed. Listed below is DEQ's draft proposal for funding needs to address residential wood burning pollution problems in priority order.

The Department will seek funding during 1980 and 1981 to support work similar to the projects identified below from a variety of funding sources, including, the U.S. EPA, the U.S. Forest Service, the Oregon Legislature, the Fireplace Institute, the Wood Energy Association, and the Wood Energy Institute.

I. Emission Reduction Techniques

A. Verify relationship between moisture content and particulate emissions — $25,000 (contract)

One Auburn University research project indicated that lower moisture content wood produced greater creosote deposition on the stack walls of an airtight stove than wetter wood. Since the traditional view is that lower moisture wood produces less emissions at higher efficiency, this relationship needs to be evaluated focusing on particulate emissions rather than creosote deposition.

B. Determine the Average Moisture Content of Wood Burned in the Portland Area — $ 7,000 (contract)

If moisture content is determined to have a significant impact on particulate emission rates from wood burning, then a survey will be needed to determine what the average wood moisture content is for wood being burned in residential units. The amount of effort to be focused on reducing average moisture content should depend on how much higher the average moisture content is as compared to 20% moisture content wood.

C. Public Education Program On Good Operating Practices — $20,000 (DEQ)

Pollutant emission rates vary greatly depending on how the wood burning device is operated. A public education program would help to inform the public on how they can operate their stoves and fireplaces with less emissions.

II. Emission Control Incentive Programs

A. Evaluate and Develop Simplified Emission Rating System and Establish a Testing Laboratory — $50,000 (contract)

A complete particulate emissions test can cost more than $1000 per test. If a simplified emission rating system can be developed, it will be much easier for wood burning device manufacturers to obtain feedback on how cleanly one design operates as compared to another. In particular, it is hypothesized that an opacity monitor together with a continuous hydrocarbon analyzer or simply a smoke spot density measure could provide a good indication of particulate emission rates with much lower costs. A testing laboratory would also be set up somewhere in the Willamette Valley such that furnace or stove designers could test their devices in a standard manner at a reasonably low cost.

B. Design Tax Credit and Emission Taxation Program — $10,000 (contract)

If long range research is needed to develop pollution control modifications for wood burning devices, some mechanism will be necessary. Under this contract, a consultant would evaluate different potential funding recommendations (i.e. $1 tax per stove, etc.) and make recommendations on the most effective and acceptable option.

C. Grants to manufacturers for Control System Development — $75,000

Under this funding proposal, a panel of wood combustion experts would evaluate grant requests to fund different types of pollution control systems or improved design. Grant support would be awarded to applicants with the most promising ideas.

III Emission Control System Development

A. Development of the Most Promising Emission Control System — $175,000 (contract)

Under this program, it is assumed that one control technology clearly will have the greatest potential for reducing emissions. Up to $150,000 would be spent in developing the most promising control system.

B. Design Standards and Program Implementation — $25,0000 (contract)

After approximately 2 years of pollution control research, it should become clear which types of devices burn cleanly or what level of control can reasonably be achieved with control devices. If appropriate, design standards would be developed and the program would be implemented.

6. Implement a street vacuuming demonstration project

The City of Portland, with DEQ assistance, has been granted an EPA Demonstration Project to evaluate the effectiveness of controlling urban paved road dust by vacuum sweeping. The project is designed to focus on heavily loaded industrial and commercial streets located within the particulate violation areas. The streets surrounding these locations will receive alternating periods of vacuum sweeping contrasted with no street cleaning during a six month period. Differences in soil dust concentrations during the different periods will be analyzed to determine the effectiveness of this control measure. Appendix 4.1-4 describes the street sweeping project in detail.

The final report with conclusions on the effectiveness of street sweeping is scheduled to be completed by January 1982. An evaluation of whether street sweeping programs are effective and should be expanded as a particulate control strategy will be completed by DEQ within 4 months of the date of the projects summary report. A comprehensive street sweeping program that reduced road dust impacts by 10% could reduce TSP concentrations by 6.4 ug/m^3 on a daily basis and 2.56 ug/m^3 on an annual basis at the downtown Portland site (see Table 4.1.3-7 through 10).

7. Develop improved inventory of unpaved roads and unpaved lots within the violation area.

DEQ will develop an inventory of unimproved streets and lots in the immediate vicinity of all locations that are predicted to exceed secondary and primary standards. Highest priority will be placed on those areas which are projected to exceed primary TSP standards by 1987. In order to accurately assess the scope of non-traditional sources (particularly fugitive dust), average daily traffic levels will be estimated and compiled. The Department will develop a list of the 20-30 specific sources of soil dust within the violation area which appear to have the most significant impact. Control measures for these highest priority sources will be evaluated and those with reasonable cost will be proposed for implementation. It is anticipated that particulate impacts from all unpaved roads and lots could be reduced by up to 30% as a result of this process (see Table 4.1.3-7 through 10).

8. Develop and Implement a Localized Control Program for Sites likely to Exceed Primary TSP Standards.

Two small areas have been identified as locations which appear likely to exceed primary TSP standards by 1987. These locations are shown in Figure 4.1.3-1.

One of these areas has a historical TSP monitoring site, and has a higher fraction of coarse particulates (greater than 30 microns in size) than typical regional sites. Such a size distribution indicates these locations may be biased above typical regional concentrations by sources of fugitive dust within the immediate vicinity of the monitors. For these reasons, a micro-scale emission inventory will be developed at each of these two locations and if local fugitive sources appear likely to be responsible for large amounts of coarse particulates then reasonable controls will be proposed and implemented for nearby sources of fugitive dust.

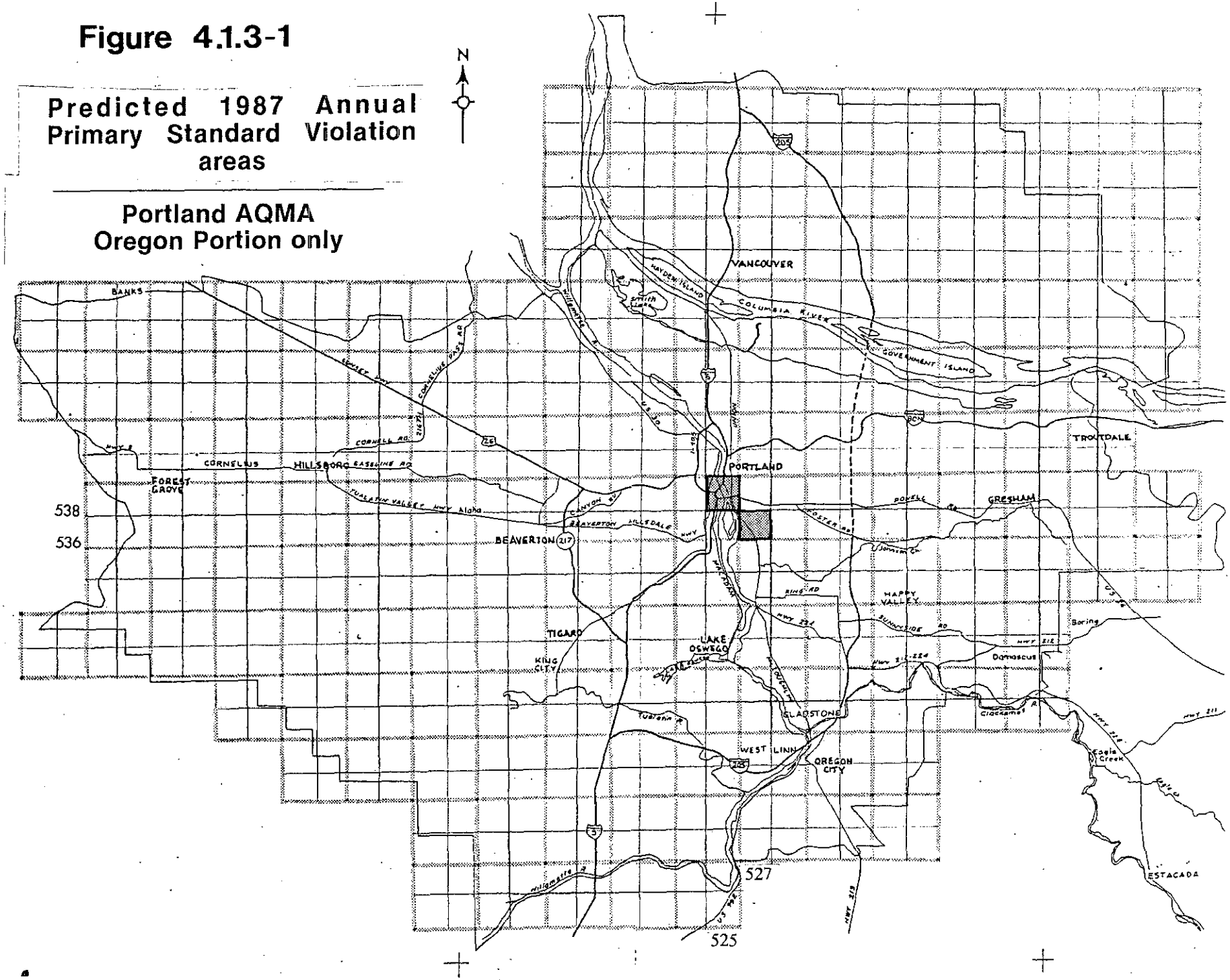
4.1.3.4.2 Particulate Air Quality Improvement Which Would Result if Non-Traditional Source Strategies Were Workable and Implemented

This section summarizes the air quality improvements which would result if various non-traditional source strategies were workable and implemented. As Table 4.1.3-5 shows below, full implementation of all the non-traditional source strategies could provide sufficient reduction to attain the particulate standards at four key sites.

Figure 4.1.3-1

Predicted 1987 Annual Primary Standard Violation areas

Portland AQMA
Oregon Portion only



49a

Table 4.1.3-6

Effectiveness of Combined Strategies At Reducing Particulate Concentrations by 1987

Site	24-hour Reduction Needed (ug/m^3)	24-hour * Improvement Which Would Result (ug/m^3)	Annual Reduction Needed (ug/m^3)	Annual * Reduction Which Would Result (ug/m^3)
55 SW Ash	27	54.6	9.2	11.7
3200 NW Yeon	69	75.4	12.4	28.8
SE 74th & Flavel	28	50.8	2.6	11.3
1830 SE Schiller	104	107.2	24.0	30.56

*The overall effectiveness as shown in Columns 2 and 4 are less than the sum of all individual strategies in Tables 4.1.3-7 through 4.1.3-10 because the implementation of some strategies reduces the reduction potential of other strategies. These credits do not include any credits for reduced open burning.

Tables 4.1.3-7 through 4.1.3-10 show in detail the reductions which would result from the full development and implementation of all the non-traditional source strategies at the four urban sites operated during the PACS study. Due to the different contributions of source categories at different sites, the control strategies produce different levels of reductions at different sites. Maximum reductions from wood burning strategies occur at the residential site. Maximum reductions from strategies effecting paved road dust occur at the downtown site, whereas the greatest reductions from strategies effecting unpaved area emissions occur at the Northwest or Southeast Portland industrial area sites.

Table 4.1.3-7

TSP Air Quality Improvement Which Could Result If Non-Traditional Source Control Strategies Are Implemented And Successful At The Central Portland Site, 55 SW Ash

Control Strategy Element	Daily TSP Air Quality Improvement on a Worst Case Day (ug/m^3)	Annual TSP Air Quality Improvement (ug/m^3)	Reference
VMT Reduction Measures 15% reduction	10.86	4.35	1
Construction Site Trackout Control	1.65	.66	2
Winter Sanding Controls	30.00	.74	3
Wood Burning Control Strategies			
Weatherization of 30% of Regions Homes by 1987	2.41	.68	4
Reduction of Average Wood Moisture Content From 28% to 23%	2.14	.61	5
75% Effective Control Device Installed on 50% of Stoves Installed During 1985 - 1987	.84	.23	6
Air Supply Regulation Device Which Reduces Emissions 30% Installed on 50% of Stoves Sold During 1984 - 1987	.40	.11	7
Open Burning Ban	*	8	8
Street Sweeping			
Reduce Paved Road Dust Impacts by 10% By Increased Sweeping Near Violation Areas	6.4	2.56	9
Unpaved Area Controls			
Paving, Stabilization, or Traffic Diversion at the 20 Locations with Maximum Impacts	6.4	2.56	10

*Impact estimates still being evaluated.

Table 4.1.3-8

TSP Air Quality Improvement Which Could Result If Non-Traditional Source Control Strategies Are Implemented And Successful At The NW Industrial Site, 3200 NW Yeon

Control Strategy Element	Daily TSP Air Quality Improvement on a Worst Case Day (ug/m^3)	Annual TSP Air Quality Improvement (ug/m^3)	Reference
VMT Reduction Measures 15% reduction	13.0	5.2	11
Construction Site Trackout Control	1.65	.66	2
Winter Sanding Controls	4	.09	12
Wood Burning Control Strategies			
Weatherization of 30% of Regions Homes by 1987	1.48	.56	4
Reduction of Average Wood Moisture Content From 28% to 23%	1.31	.50	5
75% Effective Control Device Installed on 50% of Stoves Installed During 1985 - 1987	.49	.19	6
Air Supply Regulation Device Which Reduces Emissions 30% Installed on 50% of Stoves Sold During 1984 - 1987	.25	.09	7
Open Burning Ban	*	*	8
Street Sweeping			
Reduce Paved Road Dust Impacts by 10% By Increased Sweeping Near Violation Areas	.88	.35	9
Unpaved Area Controls	26.4	10.56	10
Paving, Stabilization, or Traffic Diversion At the 20 Locations With Maximum Impacts			
Local Fugitive Dust Controls	8.3	3.3	11
Control of Fugitive Sources Causing Undue Bias of Levels			

*Impact estimates still being evaluated.

Table 4.1.3-9

TSP Air Quality Improvement Which Could Result If Non-Traditional Source Control Strategies Are Implemented And Successful At The Residential Site, SE 74th & Flavel

Control Strategy Element	Daily TSP Air Quality Improvement on a Worst Case Day (ug/m^3)	Annual TSP Air Quality Improvement (ug/m^3)	Reference
VMT Reduction Measures 15% reduction	8.78	3.51	1
Construction Site Trackout Control	1.65	.66	2
Winter Sanding Controls	14	.32	3
Wood Burning Control Strategies			
Weatherization of 30% of Regions Homes by 1987	9.52	1.62	4
Reduction of Average Wood Moisture Content From 28% to 23%	8.46	1.44	5
75% Effective Control Device Installed on 50% of Stoves Installed During 1985 - 1987	3.17	.54	6
Air Supply Regulation Device Which Reduces Emissions 30% Installed on 50% of Stoves Sold During 1984 - 1987	1.59	.21	7
Open Burning Ban	*	*	8
Street Sweeping			
Reduce Paved Road Dust Impacts by 10% By Increased Sweeping Near Violation Areas	3.0	1.2	9
Unpaved Area Controls			
Paving, Stabilization, or Traffic Diversion at the 20 Locations With Maximum Impacts	6.5	2.6	10

*Impact estimates still being evaluated

Table 4.1.3-10

TSP Air Quality Improvement Which Could Result If Non-Traditional Source Control Strategies Are Implemented And Successful At The SE Industrial Site, 1830 SE Schiller

Control Strategy Element	Daily TSP Air Quality Improvement on a Worst Case Day (ug/m^3)	Annual TSP Air Quality Improvement (ug/m^3)	Reference
VMT Reduction Measures 15% reduction	18.8	7.52	1
Construction Site Trackout Control	1.65	.66	2
Winter Sanding Controls	31.1	1.79	3
Wood Burning Control Strategies			
Weatherization of 30% of Regions Homes by 1987	6.66	1.08	4
Reduction of Average Wood Moisture Content From 28% to 23%	5.92	.96	5
75% Effective Control Device Installed on 50% of Stoves Installed During 1985 - 1987	2.22	.36	6
Air Supply Regulation Device Which Reduces Emissions 30% Installed on 50% of Stoves Sold During 1984 - 1987	1.11	.18	7
Open Burning Ban	*	*	8
Street Sweeping			
Reduce Paved Road Dust Impacts by 10% By Increased Sweeping Near Violation Areas	6.22	2.49	9
Unpaved Area Controls			
Paving, Stabilization, or Traffic Diversion at the 20 Locations With Maximum Impacts	17.34	6.94	10
Local Fugitive Dust Controls			
Control of Fugitive Sources Causing Undue Bias of Levels	17.43	6.98	11

*Impact estimates still being evaluated.

References for Tables

1. DEQ has assumed that the region may limit its growth in regional traffic during the 1977 to 1987 period to 10% rather than 25%. Annual estimate based on Larsen's peak to mean ratio technique.
2. Twenty-four hour estimate from Appendix 4.1-5. Annual effect estimated via Larsen's technique.*
3. Twenty-four estimate from Appendix 4.1-5. Annual effect determined by multiplying the 24-hour value by .4 per Larsen's technique and by multiplying this value by 21/365, which represents the fraction of a year during which the reduction would be effective (assuming 3 sandings/year).
4. Annual and 24-hour data from Appendix 4.1-5, multiplied by .18. The city of Portland (40% of AQMA's population) expects 75% of residences will weatherize by 1987. It was assumed that 0% of the rest of the AQMA will weatherize by 1987. With 60% reduction in heat requirement assumed (per city of Portland Energy office), regionwide an 18% reduction would occur by 1987.
5. Annual and 24-hour data from Appendix 4.1-5, multiplied by .16. Appendix 4.1-5 indicates a 26% reduction in emissions would occur if moisture content were reduced from an average of 28% to 20%. This calculation assumes that a 23% average moisture content level is achievable by 1987. $(.25 \times \frac{28-23}{28-20} = .16)$.
6. Annual and 24-hour data from Appendix 4.1-5, multiplied by .06. It was arbitrarily assumed that a 75% control device could be installed on 50% of the stoves sold during 1985-1987. Since 17.5% of the 1987 total emissions will occur as growth during 1985-1987, it was assumed that 50% of this expected growth would be controlled with 75% effectiveness (0.66= .175 x .5 x .75).
7. Annual and 24-hour data from Appendix 4.1-5, multiplied by .03. It was arbitrarily assumed that air supply regulating devices will be able to reduce emissions by 30% and will be installed on 50% of the stoves sold during 1984 to 1987. (23.3% of 1987 total is from 1984-1987 growth; .035 = .233 x .5 x .3).
8. No open burning is normally allowed on worst case winter days. Impact estimates still being evaluated.
9. Annual and 24-hour data from Appendix 4.1-5. It was arbitrarily assumed that street sweeping will be able to reduce concentrations by 10% by increased sweeping near the violation area.
10. It was assumed that by controlling 20 of the worst trackout problems, a 30% reduction in unpaved area impacts will result. Unpaved area impacts are shown in Tables 4.1.3-2 and 4.1.3-3. Annual values calculated via Larsen's technique.
11. TSP monitors at the 18th and Schiller Southeast site and at the 3200 NW Yeon site showed abnormally high values of sampler bias due to unusually large particles. It has been assumed that 75% of this bias could be controlled by local fugitive controls.

*Larsen's technique is a method for determining peak daily concentrations based on annual geometric mean concentrations. Typically the peak values are 2-1/2 times the annual geometric means.

4.1.3.5 Demonstration of Commitment to Adopt Future Reasonably Available Control Technology

EPA Region X has previously agreed, in correspondence date March 2, 1979 and April 6, 1979 that the state of Oregon's current SIP emission limits represent reasonable available control technology. The Federal Register acknowledging that RACT has been applied in Oregon is included as Appendix 4.1-6.

4.1.3.6 Growth Management Plan

Emission offsets will be required for sources greater than 100 tons/year locating within the nonattainment area until enforceable rules are implemented which will produce attainment and maintenance of the particulate standard and a growth cushion is included. As part of the New Source Review Rule to be modified by the Department in the fall of 1980, the emissions cutoff for new or modified sources may be revised to be consistent with August 1980 guidance from EPA on new source review requirements*. Major sources outside the nonattainment area will be required to obtain offsets if the impact from such a source has an impact on the nonattainment area that exceeds specified daily or annual significance levels. The Portland New Source Review requirements will likely be generally consistent with the recommendations of the Portland Airshed Growth Management Study Committee**.

* Federal Register, Aug. 7, 1980

** Air Quality and Economic Development: A Growth Management Strategy for Portland, Oregon, Seton, Johnson & Odell, Inc., June 1980

More detailed air quality maintenance plans will not be developed until a) EPA completes its evaluation of whether particulate standards should be revised and b) several of the demonstration projects have been completed such that it is possible to evaluate whether the standard can be attained with such nontraditional source control programs.

4.1.3.7 Health, Welfare, Energy, and Economic Impacts of the Strategies

4.1.3.7.1 Health Effects

Maintaining particulate air quality levels below the Federal Primary Standard will provide adequate protection to the health of the community within the criteria used by the Environmental Protection Agency in establishing the standard. EPA is currently reevaluating the particulate standard and may revise it to focus on smaller sized particulates which are thought to be more responsible for health effects than larger particulates. Tables 4.1.3-11 and 4.1.3-12 below show how much of the reductions from the proposed program would occur at key sites in the inhaleable fraction (0-15 microns) and in the respirable fraction (0-2 microns).

TABLE 4.1.3-11

Effect of Proposed Strategies on 24-hour Air Quality

Site	Possible Reduction In Total Particulates	Possible Reduction In Inhaleable Particulates	Possible Reduction In Fine Particulates
Downtown Portland	54.6	20.0	9.8
Southeast Portland Residential	50.8	27.6	19.5
Southeast Portland Industrial	75.4	41.6	21.8
Northwest Portland Industrial	107.2	25.3	10.7

TABLE 4.1.3-12

Effect of Proposed Strategies on Annual Air Quality

Site	Possible Reduction In Total Particulates	Possible Reduction in Inhaleable Particulates	Possible Reduction In Fine Particulates
Downtown Portland	11.7	6.3	2.5
Southeast Portland Residential	11.3	5.6	3.8
Southeast Portland Industrial	28.8	11.0	5.2
Northwest Portland Industrial	30.6	9.7	4.1

4.1.3.7.2 Welfare Effects

Reductions in particulate concentrations will have the benefit of marginally improving visibility in the region and of reducing soiling throughout the region which will reduce cleaning costs incurred by businesses and residences. Reductions in emissions from wood burning and open burning will help to reduce odors from these sources which are objectionable to some individuals. Property values may increase in areas in which substantial air quality improvements are achieved.

4.1.3.7.3 Energy Impacts

Reducing vehicle miles travelled in the region holds great potential for saving energy. In fact, reducing VMT by 15% would produce gasoline savings on the order of 100 million gallons per year.

Negative energy impacts of other elements of the proposed program will be minimal. Some additional resources will be required where paving programs using asphalt are required. However, the fraction of crude oil used to produce asphalt has limited application as an energy source. Fuel used to operate street cleaning machinery will not be the major consideration in total cleaning costs; for example, a vacuum sweeper will typically use $6 of gas per hour of operation.

4.1.3.7.4 Economic Impacts

Costs of implementing all the proposed strategies are difficult to quantify because some of the control technologies require additional development. However, best estimated costs are shown in Table 4.1.3-13 below for those costs which could be estimated.

TABLE 4.1.3-13

Estimated Costs of Particulate Control Programs

Strategy	Cost	Basis
Reduce VMT Regionally By 15%	Potential Savings	Fuel and maintenance savings are substantial. Details in Appendix 4.1-5.
Construction Site Trackout Controls In Violation Area	$126,000/year	Details in Appendix 4.1-5. Cost estimates for 80 sq. kilometers revised to cover 120 sq. kilometers
Winter Sanding Controls	$ 50,000/year	Details in Appendix 4.1-5.
Weatherization	Net Savings	
Wood Moisture Content Reductions	Net Savings	
Control Device Application	$300,000/year ($900,000 for 1985-87)	Assume 18,000 wood burner, sold during 1985-1987, 50% coverage, and $100 per device.
Air Supply Control Device Application	$150,000/year ($600,000 for 1984-1987)	Assume 24,000 wood burners sold during 1984-1987, 50% coverage, and $50 per device.
Street Sweeping	Unknown	
Unpaved Area Controls	Unknown	
Local Fugitive Source Controls	Unknown	

4.1.5 REASONABLE FURTHER PROGRESS

The Clean Air Act requires reasonable further progress which means that areas exceeding standards should make continual incremental progress towards the attainment of standards. However, despite good intentions, it is not possible to ensure that such continual progress will be made when control techniques for nontraditional sources are as imperfect as at the present time. Since the Department has received no guidance from EPA regarding how reasonable further progress can be guaranteed when the necessary nontraditional source control techniques have not yet been developed, no distinct reasonable further progress demonstration has been included in this section. However, committments are included in this section regarding what programs will be undertaken by which agencies, and a control program has been delineated in this SIP revision which would result in attainment of the secondary standards by 1987 if and only if all the nontraditional source control programs are workable, practicable, and implementable.

4.1.5.1 Commitments to Develop Strategies

This section includes commitments from various jurisdictions and agencies regarding what work they will conduct to develop control strategies for nontraditional sources of particulates. Those strategies will be implemented to the extent they are workable and practicable. The commitments describe the scope of commitments made and the goals for when the strategies may be implemented.

Although firm dates cannot be committed to regarding exactly when new regulations and ordinances will be adopted and implemented, Table 4.1.5-1 is presented below which shows the dates by which DEQ will seek to have control program elements adopted and implemented.

In the event of continuing eruptions of Mt. St. Helens and subsequent ashfalls on this area, priorities for area source controls may need to be shifted to concentrate more on cleanup of the volcanic ash.

Assumed Implementation Schedule of Potential Control Programs

Table 4.1.5-1

Strategy	Program Initiation	Goal for Program Implementation
Sanding Controls	6/30/81	12/31/81
Construction Trackout Controls	6/30/81	12/31/81
Measures to Reduce Vehicle Miles Travelled	12/31/82	12/31/86
Prohibit Open Burning	ADOPTED June, 1979	1/01/81
Residential Wood Burning Strategies		
- Weatherization	12/31/82	12/31/86
- Wood Moisture Content Reductions	NA	12/31/82
- Control Device for New Units	12/31/83	12/31/84
- Air Supply Control Device for New Units	12/31/82	12/31/83
Improved Street Sweeping Programs	12/31/82	12/31/83
Control of 20-30 Unpaved Areas With Maximum Impact	06/30/81	12/31/82
Local Fugitive Dust Controls	12/31/81	12/31/82

4.1.5.1.1 Commitment Regarding Programs to Reduce Particulates From Winter Sandings

Commitments have been received from the City of Portland and the Oregon Department of Transportation to review sanding practices with regards to whether they can be modified so as to reduce the amount of particulates resulting from sanding. Those agreements are presented below. The Department will attempt to obtain similar commitments from Multnomah County and the City of Beaverton. The Department will seek to have jurisdictions commit to revised sanding practices as appropriate, by June 30, 1981.

4.1.5.1.2 Commitments Regarding Control of Construction Site Trackout

The Department has received commitments from the City of Portland and from the Oregon Department of Transportation to review how those jurisdictions control construction site trackout and whether modifications to those practices are appropriate. Those commitments are included as part of the agreements in Section 4.1.5.1.1. The Department will attempt to obtain similar committments from Multnomah County and the City of Beaverton. The Department will seek to have jurisdictions commit to revised construction site trackout control programs, as appropriate, by June 30, 1981.

VICTOR ATIYEH
GOVERNOR

Department of Transportation
STATE HIGHWAY DIVISION

In Reply Refer to
File No.: ENV 6

June 24, 1980

Mr. William H. Young, Director
Department of Environmental Quality
522 S.W. Fifth Avenue
Portland, OR 97204

Dear Mr. Young:

Your staff has requested a commitment on the part of the State Highway Division concerning the minimization of air pollution in the Portland area from winter sanding.

The Highway Division agrees to assess the feasibility and cost of revising winter sanding practices to reduce air pollution while still meeting traffic safety objectives on the state highway system in the Portland area as follows:

1. For sanding material not yet purchased and in stockpile, modifying the type (gradation) of material applied to street surfaces so that fewer fines are available for resuspension.

2. Applying sanding materials more selectively to avoid applying more material than is necessary to protect the public, within the adopted policy of the Oregon Transportation Commission; i.e., Chapter 9 (revised August 1978) of the Maintenance Manual, Technical Bulletin No. 26.

3. Attempting to increase the frequency of cleanup of sanding materials, within available funds, through street sweeping to reduce the time period in which the material is available for resuspension.

The Highway Division also agrees to review construction contract Standard Specifications and project Special Provisions for the inclusion of appropriate terminology relating to local ordinances concerning the deposition of soil materials from construction sites onto paved roadways. It is understood that the Highway Division is not charged nor empowered to enforce these local ordinances or regulations - that is the function of other state and local agencies.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
JUN 25 19..
OFFICE OF THE DIRECTOR

Form 734-3122

As a general statement, the Highway Division is both concerned about and interested in a healthful environment and the reasonably safe and efficient operation of the state highway system. It is toward this end that the above commitments are made.

Sincerely,

H. S. Coulter
State Highway Engineer

THE CITY OF
PORTLAND
OREGON

DEPARTMENT OF
PUBLIC WORKS
MIKE LINDBERG
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

621 S.W. ALDER
PORTLAND, OR 97205

LETTER OF AGREEMENT

Recent air quality studies have shown that dust and soil on street surfaces which is resuspended by motor vehicle traffic is the single greatest contributor to violations of the National Ambient Air Quality Standards (NAAQS) for particles in the Portland area.

Recognizing that under the 1977 amendments to the Clean Air Act, an implementation plan adequate to attain and maintain particulate air quality standards must be adopted for the Portland area as a precondition for new industrial growth; that it is in the best interest of the City of Portland to participate in the development of air pollution strategies which will affect the future of the City; and that programs to minimize construction site track-out and to minimize air pollution from winter sanding are among the most cost-effective particulate strategies; the City of Portland Department of Public Works and the Office of Planning and Development agree to carry out the following work programs to develop and implement soil dust control strategies within the City of Portland.

1. Public Works Bureau of Maintenance agrees to assess the feasibility and cost of revising winter sanding practices to reduce air pollution while still meeting traffic safety objectives by:

   - modifying the type of material applied to street surfaces so that fewer fines are available for resuspension;

   - applying sanding materials more selectively so as to avoid applying more material than is necessary to protect the public;

   - accelerating the cleanup of sanding materials (through street sweeping) to reduce the time period in which the material is available for resuspension.

   The Bureau further agrees to prepare a report summarizing the findings of the above analysis and its recommendations for operational changes by September 30, 1981; and to present that information to the Oregon DEQ by October 15, 1981. Should the analysis indicate that changes which require City Council

approval are warranted, the Bureau of Maintenance agrees to propose operational changes to the Council by December 15, 1981.

2. The Bureau of Buildings and the Bureau of Streets and Structural Engineering, agree to develop programs to minimize the deposition of soil materials from construction onto public roadways.

   The Bureau of Buildings will evaluate its current program to minimize trackout from private construction activities. This evaluation will include an assessment of enforcement methods, availability of manpower, frequency of inspection, and overall program effectiveness. The Bureau will also evaluate potential operational changes, and will incorporate those changes which are demonstrated to be most effective into a modified work program.

   Operational changes to be investigated will include but will not be limited to: use of stop-work orders; use of private contractors to clean streets with charges assessed to the responsible party; use of civil penalties; assigning liability to the general contractor (or the property owner, or the sub-contractor) for violations; and developing specific criteria for defining a violation. Where Code revisions are necessary in order to implement elements of the modified work program, the Bureau (in conjunction with the City Attorney) will prepare the appropriate Code revisions for City Council consideration.

   The Bureau of Streets and Structural Engineering will evaluate its current program to minimize trackout from public right-of-way construction. This evaluation will include an assessment of available enforcement methods, availability of manpower, frequency of inspections, and overall program effectiveness. The Bureau will also evaluate potential operational changes, and will include the changes which are demonstrated to be most effective into a modified work program. The modified work program will define the party or parties responsible for enforcement; method of enforcement; penalties; frequency of inspections; and specific criteria for defining a violation. Where Code revisions are determined to be necessary, the Bureau of Streets and Structural Engineering (in cooperation with the City Attorney) will prepare the appropriate Code revisions for City Council consideration.

The Bureau of Buildings and the Bureau of Streets and Structural Engineering each agrees to prepare a report summarizing the findings and recommendations based on their respective analysis by November 30, 1980, and to present that information to the Oregon DEQ by December 31, 1980. Should that analysis indicate that changes which would require City Council approval are warranted, the Bureaus agree to propose such changes to the Council by March 31, 1981.

The City of Portland and the Oregon DEQ recognize that the schedules contained in this agreement may be revised should further eruptions of Mt. St. Helens significantly impact the Portland Metropolitan Area.

COWLES MALLORY Director, Office of Planning & Development	9/3/80 Date
JOHN LANG Administrator, Public Works Department	9-2-80 Date
BILL YOUNG Director, Oregon, DEQ	Date

DEPARTMENT OF ENVIRONMENTAL SERVICES
COUNTY OF CLACKAMAS
STATE OF OREGON

902 ABERNETHY ROAD
OREGON CITY, OREGON 97045
(503) 655-8521

JOHN C. McINTYRE
Director

WINSTON W. KURTH
Assistant Director
DON D. BROADSWORD
Operations Director
DAVID J. ABRAHAM
Utilities Director
DAVID R. SEIGNEUR
Planning Director
RICHARD L. DOPP
Development Services Administrator

August 6, 1980

William T. Green - Coordinator
Portland Air Quality Maintenance Area
P. O. Box 1760
Portland OR 97207

Excessive Dust Problem

After our meeting with your representative in which we discussed the air polution in the Portland area from winter sanding, I have had several discussions with our maintenance foremen and developed the following program:

1. Sanding material purchased in the future will be carefully inspected as to gradation to insure minimal fines.

2. Sanding material will be applied more carefully and in lesser amounts than in the past.

3. More rigid criteria used to determine those roads which will be sanded during the winter ice storms.

4. More expedient removal of sanding materials after the storm (within budget and equipment limitations).

5. First priority will be given to cleaning those streets and roads where there is heavy bicycle and pedestrian usage.

We will carefully monitor our winter program to determine if the steps are being carried out and if they are indeed effective in controlling the dust problem.

(cont.)

The Clackamas County Road Department is totally committed to the concept of clean air and a healthy environment. We believe our five-point program confirms our committment and is the first step in the right direction.

Our program will allow us to continue efficient and safe maintenance of our highway system.

Hugh H. Kalani

HUGH H. KALANI - Roads Superintendent

/arp

4.1.5.1.3 Committments Regarding the Development of Alternatives to Open Burning

Oregon Environmental Quality Commission rules prohibit open burning in the urban portion of the AQMA after January 1, 1981.

Agreements between DEQ, Metro, and local jurisdictions are being negotiated with regard to what role each entity will play in implementing yard debris disposal alternatives other than open burning.

Some legislative interest has been expressed that would prohibit the DEQ from banning open burning. In the event that such a bill is adopted, DEQ will revise its open burning policy to coincide with the Legislature's intent.

4.1.5.1.4 Committment Regarding Reducing Vehicle Miles Traveled

The Metropolitan Service District has not adopted a committment to try to reduce the expected vehicle miles traveled in 1987 by a particular percentage, but is expected to endorse the concept as part of the Regional Transportation Plan.

4.1.5.1.5 Commitments Regarding Wood Burning Control Strategies

The DEQ will pursue the work discussed in Section 4.1.3.3 under the following time schedule.

Activity	Schedule
1. Wood burning impact monitoring	
a) actual special monitoring	during winter 1980-1981 and 1981-1982
b) analysis of monitoring data	by May of following year
2. Promotion of Weatherization Programs	
a) Seek to have 30% of region's homes weatherized by 12/31/86	December 1986
DEQ will advocate the expansion of weatherization programs in the Portland area.	
3. Conduct Control Technique Research	
a) Solicit funding and funding support for proposed program	August 1980 - April 1981
b) Oversee funded control technique research as appropriate	Contingent upon funding. Attempt to complete by Dec. 1982
4. Seek Implementation of Control Programs by 1982 - 1984	
a) Wood moisture content reductions. If appropriate, DEQ will seek to reduce wood moisture content via public education.	December 1982
b) Pollution control devices for new units. DEQ will seek incentives for use of those devices.	December 1984
c) Air supply control devices for new units. DEQ will seek incentives for use of those devices.	December 1983

AQ0091.3 (1)

4.1.5.1.6 Commitment Regarding Street Cleaning Control Measures

The City of Portland has been awarded a grant to manage a demonstration project to evaluate the effectiveness of street cleaning as a means to reduce paved road dust and thereby ambient particulate concentrations.

The City of Portland's application to receive funding for the street sweeping demonstration project is included in Appendix 4.1-7 as a demonstration of their commitment to conduct the work.

DEQ will assist in the management of the contract by serving on the project management committee. Other commitments by DEQ under the project are included in the application in Appendix 4.1-7.

The project final report is scheduled to be completed by January of 1982. Within 4 months of completion of the final project report, the Department will prepare written recommendations regarding what level of increased or modified street cleaning is reasonable as a particulate control strategy. If appropriate, the Department will seek revisions in the street cleaning programs of those jurisdictions within the TSP violation area such that the revisions would be implemented by December, 1983.

4.1.5.1.7

Committments Regarding Evaluation of Unpaved Area Dust Control Measures Within The TSP Violation Area

The Department will conduct the work discussed in Section 4.1.3.3 under the following time schedule.

Activity	Schedule
1) Collate all maps and existing data on where unpaved roads, lots, and shoulders are located within the TSP violation area.	August-December 1980
2) Estimate traffic levels on unpaved roads, lots, and shoulders to the extent possible based on road configuration and known traffic levels.	August-December 1980
3) Physically inspect the areas expected to exceed primary TSP standards by 1987 and determine the 5 most likely sources of fugitive dust within each of those areas.	August-December 1980
4) Physically inspect the areas projected to exceed secondary TSP standards by 1987 and determine the 20 most likely sources of fugitive dust within each of those areas.	August-December 1980
5) Evaluate costs of controls for those 20 sources of fugitive dust identified in 3) and 4) above.	January-April 1981
6) Propose implementation of those fugitive dust control strategies determined to be effective at reasonable costs.	May 1981
7) Appropriate dust controls implemented by appropriate jurisdictions.	December 1982

4.1.5.1.8 Commitments Regarding Localized Control Programs for Sites Likely to Exceed Primary Standards

A five-step process will be carried out by DEQ during the next one and one-half years. The major elements with the time schedule for completion are listed below:

Activity	Schedule
1) Conduct a micro inventory of particulate emissions sources adjacent to the two locations.	August-December 1980
2) Finalize report which summarizes the micro-inventory and identifies the 5 most likely sources of fugitive particulate emissions.	February 1980
3) Evaluate control strategies for the 5 most likely sources of fugitive emissions.	March-April 1981
4) Propose control strategies for nearby fugitive emission sources.	May 1981
5) Implement those high priority fugitive dust controls which have reasonable cost.	December 1982

4.1.6 ANNUAL REPORT

The Department of Environmental Quality will submit a report to the Environmental Protection Agency by July 1 for the preceeding calendar year, beginning July 1, 1980, covering the following requirements:

A. Identification of growth of major new or modified existing sources, minor new sources (less than 100 tons/yr), and mobile sources;

B. Reduction in emissions from existing sources;

C. Update of emission inventory; and

D. Conclusions of studies to quantify the air quality problem.

4.1.7 RESOURCE COMMITMENT

The program to attain and maintain the suspended particulate air quality standards requires the coordinated efforts of the Department, local governments, and other state and federal agencies for the next several years. Responsibilities for implementation and enforcement of nontraditional control measures will become clearer as nontraditional control measures are finalized and final agreements reached between participating agencies. However, commitments to completing certain tasks have been received and have been included as part of Section 4.1.5.1.

Assumptions as to manpower resources and funding are estimates based on current projections and are subject to change and approval by the respective budget review authorities.

4.1.7.1 The Department of Environmental Quality

The Department of Environmental Quality has a biennial budget beginning July 1 of odd numbered years. Table 4.1.7-1 presents the manpower resources committed to develop, implement and enforce the Secondary Standard attainment and maintenance strategy.

Table 4.1.7-1 Department of Environmental Quality Projected Resource Committment

	79-81 Biennium, Full Time Equivalent
Headquarters Staff	
-Administration	0.2
-Planning & Development	1.0
-Limited Duration	0.7
Region Staff	
-Administration	0.1
-Monitoring/Analysis	0.4
-Enforcement	0.5
Total	2.9 FTE

Administration includes supervision and support services. Limited duration resources includes work study, graphic artist, public affairs, hearings officer, and other short involvement activities. Estimated resources, while subject to actual appropriations, will continue to the extent necessary in future years.

4.1.8 PUBLIC INVOLVEMENT

4.1.8.1 Designation of Lead Agency

The Department of Environmental Quality has the responsibility as the lead agency in the development and implementation of the revised SIP for attainment and maintenance of total suspended particulate standards in the Portland-Vancouver Air Quality Maintenance Area.

4.1.8.2 Interagency Coordination

The City of Portland, Multnomah, Washington, and Clackamas Counties, the Oregon Department of Transportation and Metro are all involved in determining which control strategies will be included in the State Implementation Plan. All have been directly involved in advising the DEQ regarding which TSP controls appear to be most acceptable; a representative of each agency is a member of the Portland-Vancouver Air Quality Advisory Committee. These agencies also interface with DEQ in their involvement in local transportation control strategies, the City of Portland's Growth Management Plan and Metro Regional Transportation Plan. DEQ is assisted by Metro in combined efforts to devise and implement measures to reduce vehicle miles traveled within the region. Control strategies for road dust are being developed with the cooperation of the Oregon Department of Transportation and the Public Works Departments from local counties and cities. City of Portland, Clackamas County, ODOT representatives have signed Administrative Agreements regarding construction site trackout controls and winter sanding housekeeping improvements.

Additionally, local jurisdictions, have been contacted to discuss alternatives in dealing with storm and yard debris disposal other than open burning or backyard incineration. Proposed residential wood burning strategies have been discussed in detail with representatives of the Oregon Department of Energy, the Bonneville Power Authority, and with entities concerned about wood heating safety.

4.1.8.3 Citizen Participation

Efforts have been made on several levels to promote public involvement in air quality issues and engage individuals in the planning and review process. Air quality information is coordinated and distributed via the DEQ/Metro air quality public involvement representative who works closely with citizens, city, state and federal agencies, local municipalities and the business sector in organizing informational and involvement activities to develop an increased awareness and understanding of air quality problems and programs statewide and within the Portland Metropolitan area.

More than 30 public meetings have been held during the last year of the Citizen's Advisory Committee to discuss issues in developing particulate strategies. Table 4.1.8-1 below lists the organizations represented on the Advisory Committee.

The Committee made recommendations for all major source categories of particulate emissions. Those recommendations are presented in Appendix 4.1-9. Generally, this SIP revision is consistent with those recommendations. Numerous other efforts to involve the public have occurred during this time period. These activities are summarized in Table 4.1.8-2 below.

Pamphlets and brochures have been made available to the public distributed through state and regional air pollution offices, extension services and direct mailings. In addition, Metro in conjunction with DEQ has begun production of the Air Times newsletter which informs the public of ongoing work in local air quality planning efforts and goals.

Interested parties routinely receive minutes of the advisory meetings, adopted resolutions and other materials and information relevant to air quality control and the region's clean air goals. There has been opportunity provided for citizen participation and input at every advisory committee meeting.

TABLE 4.1.8-1

Members of the Portland-Vancouver Air Quality Advisory Committee

League of Women Voters
Associated Oregon Industries
City of Portland
City of Portland at-large
Multnomah County
Multnomah County at-large
Clackamas County
Clackamas County at-large
Washington County
Washington County at-large
Portland Chamber of Commerce
Southwest Washington Air Pollution Control Authority
Port of Portland
Oregon Dept. of Transportation
Metropolitan Services District
OSPIRG
Oregon Environmental Council
Washington Department of Ecology
Clark County Regional Planning Council
Western Oil and Gas Association
Multnomah County Labor Council
Portland State University
Tri-Met

TABLE 4.1.8-2

Public Involvement Activities During 1979 and 1980

- Public Meeting to Discuss Particulate Control Strategy Recommendations From the Citizens' Advisory Committee, June, 1980.
- Clean Air Fair, May 7, 1980, attendance by 2000.
- Clear Air Week Editorials and Public Service Announcements, May, 1980.
- Presentation to Wood Stove Dealers and Manufacturers on Wood Burning Pollution Problems and Potential Strategies, January, 1980.
- Presentation to Wood Energy Assoication on Wood Burning Pollution Problems, June, 1980.
- Testimony Before the Oregon Legislature on Residential Wood Burning Pollution Problems, February, 1980.
- Legislative Briefing on Wood Stoves, March, 1980.
- Sponsorship of a Ride-Sharing Conference with Over 125 Employers Represented, June, 1980.
- Presentation on Potential Particulate Strategies to the Portland Chamber of Commerce Environmental Standards Committee, March, 1980.
- Discussion of Particulate and Volcanic Ash Control Issues Before the Portland City Club, June, 1980.
- Presentation to Clackamas County Economic Development Committee, April 1980.
- Presentation at the Annual Meeting of the Oregon Environmental Council, May, 1980.
- Presentation to Governor's Biomass Task Force on Residential Wood Burning Pollution Control Issues.
- Publishing of bi-monthly newsletter, Earthwatch, and monthly environmental bulletin by the Oregon Environmental Council.
- Public conference on environmental issues sponsored by the Oregon Environmental Council in May, 1979.
- Survey on Citizen Attitudes About Open Burning in the Portland Neighborhood Association's Survey
- Monthly Publishing of a Newsletter by the Oregon Environmental Council

AQ0091.4 (1)

4.1.9 PUBLIC NOTICE AND HEARINGS

4.1.9.1 Public Notice

Public notice was published in the Oregon Secretary of State Bulletin on , 1980. This notice is contained in Appendix .

4.1.9.2 Media Coverage

Paid public advertisements of the proposed State Implementation Plan TSP revision were placed in the Daily Journal of Commerce, The Oregonian and the Oregon Journal on ( ), 30 days prior to the public hearing.

4.1.9.3 Public Hearing

A summary of the , 1980 public hearing testimony on the control strategies appears in Appendix .

4.1.9.4 Annual Report

The Environmental Protection Agency requirements concerning the annual report will be followed. Refer to section 4.1.6, Annual Report.

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. F, September 19, 1980, EQC Meeting

Request for Authorization to Conduct a Public Hearing to Consider Changes in the Fuel Burning Equipment Limitations OAR 340-21-020(2)

Background and Problem Statement

The current rule exempts boilers burning salt laden hogged fuel from the grain loading limits and requires an opacity monitor and the establishment of alternative opacity limits. Based upon studies and observations, effective opacity limits cannot be established for boilers with salt emissions. Since compliance with portions of the rule is impractical, the Department is proposing modifications.

ORS 468.295 authorizes the Commission to establish rules to limit emissions from sources by categories. In order to adopt new or modified rules, a public hearing is required to gather public input.

Alternatives and Evaluation

The existing rule required submittal of the results of a study to correlate in-stack opacity with grain loading. If such a correlation could be made, opacity limits could be set and checked by an in stack opacity monitor. Weyerhaeuser Co. submitted the results of their study. The study consisted of numerous source tests and continuous opacity monitoring. This study concluded that the non-salt grain loading had an insignificant impact on the opacity of the plume. Even if the non-salt grain loading exceeded the limit there would be no perceptible change in the opacity.

Since this regulation was adopted, Weyerhaeuser Co. has made modifications to the boilers to reduce emissions. The grain loading has been reduced by one half, however no significant reduction in opacity was evident. Because of the study and observations of the plume, the Department has concluded that meaningful interim opacity limits as required by the existing rule, cannot be set. Therefore, the Department is proposing changes to the rule.

As an alternative to an opacity limit, which is a measure of the amount of light passing through a plume, the Department is proposing a limit on

the color of the plume. Under normal conditions the salt makes the plume white. Improper operating conditions which cause incomplete combustion and excessive non-salt emissions, cause the plume to be darker in color. Grate cleaning, allowed for 3 minutes per hour, can cause an almost black plume. Therefore, the Department is proposing a Ringleman 2 limit. This limit should be adequate to monitor boiler operation and emissions on a day to day basis.

In addition, the Department proposes to require annual source tests to demonstrate compliance with the non-salt emission limits. These tests would be required until a history of compliance is established in both source test data and Ringleman evaluations.

The salt exemption would be limited to those sources burning salt laden hogged fuel at the time of adoption of the regulation. New boilers or conversions to salt laden hogged fuel would not be granted this exemption. It is expected that the exemption would apply to 3 sources at the most.

The Department expects that this rule would be submitted to EPA as a modification of the State Implementation Plan. However, the permits for the individual plants may also be submitted. The current rule has been rejected by EPA because of deficiencies. The staff believes these deficiencies will hopefully be overcome by the proposed modifications. A draft of the proposed rule change and course of action has been sent to EPA.

Summation

1) OAR 340-21-020(2) currently requires boilers utilizing its exemptions to correlate opacity and grain loading. Studies have shown this requirement to be impractical.

2) The Commission is authorized to establish or modify rules to limit emissions from sources. A public hearing is required prior to rule adoption.

3) The Department has proposed modifications to OAR 340-21-020(2) to add source test requirements and plume color limits.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission authorize a public hearing to take testimony on proposed modifications to OAR 340-21-020 Fuel Burning Equipment Limitations.

WILLIAM H. YOUNG

Attachments
(1) Statement of Need for Rulemaking
(2) Proposed Rule 340-21-020

F. A. Skirvin:i
229-6414
August 14, 1980

Prepared: #
Hearing Date: #

NOTICE OF PUBLIC HEARING

A CHANCE TO BE HEARD ABOUT:

LIMITATIONS ON SALT EMISSIONS FROM HOGGED FUEL BOILERS

WHAT IS THE DEQ PROPOSING?

Interested parties should request a copy of the complete proposed rule package. Some highlights are:

** The method of visually evaluating the plume would be changed from opacity to Ringleman, a measure of the color of the plume.

** Annual tests would be required to demonstrate compliance with the rules.

** The exemption granted by this rule would be limited to those sources burning salt laden hogged fuel at the time of this rule modification.

WHO IS AFFECTED BY THIS PROPOSAL:

Companies using salt laden hogged fuel. Two companies in Coos Bay are the only known sources.

HOW TO PROVIDE YOUR INFORMATION:

Written comments should be sent to the Department of Environmental Quality, Air Quality Division, Box 1760, Portland, Oregon 97207, and should be received by #.

Oral and written comments may be offered at the following public hearing:

City	Time	Date	Location
Coos Bay	#	#	#

WHERE TO OBTAIN ADDITIONAL INFORMATION:

Copies of the proposed rules may be obtained from:

Edward Woods
DEQ Air Quality Division
Box 1760
Portland, Oregon 97207
503 229-6480

LEGAL REFERENCES FOR THIS PROPOSAL:

This proposal amends OAR 340-21-020(2). It is proposed under authority of ORS 468.295.

This proposal does not affect land use as defined in the Department's coordination program with the Department of Land Conservation and Development.

FURTHER PROCEEDINGS:

After public hearing the Commission may adopt rule amendments identical to the proposed amendments, adopt modified rule amendments on the same subject matter, or decline to act. The adopted regulations will be submitted to the Environmental Protection Agency as part of the State Clean Air Act Implementation Plan. The Commission's deliberation should come in December as part of the agenda of a regularly scheduled Commission meeting.

A Statement of Need and Fiscal Impact Statement are attached to this notice.

@STATEMENT OF NEED FOR RULEMAKING@

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend a rule.

@ Legal Authority @

The Environmental Quality Commission is authorized by ORS 468.295 to limit emissions from sources by categories.

@ Need for the Rule @

The existing rule contains requirements which recent studies have shown to be impractical. The proposed modifications would provide feasible alternatives.

@ Principle Documents Relied Upon @

Coos Bay Hogged Fuel Boiler Opacity Study - Weyerhaueser Co. Statistical Analysis of North Bend Emission Data - Weyerhaueser Co. May 19, 1980 letter from D.P. Dubois, EPA to W.H. Young, DEQ.

@ Fiscal Impact Statement @

The fiscal impact of the rule modification will not be significant to the public or the companies affected.

AQ332

Fuel Burning Equipment Limitations

340-21-020 (1) No person shall cause, suffer, allow, or permit the emission of particulate matter, from any fuel burning equipment in excess of:

(a) 0.2 grains per standard cubic foot for existing sources.

(b) 0.1 grains per standard cubic foot for new sources.

(2) For sources burning salt laden wood waste on July 1, 1980, where salt in the fuel is the only reason for failure to comply with the above limits and when the salt in the fuel results from storage or transportation of logs in salt water, the resulting salt portion of the emissions shall be exempted from subsection (1)(a) or(b) of this rule and rule 340-21-015 until January 1, 1984. Sources which utilize this exemption, to demonstrate compliance otherwise with subsection (1)(a) or (b) of this rule, shall:

(a) [Install a continous opacity monitor with recorder on each boiler exhaust stack.] Not exceed a darkness of Ringleman 2 from the boiler stacks for more than 3 minutes in any one hour.

(b) [Submit the results of a study to correlate opacity and grain loading. These results will be sued to set interim opacity limits.] By no later than January 1, 1981, January 1, 1982 and

January 1, 1983 submit the results of a particulate emissions source test of the boiler stacks.

(c) By no later than January 1, 1982 submit a report on the cost and feasibility of possible control strategies to meet subsection (1)(a) of this rule and the environmental impact of the salt emissions on the airshed.

If this exemption is utilized by any boiler operator, by no later than July 1, 1982 the Department shall hold a public hearing to evaluate the impact of the expiration of this exemption.

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. G September 19, 1980 EQC Meeting

REQUEST FOR AUTHORIZATION TO CONDUCT PUBLIC HEARING ON AMENDMENT TO RULES GOVERNING SUBSURFACE FEES FOR LANE COUNTY, OAR 340-72-030(1)

Background and Problem Statement

ORS 454.745(4) provides that the Commission at the request of the Director or any Contract County, may by rule increase fees above the maximum levels established in Subsection (1) of ORS 454.745. Fee increases permitted by the Commission shall be based upon actual costs for efficiently conducted minimum services as developed by the Director or Contract County.

Lane County has requested that the County's fees be increased above the maximums now established in ORS 454.745. With increasing program costs, Lane County feels that an increase is necessary in order to maintain an adequate level of service.

Lane County has developed fee information upon which the proposal is is based. That information is contained in Attachment A.

Alternatives and Evaulation

Alternatives are:
(1) Continue fees at the present maximums established in ORS 454.745.
(2) Increase maximum fees above present levels for Lane County.

In evaluating these two alternatives the latter appears most appropriate. Program costs for Contract Counties and the Department have increased dramatically since present fees were established. In many cases, cost increases are a result of numerous inspection visits required for alternative system construction control. There is a general need to generate additional revenue to maintain an efficient level of program services.

Summation

1. The Commission may by rule, increase maximum subsurface fees established in ORS 454.745 at the request of the Director or any Contract County.

2. Lane County has requested that maximum fee levels established in ORS 454.745 be increased for that county.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission authorize public hearings to take testimony on the question of amending rules governing subsurface fees to be charged by Lane County OAR 340-72-030(1)

William H. Young

Attachments: (A) Lane County's Analysis of and Board Order on Subsurface Fees
(B) Draft Public Hearing Notice
(C) Draft Statement of Need
(D) Draft of Proposed Rule

T. Jack Osborne:ija
229-6218
August 20, 1980
XI136

ATTACHMENT A

MEMORANDUM

lane county

TO Jack Osborne, Subsurface & Alternative System Supervisor

FROM Roy Burns-Lane County

SUBJECT Fee Adjustment DATE July 21, 1980

Subsurface fees have been analyzed and adjusted to reflect actual costs. One departure from past procedures is in recognition that system evaluation and construction for commercial and industrial development and clustered residential have been charged proportionally lower than individual residential lots. Based on cost analysis during FY79-80 we have proposed a formula method to achieve parity for the classes of action. The capping fill and sand filter system construction permits are new fee categories. Since these alternative systems require increased inpsections a higher cost/unit results. The capping fill fee proposal is a reduction in permit cost. Previously most capping fills required a variance with DEQ at a 225.00 fee. We have compared our proposed fee catergories with other counties and find our cost and time to be consistent.

Summarized below is the fee comparison between current and proposed:

APPLICATION TYPE	AVERAGE TO COST TO PROCESS	CURRENT FEE	% SELF SUPPORT	PROPOSED FEE	PROPOSED % SELF SUPPORT
Site Evaluation: 1st site	$124	$120	94%	$120	94%
" additional sites	100	100	100	90	90
" shared systems	est. $100./site	120	31	formula	90
" Comm/Industrial	500	120	25-30	formula	90
Subsurface Permits-resid.	86	40	47	65	76
" Comm/Industrial	375	40	11	formula	90
Alternative System					
Holding Tanks	86	40	47	65	76
Capping Fill	110	40	36	90	82
Sand Filter	155	40	26	125	81
Comm/Industrial	375	40	11	formula	85
Alteration or Extension	112	25	22	75	67
Repair Permits	75	25	33	25	33
Special	75	1	1	1	1
Evaluation/Cert. of Adequacy	53	40	75	50	95
Annual Eval.-Alter. Systems	25	40	160	25	100
Temporary Mobile Home Renew	10	25	250	10	100/1
Pumper Trucks Renewal	25	25	100	25	100
Septic Tank Abandonment	38.50	0	0	35	91
Building Permit Referral	15	0	0	15	100

Notes: Items with a formula for the proposed new fee will be, on the average, fee supported at the level shown.

1/ based on new TMH process

A number of methods to reduce cost have been implemented by Lane County. As examples:

1) Temporary (Hardships) Mobile Home annual evaluations have been changed to have renewal every two years during December and Jaunuary. This results in:

   (a) Ability to schedule multiple inspections along a transportation route; and

   (b) Ability to use para-professional personnel (technicians) to evaluate system performance.

2) Certified installer program implementation. This program achieved:

   (a) Ability to schedule field visit during SDS construction as a portion of scheduled work; and

   (b) Ability to direct staff effort toward poor quality construction of select installers and individual applicants.

3) Transfer of capping fill jurisdiction to Lane County achieved:

   (a) Reduction in county staff time assisting applicants with the variance process; and

   (b) Allow field personnel to complete the process from evaluation through final construction.

Attached you will find the following:

1) Copy of Lane Manual 60.855(10) which includes actual fee schedule.

2) Copy of comparable fees depicting current and proposed levels for certain classes of applications.

Lane County has an integrated application process. In those cases where the SDS construction is combined with structures a $15.00 reduction is made on the SDS or alternative construction application.

As a portion of our cost analysis we requested information from other contract counties. Only a limited number of counties had information regarding capping fills and sand filter inspection costs. The following summary is provided.

	CAPPING FILL	SAND FILTER
Application Processing	1/2-1 hour	1/2-1 hour
Design Review Office	1/2	1-1.5 hour
Construction Control	5 hours	5-7 hours
Total	6-6.5 hours	6-9.5 hours

Costs per hour vary widely in individual counties. The capping fill and sand filter construction control time requirements in the responding counties are similar to the Lane County experience.

In applying our average cost per hour to the time range the following costs were projected.

		Range		
1)	Capping Fill:	$120.25	to	130.25
2)	Sand Filter:	120.25	to	194.25

There is a fee proposed for a service not previously charged, for a portion of ORS 454.725. Which is:

1) Septic tank abandonment inspections proposed at $35.00.

We request placement on the August EQC hearing for fee adjustment consideration. Please notify me of necessary supporting information for the hearing.

RLB/jbw

SAMPLE IMPACT OF FEE CHANGES

Single Family Dwelling Construction, with SDS. 1200 square feet; 480 square foot garage; 9 fixtures; 2 connectors.

	79-80 Rate	Val.	Fee	80-81 Rate	Val.	Fee	% Incr.
Building Fee:							
1200 sq ft SFD	@ 35.25	42,300		@ 38.10	45,720		
480 sq ft garage	@ 8.85	4,248		@ 9.50	4,560		
Total		46,548	178.00		50,280	189.00	6%
Plumbing Fee:							
9 fixtures	@ 5.00		45.00	@ 5.00		45.00	
2 connectors	@ 5.00		10.00	@ 15.00		30.00	
Total			55.00			75.00	
Mechanical Fee:							
1 furnace, dryer vent	@ 10.00		10.00	@ 19.00		19.00	90%
State Surcharge (@ 4%)			9.72			11.32	16%
Plans Check Fee (@ 50%)			121.50			141.50	16%
SDS Installation	@ 40.00		40.00	@ 50.00		50.00	25%
TOTAL FEES:			414.22			485.82	17%

* * * * * * * * * * * * * *

New Mobile Home Installation, with SDS installation. (Not in a mobile home park.)

	79-80 Fee	80-81 Fee	% Increase
Mobile Home Fee (includes State surcharge)	31.50 singlewide 41.50 doublewide	65.00 65.00	106% 57%
Mobile Home Plumbing	10.00	10.00	0
SDS Installation	40.00	50.00	25%
TOTAL FEES:	81.50 singlewide 91.50 doublewide	125.00	45% (approx)

* * * * * * * * * * * * * *

Temporary Mobile Home Renewal. (Good two years.)

	79-80 Fee	80-81 Fee	% Increase
Temp mobile home renewal	10.00 (good 1 yr)	25.00 (good 2 yrs)	25%
SDS review-TMH renewal	25.00 (good 1 yr)	10.00 (good 2 yrs)	-75%
TOTAL FEES	35.00 (good 1 yr)	35.00 (good 2 yrs)	-50%

B

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

	)	IN THE MATTER OF AMENDING
	)	OF LANE MANUAL TO CHANGE BUILDING
O R D E R N O. 80-7-16-11	)	AND SANITATION DIVISION FEES AND INCREASE
	)	FEES AND SETTING EFFECTIVE DATES

The Board of County Commissioners of Lane County orders as follows:

Chapter 60 of Lane Manual is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES	INSERT THESE PAGES
60.855(1) - 60.855(2) to 60.855(2) - 60.855(2) and pp. 1 through 5 of Exhibit "A" to Chapter 60 of Lane Manual (60.855) (a total of seven pages)	60.855(1) - 60.855(4) to 60.855(10) -60.855(10) and pp. 1 through 5 of Exhibit "A" to Chapter 60 of Lane Manual (60.855) (a total of nine pages)
60.856(1) - 60.856(3) (one page)	-------

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to change Construction Permits and Inspection Division fees to Building and Sanitation Division fees and increase fees; change Water Pollution Control Division fees to Subsurface and Alternative Systems fees and incorporate into Building and Sanitation Division fees and increase fees and increase the fees on pp. 1 through 5 of Exhibit "A" to Chapter 60 of Lane Manual (60.855). These fees are effective as of July 1, 1980, except 60.855(10), which is effective August 18, 1980.

Adopted this 6th day of August , 1980.

Chairman, Lane County Board of Commissioners

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
AUG 25 1980
WATER QUALITY CONTROL

In the Matter of Amending Chapter 60 of Lane Manual to Change Building and Sanitation Division Fees and Increase Fees and Setting Effective Dates

APPROVED AS TO FORM
DATE 7-9-80 lane county
OFFICE OF LEGAL COUNSEL

60.855 Building and Sanitation Division Fees. In accordance with Chapter 11 of Lane Code and ORS Chapter 456, OAR 814-23-075 and 814-28-040, the following fees are established:

(1) Building permit fees as shown on Exhibit "A" attached hereto and incorporated herein.

(2) Additional fees:

Mobile Home Placement Permit	$ 65.00
Mobile Home Placement in a Mobile Home Park	55.00
Additional Widths over 2, each	9.00
Attached Mobile Home Accessory Buildings or or Structures, each	9.00
Mobile Modular Structures (used for other than dwelling purposes)	65.00
Modular Homes (Plumbing extra, any onsite work extra)	3.00/sq. ft. for foundations plus $35.00 inspection fee
Temporary Mobile Home Placement Permit (Original Placement - Good for two calendar years)	70.00
Temporary Mobile Home Placement Permit (Biannual renewal)	25.00
Mobile Home Plumbing Connections Fee	10.00
Recreational Vehicle (six months)	15.00
Moving of Structure:	
Dwelling	100.00
Nonres., 400 sq. ft. or under	30.00
Nonres., over 400 sq. ft but under 800 sq. ft.	40.00
Nonres., 800 sq. ft. or over	1/2 bldg. permit fee based on current assessed value
Swimming Pool	60.00
Demolition of Buildings over 500 sq. ft.	45.00
Agricultural Buildings not located in Flood Hazard areas	30.00
Change of Occupancy Inspection Fee	100.00
Other Requested Inspections	25.00
Appeals Hearing Filing Fee	35.00
Floodplain Review Fee for applications in floodplain	10.00

(3) Mechanical Permit fees as provided in Table 3A Uniform Mechanical Code 1979 Edition

(4) Mobile Home Parks plan review fee based on valuation computed at $4,000 per space. Fee is found in Table A of MHP. Standards effective February 1, 1979. OAR 814-28-040 Mobile Home Park Construction permit shall be 50 percent

of total fee as set forth in Table A MHP. Standards plus regular permits fees for building, plumbing and mechanical permits.

(5) Recreation Parks construction permit fee based on $5.00 per space plus regular permit fee for plumbing. Plan Review fee is 65 percent of total permit fee.

Sanitary Dump Station	$ 20.00
Wastewater Disposal Station	3.00
Water Hydrant (Rec. Park)	5.00

(6) Plumbing Fees:

Sink	$ 5.00
Lavatory (Wash basin)	5.00
Tub and shower	5.00
Shower, separate	5.00
Water Closet (toilet)	5.00
Dishwasher	5.00
Disposal (garbage)	5.00
Washing Machine	5.00
Water Heater	5.00
Floor Drain	5.00
Sewer - 1st 50 ft. (Building to Septic Tank or City sewer line)	15.00
Water Service - 1st 100 ft. (Building to well or public water main)	15.00
Storm and Rain Drain - 1st 100 ft.	15.00
Sewage and Sump Pump (ejector)	5.00
Miscellaneous:	
Sewer, each additional 100 ft.	10.00
Water service, each additional 100 ft.	10.00
Storm and Rain Drain, each additional 100 ft.	10.00
Mobile Home Space, each (MHP)	15.00
Minimum Plumbing Fee	10.00
Composting Toilet	35.00

(7) Reinspection Fees for building, plumbing and mechanical as listed:

1st reinspection	No charge
2nd reinspection	$ 15.00
3rd reinspection	30.00
4th reinspection	45.00
5th reinspection or more, each	60.00

(8) Commercial/Industrial Temporary Certificate of Occupancy Fee 10 percent of Building Permit Fee

(9) Fee for Development Report Service $ 20.00

(10) Subsurface and Alternative Systems Fees. The Division shall have the authority to charge the following fees:

(a) Subsurface and Alternative waste disposal as adopted by the Oregon Department of Environmental Quality, pursuant to ORS 454.725:

(i) New Site Evaluation.

(aa) Residential.

-1st Lot	$120.00
-Each Additional Lot Evaluated While On Site	90.00
-Shared System Fee shall be based on single family equivalency load by number of units times $90.00 + $20.00 filing.	

(bb) Commercial/Industrial.

-Fees for Commercial/Industrial evaluations shall be based upon the following formula:

$$\frac{\text{Daily Sewage Load}}{450} \times \$25.00 + \$90.00$$

(ii) Construction Installation Permits. (With Favorable Evaluation Report)

-New Subsurface-Residential	65.00
-Commercial/Industrial Fees for Commercial/Industrial permits shall be based upon the following formula: $\frac{\text{Daily Sewage Load}}{450} \times \$15.00 + \$65.00$	

(iii) New Alternative Systems.

Plans review only	35.00
-Holding Tank	100.00
-Sand Filters, Other Fees for Commercial/Industrial Alternative Systems permits shall be based on the following formula: $\frac{\text{Daily Sewage Load}}{450} \times \$20.00 + \$90.00$	125.00
-Capping Fill - No Plan Review Required	90.00

(iv) Alteration/Extension of Existing System Permits. 75.00

(v)	Repair Permits. Standard	25.00
	Special*	1.00
(vi)	Evaluation of Existing System Adequacy.	50.00
(vii)	Annual Evaluations.	
	-Office Only	20.00
	-Alternative System	25.00
	-Temporary Mobile Home - Biannual	10.00
	-Pumper Trucks**	25.00
(viii)	Septic Tank Abandonment Compliance Inspection.	35.00
(ix)	Renewal Expired Permits.	37.00
	~~-Office Action Only~~	22.00
(b)	Soil Survey and ~~Interpretation Report per~~ request.	
(i)	Minimum Fee	30.00
(ii)	Hourly Cost	25.00
(iii)	Soil Report - Office	15.00

* 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 applicants receiving assistance through the Farmers Home Administration Section 502 or 504 loan and grant programs or within an area defined in sewer plan adopted by the Board recommending correctin 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.

** Pumper trucks inspected during the same field visit shall be charged at a rate of $5 per additional truck.

LANE COUNTY
Department of Environmental Management
Building and Sanitation Division

BUILDING VALUATION DATA

The valuation of building construction for building permit purposes shall be the actual total construction costs for all classes of work. The application for a building permit shall include an accurate estimate of the construction cost or the actual contract cost. The building permit fee will be based on this cost estimate or as a minimum shall be based on the following costs:

**Occupancy and Type	Cost per Square Foot
1. Apartment Houses:	
*Type I or II F.R.	$53.85
Type V-Masonry (or Type III)	41.30
Type V-Wood Frame	37.00
Type I Basement/Garage	20.30
2. Banks:	
*Type I or II F.R.	71.70
Type III-1 Hour	60.80
Type III-N	58.25
Type V-1-Hour	51.25
Type V-N	48.65
3. Churches:	
Type I or II F.R.	52.20
Type III-1-Hour	42.05
Type III-N	39.50
Type V-1-Hour	37.60
Type V-N	35.35
4. Convalescent Hospitals:	
*Type I or II F.R.	70.20
Type III-1-Hour	57.75
Type V-1-Hour	46.05

EXHIBIT "A" TO CHAPTER 60
OF LANE MANUAL (60.855)

NOTE: For additions, alterations and remodel see Page 5 of 13 for fees.

**Occupancy and Type	Cost per Square Foot
5. Dwellings:	
Type V-Masonry.....	$40.85
2nd Story Living.....	32.00
Type V-Wood Frame.....	38.10
Lower Level or 2nd Story Living.	28.40
Basements:	
Non-Living Unfurnished.....	7.75
Residential Accessory Buildings..	9.50
6. Private Garages:	
Masonry.....	12.50
Wood-Frame.....	9.50
Open Carports.....	5.10
7. Hospitals:	
*Type I or II F.R.....	83.35
Type III-1-Hour.....	78.70
Type V-1-Hour.....	67.75
8. Hotels and Motels:	
*Type I or II F.R.....	51.90
Type III-1-Hour.....	44.15
Type III-N.....	41.80
Type V-1-Hour.....	38.85
Type V-N.....	36.35
9. Industrial Plants:	
Type I or II F.R.....	32.20
Type II-1-Hour.....	20.35
Type II (Stock)	18.20
Type III-1-Hour.....	23.65
Type III-N.....	21.25
Type V-1-Hour.....	20.35
Type V-N.....	18.80
Tilt-up.....	15.10
Structures - open two or more sides Type III-N or V-N.....	9.50
Industrial Loading Docks Uncovered.....	7.05
Pole Building.....	7.00

EXHIBIT "A" TO CHAPTER 60
OF LANE MANUAL (60.855)

NOTE: For additions, alterations and remodel see page 5 of 13 for fees.

**Occupancy and Type	Cost per Square Foot
10. Medical Offices:	
*Type I or II F.R.....	$66.75
Type III-1-Hour.....	49.25
Type III-N.....	46.70
Type V-1-Hour.....	43.90
Type V-N.....	41.50
11. Offices:	
*Type I or II F.R.....	56.50
Type III-1-Hour.....	41.90
Type III-N.....	39.35
Type V-1-Hour.....	35.10
Type V-N.....	32.60
12. Public Garages:	
*Type I or II F.R.....	27.60
Type II-N.....	18.35
Type III-1-Hour.....	21.85
Type III-N.....	18.35
Type V-1-Hour.....	18.35
13. Restaurants:	
Type III-1-Hour.....	51.30
Type III-N.....	49.25
Type V-1-Hour.....	45.20
Type V-N.....	42.65
14. Stores:	
*Type I or II F.R.....	43.00
Type III-1-Hour.....	32.80
Type III-N.....	30.55
Type V-1-Hour.....	28.90
Type V-N.....	26.00

EXHIBIT "A" TO CHAPTER 60
OF LANE MANUAL (60.855)

NOTE: For additions, alterations and remodel see page 5 of 13 for fees.

**Occupancy and Type	Cost per Square Foot
15. Schools:	
Type I or II F.R.	$51.85
Type III-1-Hour	44.15
Type III-N	41.75
Type V-1-Hour	39.60
16. Service Stations:	
Type II-N	39.60
Type III-1-Hour	43.15
Type V-1-Hour	27.40
Canopies	13.75
17. Theaters:	
Type I or II F.R.	60.50
Type III-1-Hour	44.55
Type III-N	42.15
Type V-1-Hour	41.40
Type V-N	39.00
18. Warehouses:	
Type I or II F.R.	27.30
Type II or V-1-Hour	18.15
Type II or V-N	15.60
Type III-1-Hour	20.00
Type III-N	17.50
Pole Building	7.00
19. Equipment:	
Air Conditioning:	
Commercial	3.00
Residential	2.50
Sprinkler Systems	1.35
20. Miscellaneous Structures:	
Agricultural Buildings in Flood Hazard Areas	5.50

* Add 0.8% to total cost for each story over three.
** Occupancy and type based on 1979 UBC.

EXHIBIT "A" TO CHAPTER 60
OF LANE MANUAL (60.855)

NOTE: For additions, alterations and remodel see page 5 of 13 for fees.

If the above determination of construction costs does not agree with the actual cost of construction, the permit holder may submit a detailed certified cost record after completion of construction. Any overpayment of permit fees will be refunded based on the actual cost as approved by the Construction Permits & Inspection Division Director.

21. Additional Fees:
Plan Checking Fee:
In addition to the building permit fee a plan check fee will be charged based on building permit fee.

One and Two Family Dwellings and Residential Accessory Buildings:
50% of building fee (see Schedule A)

Commercial and Industrial Buildings and Structures:
65% of building fee (see Schedule B)

22. Additions, Alteration and Remodel:

Dwellings:	
Additions.....	$53.00/sq. ft.
Alterations and remodel other than additions use contract price or 50% current per square foot value for new construction. Figure square foot area to be remodeled only.	
Minimum Fee.....	25.00
Commercial/Industrial:	
Additions.....	Add $5.00/sq. ft to price of new construction for type of occupancy
Alterations and remodel other than additions use contract price or 50% of current per square foot value of new construction for type of occupancy. Figure square foot area to be remodeled only.	
Minimum Fee.....	25.00

EXHIBIT "A" TO CHAPTER 60
OF LANE MANUAL (60.855)

ENVIRONMENTAL MANAGEMENT DEPARTMENT
BUILDING AND SANITATION DIVISION
CURRENT AND PROPOSED FEES COMPARISON

APPLICATION TYPE	AVERAGE COST TO PROCESS	CURRENT FEE	% SELF SUPPORT	PROPOSED FEE	PROPOSED % SELF SUPPORT
BUILDING PERMITS					
New Residential	$281	$265	94%	***	100%
Res. Alter/Addition	281	86	31	***	50
Agric. Bldg.-Flood Plain	158	no data		***	50
Agric. Bldg.	30	10	33	$30	100
Wood Stove	90	15	17	15	17
Chg. of Occupancy	208	50	24	100	50
Move	208	50	24	100	50
Swimming Pool	62	38	60	60	97
Demolition	48	15	32	45	93
Sign	71	35	50	***	50
Mobile Home	83	46	55	65	97
Temp. Mobile Home	88	46	52	70	97
New Commercial	543	458	84	***	90
Comm. Repair/Remodel	513	176	34	***	50
SANITATION PERMITS AND SERVICES					
Site Evaluation: 1st site	$124	$120	94%	$120	94%
" additional sites	100	100	100	90	90
" shared systems	est.$100/site	120	31	formula	90
" Comm/Industrial	500	120	25-50	formula	90
Subsurface Permits--resid.	86	40	47	65	76
" Comm/Industrial	375	40	11	formula	90
Alternative Systems					
Holding Tanks	86	40	47	65	76
Capping Fill	110	40	36	90	82
Sand Filter	155	40	26	125	81
Comm/Industrial	375	40	11	formula	85
Alteration or Extension	112	25	22	75	67
Repair Permits	75	25	33	25	33
Special	75	1	1	1	1
Evaluation/Cert. of Adequacy	53	40	75	50	95
Annual Eval.-Alter. Systems	25	40	160	25	100
Temporary Mobile Home renew	10	25	250	10	100 1/
Pumper Trucks Renewal	25	25	100	25	100
Septic Tank Abandonment	38.50	0	0	35	91
Building Permit Referral	15	0	0	15	100

Notes: Average cost to process includes all departmental costs, but excludes County indirect costs (County indirect cost figure is 18% of Pers. Svcs.)
***These items are based upon preset valuation tables; the only way fees are changed is by changing valuations.

Notes: Items with a formula for the proposed new fee will be, on the average, fee supported at the level shown.
DEQ and Department of Commerce approval will be necessary following Board actic on these items.

1/ based on new TMH process.

ENVIRONMENTAL MANAGEMENT DEPT.

SUMMARY OF PROPOSED CHANGES

1. Mobile home permit--change from $31.50 ($41.50 for-double-wide) to $65. to cover 97% of costs (retain $10. plumbing inspection fee)

2. Temporary mobile home permit--change from $31.50 (41.50) to $70. to cover 97% of costs, including neighbor notification.

3. Revise valuation tables for commercial and residential new construction to more accurately reflect current valuation; increases average 6%, resulting in approximately 6% increase in fees.

4. Revise valuation data for commercial and residential repair--remodel permits, to more accurately reflect current valuations. Institute minimum fee of $25. Average fees will cover 25 to 50% of costs; minimum fee affects 5% of all repair remodel permit applications.

5. Floodplain processing fee--establish a $10. fee to cover 50% of the costs of additional processing necessary for applications in flood hazard areas. Does not cover costs of field site reviews, if needed.

6. Establish a temporary certificate of occupancy fee for commercial construction permits in which occupancy is desired before the job is complete. Requires extra inspections, and is proposed to cost 10% of the original application fee.

7. Agricultural Buildings--(those not located in flood hazard areas) change from $10. to $30. to cover 100% of costs.

8. Other items--Pools increased from $37.50 to $60. to cover 97% of costs. Moves and changes of occupancy increased from $50. to $100. to cover 46% of costs. Demolition increased from $15. to $45. to cover 94% of costs.

9. Wood Stoves--these permit actions are a unique area of health and safety code compliance. Due to increased energy cost retrofitting actions involving wood stove and fireplace inserts installations are occuring with regularity and are occuring with regularity and are likely to increase. Three alternatives were evaluated by staff.

    1. Increase fees to cover cost of services; or

    2. Maintain current fee levels; or

    3. Eliminate fee and request increased budget supplement from the general fund.

    Alternatives one (1) and three (3) are not recommended by staff. Alternative one would further discourage citizens from obtaining proper installation and result in further fire and safety hazard. Alternative three would result in a dramatic increase in application actions and result in an estimates need for 75,000 to 80,000 budget supplement from the general fund.

    Staff recommends that the current fee be maintained and the County pursue;

    1. State legislation to establish wood stove standards.

    2. Lane County, in cooperation with Eugene, Springfield, prepare a brochure and other informational materials describing the basic elements and needs

for proper wood stove installation.

10. Reinspection fees--Accelerate cost after first charged reinspection.

    First reinspection $15 (as currently charged)
    Second reinspection $30
    Third reinspection $45
    Fourth reinspection $60

11. Subsurface fees have been analyzed and adjusted to reflect actual costs. One departure from past procedures is in recognition that system evaluation and construction for commercial and industrial development and clustered residential have been charged proportionally lower than individual residential lots. Based on cost analysis during FY79-80 the proposed formula method will achieve parity for the classes of action. The capping fill and sand filter system construction permits are new fee categories. These new alternative systems require increased inspection. The capping fill fee proposal is a reduction in permit cost. Previously most capping fills required a variance with DEQ at a $225.00 fee. We have compared our proposed fee categories with other counties and find our cost to be consistent.

12. Temporary mobile homes--based upon board action on this class of permits a more efficient inspection procedure is possible. The proposed fee reduction reflects this productivity improvement.

ENVIRONMENTAL MANAGEMENT
BUILDING AND SANITATION DIVISION

SERVICES IMPACT FROM REDUCED BUDGET

1. Reduced Public Assistance - For owner-builders, etc, 50% less time is available to explain codes, fees or procedures. This area will be helped when a booklet is produced, in the third quarter, containing a summary of rules and procedures and a list of professionals who will assist applicants for a fee.

2. Eliminate same-day called inspections, reducing visits to outlying areas to twice a week. Necessary due to restricted fuel allocation as well as a 38% reduction in inspectors. Four-day work week established with 10-hour days results in 12% increase in productivity during summer month.

3. Institute recorders for called inspections (a similar system works for City of Eugene) necessitated by the elimination of the clerk who answers phones, tracks pending actions, and schedules inspections. Inspection and requests received by 4 pm will be scheduled for the next available day the inspector is in that area. Maximum response time for any inspection will be three working days.

4. Walk-Through Permits (same-day issue)are eliminated entirely. Single family dwelling permit issuance is 12 working-days (up from the current standard of 10 working-days).

5. Reduced public assistance - Septic systems 50% reduction in public assistance is available to help citizens on waste disposal problems. Elimination of private telephone lines decreased phone contact service by 75%-85% of previous levels.

6. Field inspection service levels reduced by 20%. No ability to respond to repair permits, new S.D.S. or sewage violation within 24 hours of notice. Final inspection on installation for non-certified installers cannot be assured within three working days.

7. Reduction in support levels of clerical activity for permit and application function reduced by 50% in the Division.

Attachment "B"
Agenda Item No. G
September 19, 1980

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF THE ADOPTION OF RULE 340-72-030(1), ESTABLISHING A FEE SCHEDULE FOR SUBSURFACE SEWAGE DISPOSAL PERMITS AND SERVICES IN LANE COUNTY	NOTICE OF PROPOSED ADOPTION OF RULE 340-72-030(1). FEES LANE COUNTY.

1. On September 30, 1980, at 10 am, a public hearing will be held at the following location, to consider adoption by the Environmental Quality Commission of proposed rule 340-72-030(1), establishing a fee schedule for subsurface sewage disposal permits and activities for Lane County:

Eugene, Lane County Public Service Building
125 East Eighth Street
Conference Room, Harris Hall

2. The Lane County Board of Commissioners on August 6, 1980, adopted a new fee schedule for the subsurface program pending approval of the Environmental Quality Commission.

3. The proposed rule provides for a general increase of fees over those presently charged, to reflect increased costs of program operation.

4. The main issue to be considered at the hearing is whether the proposed fees reflect actual costs for efficiently conducted required program services, as developed by Lane County.

5. Any Interested person may provide oral or written testimony at the hearing or written testimony to Jack Osborne, Department of Environmental Quality, P O Box 1760, Portland, OR 97207, by September 30, 1980.

6. Citation of Statutory Authority, Statement of Need, Principal Documents Relied Upon and Statement of Fiscal Impact are filed with the Secretary of State.

7. Land use consistency: this activity has been defined as "not affecting land use."

8. Department of Environmental Quality staff will be designated to preside over and conduct the hearing.

Dated: September 9, 1980

William H. Young, Director
Department of Environmental Quality

TJO:a
XI136.A (1)

Attachment "C"
EQC Agenda Item No. G
September 19, 1980

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

IN THE MATTER OF THE ADOPTION OF RULE 340-72-030(1), ESTABLISHING A FEE SCHEDULE FOR SUBSURFACE SEWAGE DISPOSAL PERMITS AND SERVICES IN LANE COUNTY	)))))	STATUTORY AUTHORITY, STATEMENT OF NEED, PRINCIPAL DOCUMENTS RELIED UPON, AND STATEMENT OF FISCAL IMPACT

1. Citation of Statutory Authority: ORS 454.625 which authorizes the Environmental Quality Commission to adopt rules pertaining to subsurface sewage disposal and ORS 454.745 which establishes fees to be charged for subsurface sewage disposal permits and services.

2. Need for Rule: Lane County has experienced an increase in costs for providing services, issuing permits and general administration of the subsurface sewage disposal program. In order to maintain the present level of service, a general fee increase is necessary. The proposed fee increase will support approximately 85 percent of the subsurface sewage disposal program.

3. Documents relied upon in proposal of the rule:

   a. Board Order Number 80-7-16-11 in The Matter of Amending Fees For The Building And Sanitation Division Of Lane County.
   b. Lane County memorandum of July 21, 1980, regarding fee adjustments for subsurface and alternative systems.

The above documents are available for public inspection at the Lane County Department of Environmental Management, 125 E. Eighth St., Eugene, Oregon, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday.

4. Fiscal and Economic Impact: Some fees are increased, others are reduced to reflect actual costs incurred for program services. The additional costs to applicants for permits and services related to subsurface sewage disposal will range from a $15 reduction to an $85 increase for the Sand Filter Construction Permit.

The direct monetary impact will fall upon individual applicants for permits or services. A positive impact will be seen by increased County Revenues which will offset General Fund monies in the County's budget.

Dated: September 1980

William H. Young, Director
Department of Environmental Quality

TJO:a
XI136.B (1)

Attachment "D"
EQC Agenda Item NO. G
September 19, 1980

PROPOSED AMENDMENT TO RULES

GOVERNING SUBSURFACE FEE SCHEDULES

340-72-030 CONTRACT COUNTY FEE SCHEDULES

Pursuant to ORS 454.745(4) fee schedules, which exceed maximum fees in ORS 454.745(1), are established for Contract Counties as follows:

(1) Lane County.

(a) New Site Evaluation.

(A) Residential.

-1st Lot	$120.00
-Each Additional Lot Evaluated While On Site	90.00
-Shared System Fee shall be based on single family equivalency load by number of units times $90.00 + $20.00 filing.	

(B) Commercial/Industrial.

-Fees for Commercial/Industrial evaluations shall be based upon the following formula:

$$\frac{\text{Daily Sewage Load}}{450} \times \$25.00 + \$90.00$$

(b) Construction Installation Permits.

(With Favorable Evaluation Report)

-New Subsurface-Residential	65.00
-Commercial/Industrial Fees for Commercial/Industrial permits shall be based upon the following formula: $\frac{\text{Daily Sewage Load}}{450} \times \$15.00 + \$65.00$	

(c) New Alternative Systems.

Plans review only	35.00
-Holding Tank	100.00
-Sand Filters, Other Fees for Commercial/Industrial Alternative Systems permits shall be based on the following formula: $\frac{\text{Daily Sewage Load}}{450} \times \$20.00 + \$90.00$	125.00
-Capping Fill - No Plan Review Required	90.00

(d) Alteration/Extension of Existing System Permits. 75.00

(e)	Repair Permits.	Standard	25.00
		Special*	1.00
(f)	Evaluation of Existing System Adequacy.		50.00
(g)	Annual Evaluations.		
	-Office Only		20.00
	-Alternative System		25.00
	-Temporary Mobile Home - Biannual		10.00
	-Pumper Trucks**		25.00
(h)	Septic Tank Abandonment Compliance Inspection.		35.00
(i)	Renewal Expired Permits.		37.00
	-Office Action Only		22.00

*Special repair permits shall be issued upon appolication 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 applicants receiving assistance through the Farmers Home Administration Section 502 or 504 loan and grant programs or within an area defined in 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.

** Pumper trucks inspected during the same field visit shall be charged at a rate of $5 per additional truck.

TJO:a
XI136.C (1)

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item I, September 19, 1980, EQC Meeting

Informational Report on Field and Slash Smoke Management Programs

1. Background

Burning of forestry and agricultural residue materials is practiced throughout western Oregon as a means to reduce or remove materials which interefere with subequent cultural activities considered necessary for continued production. Burning also produces other beneficial effects which are often of primary importance, such as reduction of fire hazard (forestry) and sanitation of the site. Most northern climate grass species also experience an increase in seed yield (compared with the unburned crop) after burning. Open burning over large areas at present cannot practically be accomplished and still maintain control of combustion air and products. Thus, air pollutants are produced in abundance consisting mostly of particulate matter and a huge variety of reactive hydrocarbon materials.

In order to allow burning, and thereby take advantage of the benefits of such thermal treatment and waste disposal, the state of Oregon has required that the burning should be restricted in terms of times and amounts so as to minimize the adverse effects on air quality. These control efforts are termed smoke management programs. State laws, Oregon Revised Statutes (ORS) 468.470(1) and 477.515(3), require that smoke management programs be operated to minimize air quality effects due to open field burning and prescribed forestry burning, respectively. State law also requires that the Department of Environmental Quality (DEQ) develop and conduct the field burning program and approve a smoke management plan developed by the Department of Forestry in cooperation with other interested land owners and managers.

1.1 Smoke Management Concepts

The smoke management program currently conducted by the Department is designed to burn as many fields as is required (within acreage limitations) and, at the same time, minimize or prevent smoke from such burning from entering Willamette Valley cities, particularly Eugene and Springfield, and other sensitive areas. Since program success is largely judged by the hours or days on which smoke intruded into a populated area, a great deal of time has been spent in organizing a program to minimize the severity of intrusions yet burn significant acreages.

Minimization of smoke intrusions may be restated as minimizing each of the following:

a. The particulate concentrations due to field burning smoke.
b. The area they effect.
c. The time period for which such concentrations exist.

Of course, most often the areas of greatest interest are the cities. Using concentration, affected area, and time as factors indicative of smoke intrusion severity, four parameters may be identified as being of primary importance in control of smoke intrusions:

a. Relationship and distribution of burning operations and receptors (cities).
b. Smoke dispersion capabilities.
c. Length of the burning period.
d. Emission rate or total emissions during the burning period.

Each of these parameters may be directly or indirectly affected by various physical phenomena or management practices which the smoke manager can influence or select with varying degrees of success. For example, the emission rate is affected by the total amount of fuel, the fuel moisture content, the lighting technique employed, the plant species, and the amount of fuel compaction, as a partial list. Factors influencing fuel moisture content such as time of burn, humidity, rainfall, fuel compaction, and drying conditions might be effectively regulated or otherwise dealt with by manager action. However, factors affecting fuel loading such as harvesting procedures, fertilizer, seasonal growth conditions, and plant species are much more difficult to control by regulations.

If those phenomena or management practices which are feasibly regulated are catagorized, a framework for regulatory control is identified. Regulations may then be adopted which:

a. Limit the areas where burning may be conducted.
b. Limit the time of burning (to periods of good dispersion conditions).
c. Limit the amounts burned.
d. Identify minimum standards for fuel quality.
e. Limit burning techniques.

These five elements are listed, roughly, in the order of decreasing effectiveness in limiting smoke intrusions and in a basic approach to smoke management establish a very general control program when implemented. The first three elements would have been the basis of the Department's program since 1970 with considerable fine-tuning since that time. Elements a and e are a subset of c, in that all three are pointed toward emission regulation but have attained considerable importance in an effort to increase field acreage burned for a given impact or further reduce emissions from acreage currently burned. As a result all five elements are addressed in the DEQ's current field burning rules.

While most air quality regulatory efforts concentrate on the reduction of emissions alone (items c through e), certain circumstances require the use of all five factors since the available emission control options are technically or economically infeasible. Field burning, slash burning, and certain industries have thus been allowed to include selective siting of emissions and dispersion techniques to achieve acceptably low impacts.

The key elements to effective application of the limitations in a, b, and c above is the ability to forecast or observe and respond to changing weather conditions. Forecasting is largely a function of data collection and analysis with forecast accuracy increasing as the time period covered by the forecast is shortened. The response to a forecast depends upon the distribution of information and the ability to physically implement new or corrective changes.

Since corrective changes in emission levels occur only after a weather change is forecast (or observed) and burning activity adjustment completed, effective smoke management program control depends upon the time period for accurate forecasting being longer than the response time of the system. In the emergency situation, that is, when burning is being conducted and changes are forecast that will result in smoke problems, a satisfactory response time is determined by the speed with which information can be distributed, emissions (burning) stopped, and atmospheric clearing of the affected area to occur. Thus, faster information distribution and curtailment of burning makes forecasting requirements less stringent, since the period for which it must be accurate is shortened.

Both of Oregon's smoke management programs employ radio communications making distribution of information extremely rapid. Effective control (or cessation) of field burning emissions can usually be effected in about one hour, however, control of slash fine emissions usually require several hours as a minimum.

1.2 Field Burning Smoke Management

1.2.1 Historical

The DEQ has operated a smoke management program for field burning in cooperation with the Oregon Seed Council since 1969. Though this basic program was refined in 1970, it remained fairly constant through 1975 under the then existing law requiring field burning to be banned January 1, 1975. When the 1975 ban was lifted through legislative action, the smoke management program was altered to incorporate much of its present regulatory structure which requires the registration of fields and the issuance and enforcement of permits. For the first time, a full-time position was authorized to deal with the DEQ's field burning responsibilities. Also in 1975 burning fees were increased to fully fund smoke management activities as well as research efforts to identify and implement alternatives to open burning.

The 1975 law replaced the proposed ban on field burning with a multi-year phased reduction in the acreage to be open burned. Partially, as a result of this phase-down legislation, a long-term argument has ensued as to the best manner

to reduce smoke effects from burning, emission reductions or improved dispersion techniques. Acreage phase-down (emission limitation) legislation was discarded in 1979, and the current law limiting open burning to 250,000 acres was adopted. Though this acreage amount does not represent a significant effort to reduce available acreage or emissions, the law specifically requires that a daily smoke management program be conducted by the Department.

1.2.2 Field Burning Smoke Management Rules and Procedures

As mentioned, field burning regulations, adopted by the Environmental Quality Commission (EQC) are designed to provide opportunities to burn yet minimize impacts on populated areas where smoke may result in adverse health or safety effects. The general Department-level, decision-making procedure is outlined in Attachment 1. This process is then followed by actual individual field selection at the local permit agent level where decisions are finalized after consideration of potential localized effects on smoke-sensitive objects. In general, protection of highways and airports is accorded the highest priority followed by large cities, smaller cities and towns, and rural residential areas. Special public events are accorded a high priority for protection when the need arises.

Current administrative rules establish a program designed to protect Willamette Valley cities with special emphasis on the Eugene/Springfield area. (Procedurally, considerable effort and emphasis has been applied to protecting the Lebanon and Sweet Home areas as well.) Rules, specific to the Eugene/Springfield Air Quality Maintenance Area, tend to limit both annual and daily smoke impacts in, and thus burning upwind of, this area. If a significant number of hours of smoke intrusion occur in Eugene and Springfield, increasingly restrictive criteria must be met before burning may be released. The rule acts not only as a failsafe against heavy annual impacts but as a deterrent to burning upwind of the area, in general. Thus, burning is conducted under conditions when smoke drift will not affect the two cities.

In making decisions regarding burning activity the DEQ and, through contract, the Oregon Seed Council (OSC) continuously monitor meteorological conditions and forecast products to ascertain likely areas and amounts of burning. In this process information is collected from the National Weather Service, the Department of Forestry, the DEQ, and the OSC data collection facilities. These are identified in Attachments 2 through 4. Information regarding field availability, field fuel conditions, and local air quality are also important factors in determining amounts and special restrictions on field preparation and lighting techniques. The detailed procedure for determining areas and amounts of burning is included in the "Oregon Field Burning Smoke Management Program Operational Guidelines" which have been developed to support current field burning rules.

Once this analysis is completed a radio announcement is issued by the Department indicating either that burning is prohibited or allowed and then identifying the specific areas, time period, and amount of burning that is authorized. Other restrictions on field conditions and lighting techniques are also issued

at this time. Any of the factors influencing effective burning may be modified immediately through additional radio announcements. When conditions for burning deteriorate to unacceptable levels, burning is prohibited through similar radio announcements.

Direct observation of burning activity and unfolding meteorological events is a necessary element to quick system response and, therefore, effective field burning smoke management as constituted in Oregon. Changes in existing air quality, wind direction, plume loft, downwind dispersion, localized wind fields, or fuel moisture problems which are not otherwise identifiable with existing monitoring can be directly observed and addressed relatively quickly to reduce or avoid serious air quality effects.

Permits to actually conduct burning are issued in a two-stage process which begins with registration of acreage in March of each year. Acreage is first allocated in compliance with statutory limits and in proportion to the individually registered amounts. All permit stipulations and requirements are also issued with the first-phase allocation except the time, location, and final authority to burn a specific field. Only on a marginal day (a day on which burning is allowed) is the permit agent authorized to "validate" a permit for specific fields and times of burning. The grower must hold a validated permit and have paid his fees ($2.50/acre) before he may begin burning. He must then burn in compliance with the stipulations on the permit and all applicable DEQ rules, one of which requires him to monitor the field burning radio network and burn in accordance with all broadcast DEQ restrictions.

1.2.3 Field Burning Program Effectiveness

Considering the existing program goals, field burning smoke management effectiveness can perhaps best be judged by two criteria: acreage burned and hours of smoke intrusion in populated areas, particularly the Eugene/Springfield area. In recent years, since the initiation of acreage phase-down legislation in 1975, acreage reported burned has dropped from approximately 260,000 acres annually to roughly 150,000 acres reported in 1978 and 1979. Other factors have, no doubt, also been partially responsible for the decline in accomplishment including increased burning fees and a more restrictive smoke management program.

Efforts, using satellite survey techniques, to audit acreage reporting in 1979 indicated approximately 211,000 acres to have been burned during the season. However, the estimate is subject to a number of sources of error including a substantial normal statistical error. Enforcement activities in 1980 aimed at determining overburning have not to date uncovered violations of acreage allocations or daily burning authorizations.

Hours of smoke intrusions in the Eugene/Springfield area have been markedly reduced over the last several seasons and particularly in 1978 and 1979 when burning south Willamette Valley acreages upwind of Eugene/Springfield was totally banned. Analyses of visibility data at the Salem and Eugene airports over the

last ten years also show reductions in smoke-caused restrictions to visibility. Data in other smoke-impacted areas is much less complete and trends cannot yet be quantified. (Light scattering data is available for Lebanon for only the 1978-1980 seasons.) Attachment 5 shows trends of data routinely tracked by the DEQ since 1973.

1.3 Forestry Burning Smoke Management

1.3.1 Historical

Control of forestry burning smoke has followed a similar development to field burning regulation except that public and legislative interest in the program has not been as intense. Consequently, legislative direction has been essentially unchanged since the early 1970's when a formalized Smoke Management Plan was filed with the Secretary of State. The Department of Environmental Quality reviewed and approved this plan as did the state forester and representatives of the U. S. Forest Service, Bureau of Land Management, Bureau of Indian Affairs, and private land owners.

At present, burning operatings are still conducted in accordance with the original plan, however, some operational procedures have been revised to strengthen central control and better coordinate with field burning activities.

1.3.2 Slash Burning Smoke Management Procedures

The Oregon Smoke Management Plan covered western Oregon areas and, as originally developed, provided for the protection of certain "Designated Areas" which included major cities and the Willamette Valley. These areas are delineated in Attachment 6. Such protection was afforded through limitations on burning under various combinations of wind direction and overall atmospheric dispersion capabilities. The Department of Forestry and U. S. Forest Service provided meteorological forecasts with assistance from the National Weather Service. Forecasts were made available to forest managers to aid in burn planning. Planned burn information was then reported back to the Department of Forestry for review and to insure compliance with Plan limitations.

Over the last decade the original acreage and tonnage limits for burning established in the Plan have often been found to be too liberal under many conditions of atmospheric dispersion. Under such conditions the Department of Forestry has exercised its authority to specially restrict potential problem burning. Such special restrictions have resulted in Forestry routinely issuing not only weather forecasts, but smoke management forecasts and smoke management advisory specifically identifying potential problems and recommending levels of burning activity. Under this procedure, burning upwind of Designated Areas, allowed in prescribed amounts under the Plan, has been significantly curtailed.

In recent years the Department of Forestry has introduced a "priority" burning program to limit burning during summer months of slash units which may be reasonably accomplished during other season. This program reduces the potential demand on the Willamette Valley airshed for the roughly two-month period during which field burning activity is greatest. Forest units are individually rated based upon such factors as fuel type, a soil and slope configuration, availability of dry periods, previous treatments, and burn prescription goals. Highly rated burns for summer months are given a priority for burning during this period of high demand on the airshed. Units with low rating are delayed to avoid conflict with major field burning activity.

1.3.3 Slash Burning Program Effectiveness

The Department of Forestry has historically measured program effectiveness through tracking of unit (acreage) accomplishment and the number or percentage of burned units which result in known smoke problems. Burning accomplishment, as is the case with field burning, tends to be curtailed by smoke management concerns though no upper limit on acreage exists for slash burning activity. Though some slash burning may be accomplished throughout the year weather imposes severe time limitation on the available burning periods, especially at high elevation units. In addition, concessions are made to field burning during summer months by imposition of the priority burning program.

Typically, between two and four million tons of forestry residue materials are consumed each year under the smoke management regulatory program. The acreage and tonnage burned annually usually represents about half the total amount submitted to the Smoke Management System. In 1979 about 40 percent of the requested units were actually treated.

Tracking of smoke problems due to slash burning is somewhat more difficult than in the case of field burning due to the longer-term effects of residual smoke. However, individual plume impacts can be reasonably well analyzed and sources identified. Smoke intrusions are noted by the Oregon Smoke Management System for both the Designated Areas of the Plan and Populated Areas (cities greater than 10,000 population plus Lebanon and Tillamook) which better coincide with DEQ monitoring capabilities. Using this system, usually less than two percent of the burns accomplished are noted to have caused smoke problems. During 1979, 0.43 percent of the burns were noted to have intruded into either a Designated Area of Populated Area.

2. Current Problems

2.1 Field Burning

In general, very few areas of the Willamette Valley and adjacent foothills can be considered exempt from occasional risks of direct short-term exposures to concentrations of smoke as a result from general valley-wide burning. This is also true to a lesser extent and on a more local scale under field-by-field or test-fire burning releases which are authorized more frequently throughout the summer in the fringe areas.

Incidental impacts from specific problem fields or areas are more effectively controlled at the grower or fire district level; though broader efforts are made on a regular basis to prohibit general burning immediately upwind of major urban areas including Portland, Salem, Albany, Corvallis, Junction City, Sweet Home, and Eugene/Springfield. More intensive efforts have been made in the past two seasons to protect Lebanon from direct impacts from burning in its immediate vicinity. In addition, of course, burning is strictly regulated in "priority" areas for protection of major airports and highways.

However, significant smoke problems currently exist on a regular basis in several areas within and outside the valley as a result of heavy burning activity, typically under general burning releases in both the north and south valley areas. As a rule, such burning is allowed only when wind directions are such that intrusions into the Eugene/Springfield metropolitan area would not be expected to occur. These "allowable" wind regimes are infrequent during the summer months and are, by nature, short-lived and somewhat unpredictable in intensity. Generally, these regimes are represented by westerly winds with an associated, or a tendency to develop, northerly or southerly wind component. Heaviest burning is authorized when winds are from the southwest or west and are forecasted to continue as such throughout and well after the active burning period.

When this occurs under typical atmospheric mixing and adequate plume rise, reasonable ventilation is achieved and downwind ground-level impacts are kept relatively light and brief.

This season, however, unusually poor fuel conditions combined with less than favorable wind regimes have resulted in generally heavier ground level impacts in many areas. The poor fuel conditions are due to greater amounts of green regrowth material in the fields, especially perennial fields, which resulted from late spring rains. This condition tends to reduce plume rise and increase overall emissions from a given burn. In addition, burning weather has been less consistent than usual, and characterized by more predominant northwest wind components. Areas experiencing significant problems made particularly intense by this season's conditions are identified below.

2.1.1 Lebanon-Sweet Home-Mohawk Valley

Some intrusions into these areas have been particularly heavy on several occasions this season. For the most part, prevailing winds became light and more northwesterly following active burning in the south valley resulting in smoke accumulations in the major corridors and along the slopes of the foothills. Controlled burning in the Lebanon protection zones has proved somewhat successful in reducing heavy impacts within that city, though populated areas to the south have been less benefited.

Additional control zones, developed prior to the season for the south valley as a whole, and further revised after August 11 for Linn County fire districts, have been used effectively since then in reducing smoke concentrations in Lebanon. There has been little change, however, in the duration or frequency of such impacts in the remainder of this area.

Further refinements in smoke management techniques will be considered to temper such impacts, however, elimination of intrusions into these areas is not realistically feasible on south burn days under current guidelines short of an area-wide burning prohibition.

2.1.2 Northeast Willamette Valley Cities

Current smoke management guidelines allow heaviest burning in the north valley when winds have a predominant northwest to southwest component. Burning under northerly winds typically results in unacceptable levels of impact in the Eugene/Springfield area.

Though the total potentially burnable acreage in the north valley is less than in the south, it is distributed over a larger area such that smoke impacts of a diffuse nature typically occur in the central and eastern portions under a general burning release. This is especially true this season as a result of the unique fuel problems. Impacts are generally heavier and longer in duration under southwest winds due to the additional burnable acreage to the south lying within that wind trajectory. Smoke concentrations are usually less severe than in the areas identified in 2.1.1 above, though there is a tendency for smoke accumulation along the North Santiam corridor.

Given uncharacteristically poor plume rise as experienced this season some reduction in the severity of intrusions into these areas is feasible. Further reductions would require more stringent control of amounts and frequency of burning in the north valley area in general, and in the most northern portion of the south valley under some situations. Significant reduction in total acreage accomplisments would be expected. Again, elimination of smoke intrusions into these areas is not realistically feasible on general burn days, under current guidelines, short of an area-wide burning prohibition.

2.1.3 Salem-Albany

Significant smoke intrusions into the cities of Salem and Albany are most commonly a result of local burning near or adjacent to outlying residential areas. Adequate plume rise in these situations is essential. These kinds of problems are therefore best considered at the fire district or grower level by paying greater attention to lighting techniques and any special field conditions on an individual basis.

2.1.4 Areas Outside the Willamette Valley

Prolonged periods of diffuse smoke or hazy conditions do occur in some areas of the Cascades and Central Oregon which are caused or at least contributed to by heavy burning in the valley. Of course, other smoke sources such as slash burning or unregulated field burning in the Madras area are additional likely contributors being located nearer to the affected populated areas of Bend and Redmond.

This season, the increased amounts of ground- and low-level smoke and total emissions associated with field burns has been a factor contributing to the problem. Pollutants in the lower levels are more likely to be trapped and transported by light drainage winds overnight and appear as diffuse haze. Also, as previously mentioned, more burning has occurred under westerly and northwesterly winds in making use of the relatively weak weather systems that have been available so far this year. In a more typical year stronger systems, with more southerly winds, are available and do not, in general, cause smoke to be transported to the Bend-Redmond area.

Few options are available under the current management program for reducing impacts in the Central Oregon areas when similar weather patterns, potential local impacts, and forecasting limitations are all considered. Adjustments to the amounts of burning in any or all areas of the valley must continue to be prioritized to protect local cities from direct, heavy smoke impacts. More typicaly southwesterly wind patterns, it is believed, would significantly reduce this year's problems in Bend and Redmond. However, it should be remembered that smoke management relies upon dispersion of smoke rather than emission reduction. Burning of any significant acreage in low-lying areas such as the Willamette Valley has the potential for both local and distant smoke impacts.

2.2 Slash Burning

2.2.1 Residual Smoke

Forest slash as a fuel is characteristically more dense and higher in moisture content than straw. It burns slower, with a higher proportion of associated ground smoke. Slash burns may smoulder for several hours or days after lighting and therefore present some unique problems of smoke management, foremost of which is the need for accurate, long-range forecasts. As with field burning, though probably to a greater extent, variability in the fuel can account for unpredictable residual smoke effects.

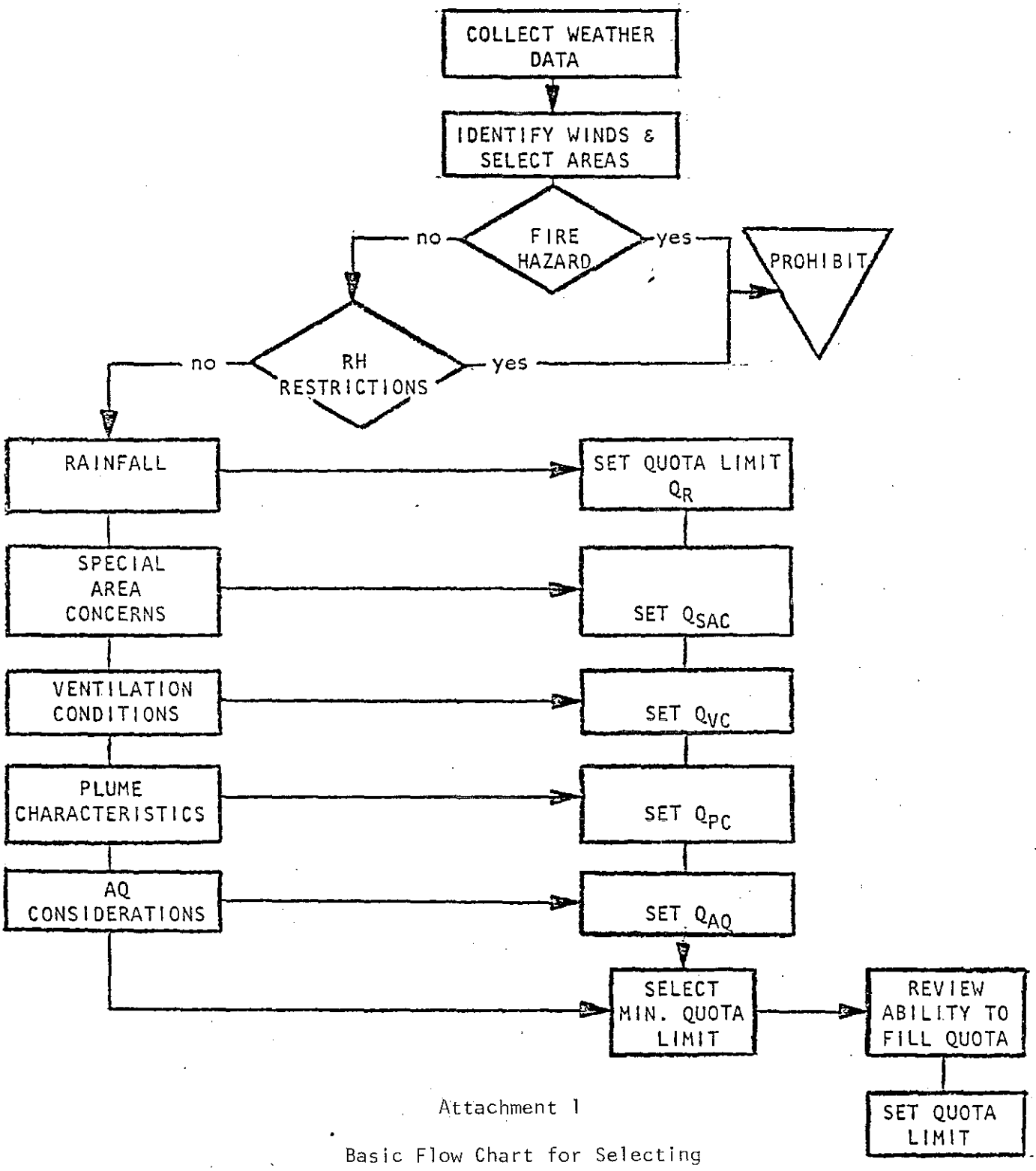
During periods of significant slash burning activity, normally the months of September, October, and November, residual smoke can accumulate to significant concentrations in interior valley areas. Since during clear weather conditions, atmospheric ventilation tends to be very limited during this season, removal and dispersion of the residual smoke can be severely restricted. The transport and subsequent trapping of residual smoke which occurs in down-slope drainage winds can to some degree be reduced through earlier ignitions and aggressive fire mop-up. But practical limitations appear to exist for both approaches and a method significantly reducing residual smoke has not yet been found.

2.2.2 Forecasting Coast Range Smoke Intrusions

During the active field burning season, slash burning of any significant consequence to the Willamette Valley airshed is usually confined by the priority system to certain areas of the Coast Range, usually west of the crest. Efforts are made to restrict burning near the major east-west corridors such that direct or gradual overnight drift of residual smoke into the valley area is minimized. However, because residual smoke emissions continue well after the ignition phase, drainage winds or even the slight and unforecast onset of onshore breezes can result in an "spillover" of smoke into the valley, resulting in prolonged and often heavy smoke concentrations. Since the forecasting of such marine air intrusions is far from exact and the elimination of residual smoke does not appear possible at this time, such intrusions are expected to continue to occur.

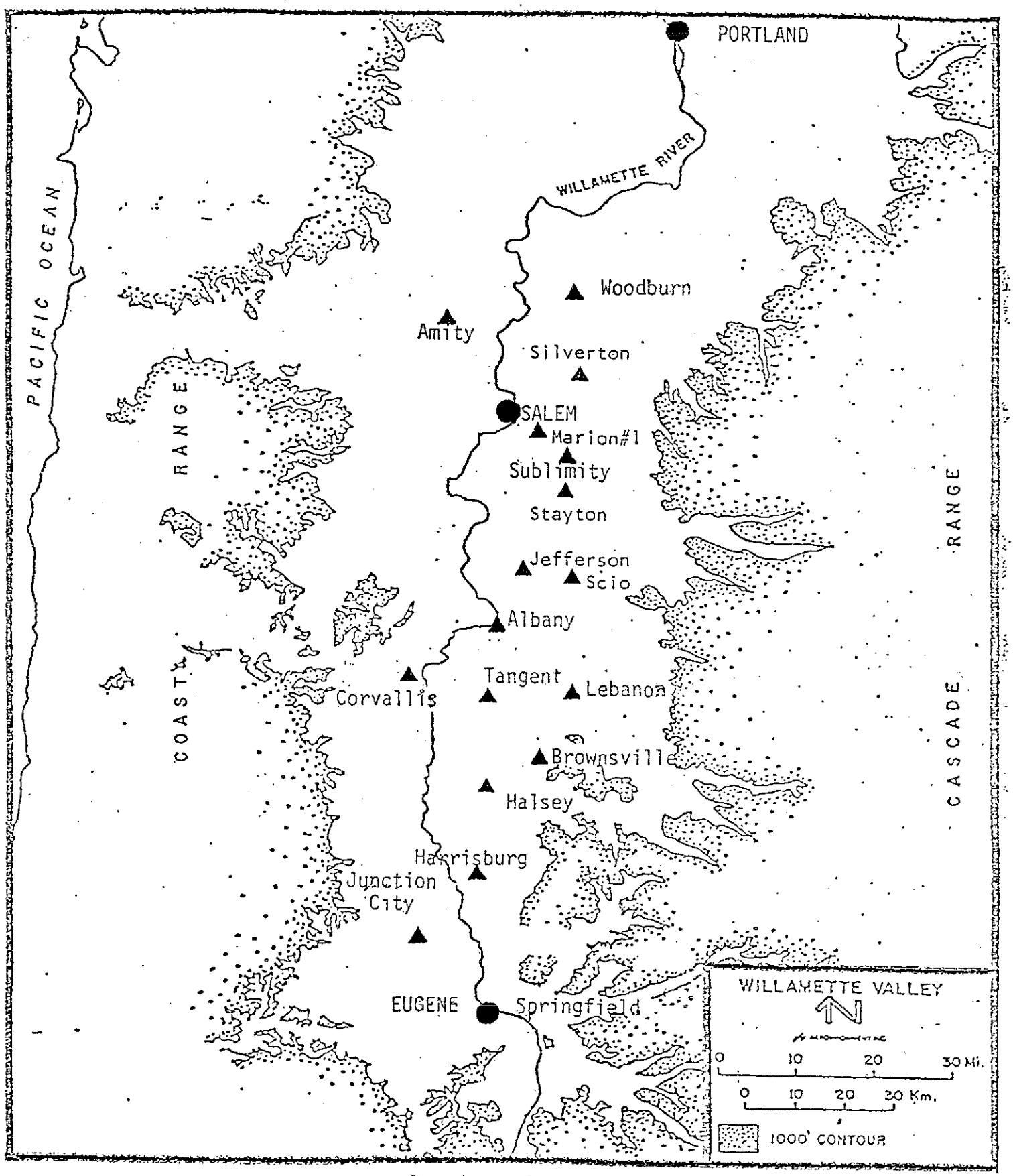
WILLIAM H. YOUNG WHS for

SAF:pas
686-7837
September 5, 1980



Attachment 1

Basic Flow Chart for Selecting
Areas and Amounts of Field Burning

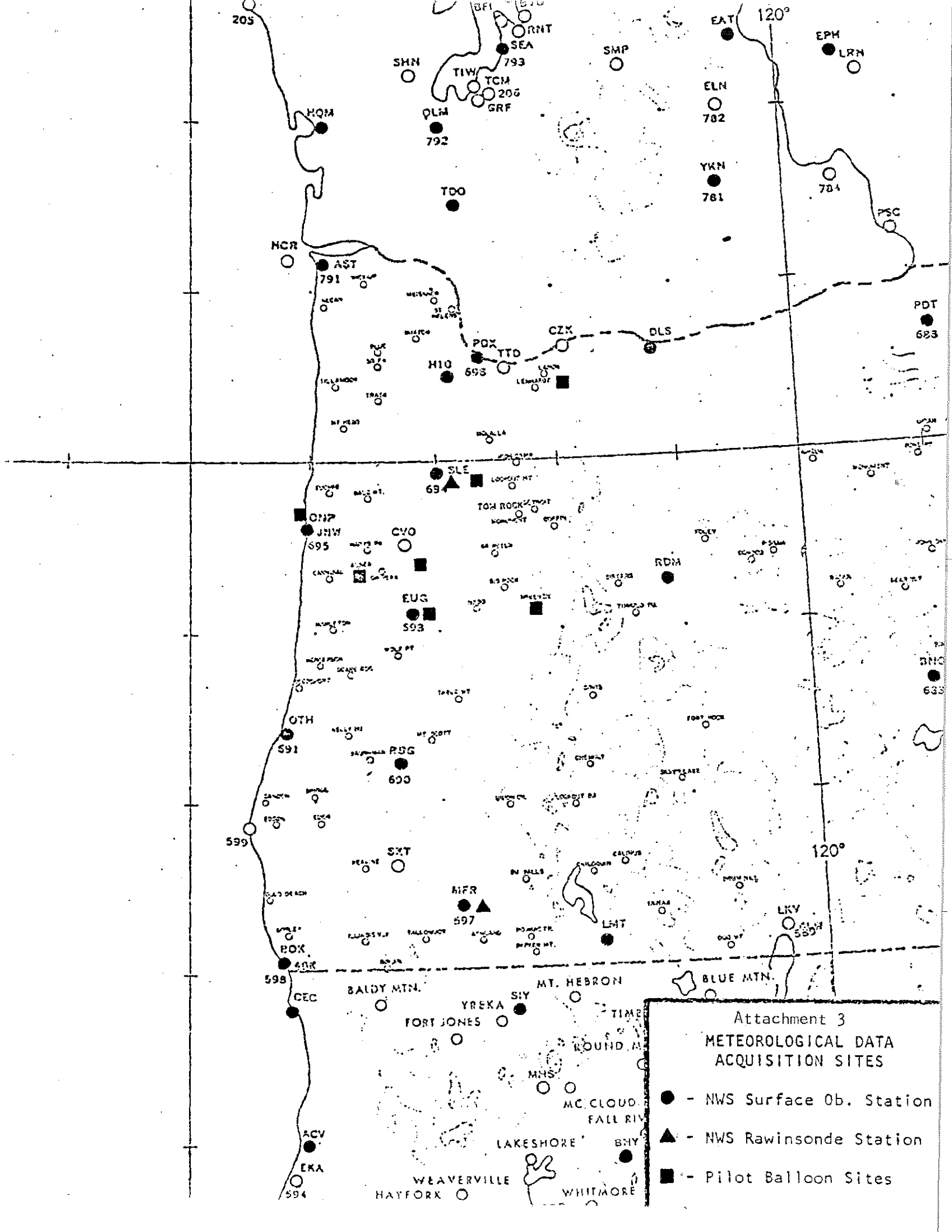


Attachment 2

OREGON SEED COUNCIL FIELD BURNING RADIO NETWORK

● - Base Station Transmitters (DEQ and OSC offices)

▲ - Fire District Transmitters (Local permit agent offices)



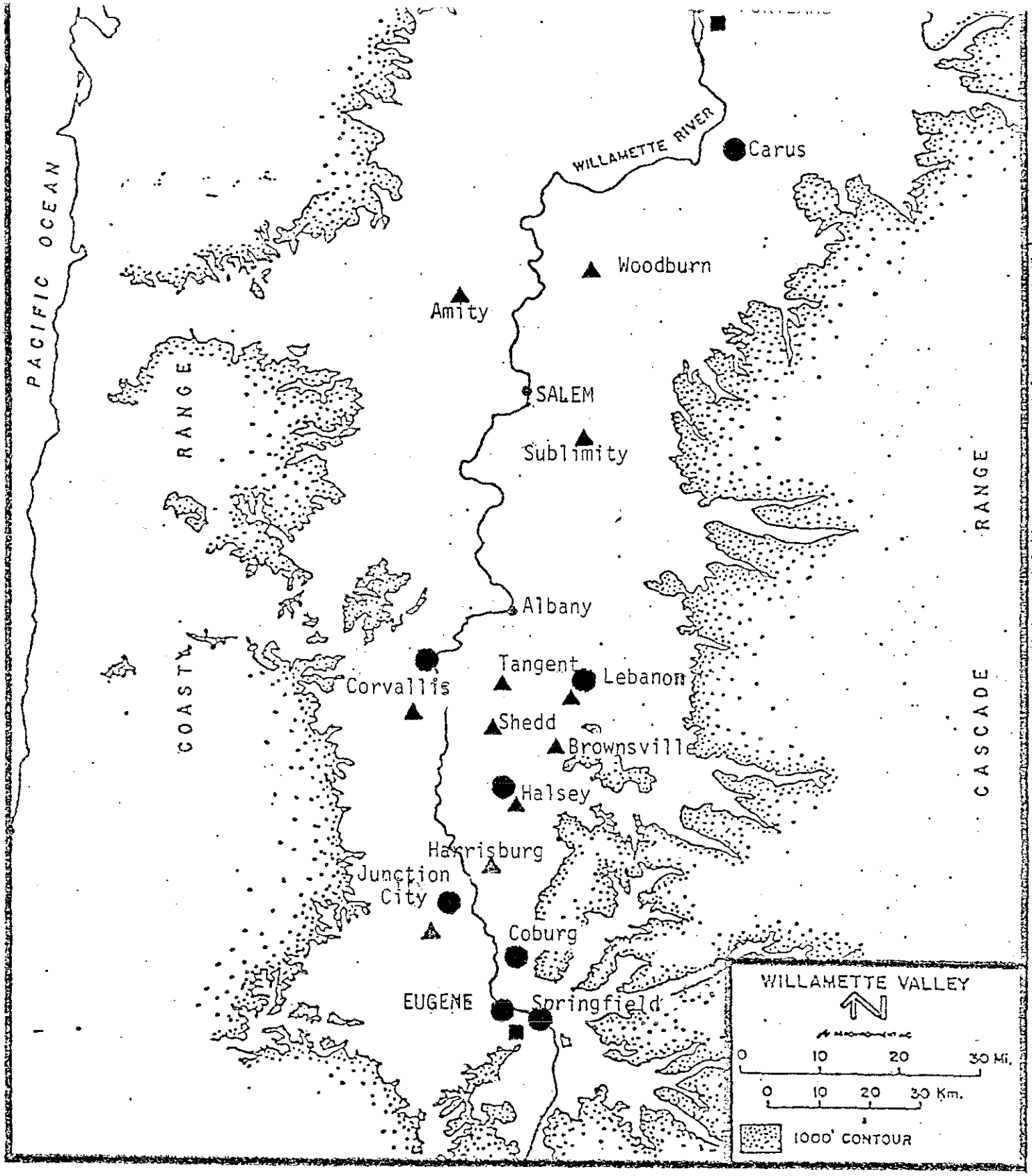
Attachment 3

METEOROLOGICAL DATA ACQUISITION SITES

● - NWS Surface Ob. Station

▲ - NWS Rawinsonde Station

■ - Pilot Balloon Sites



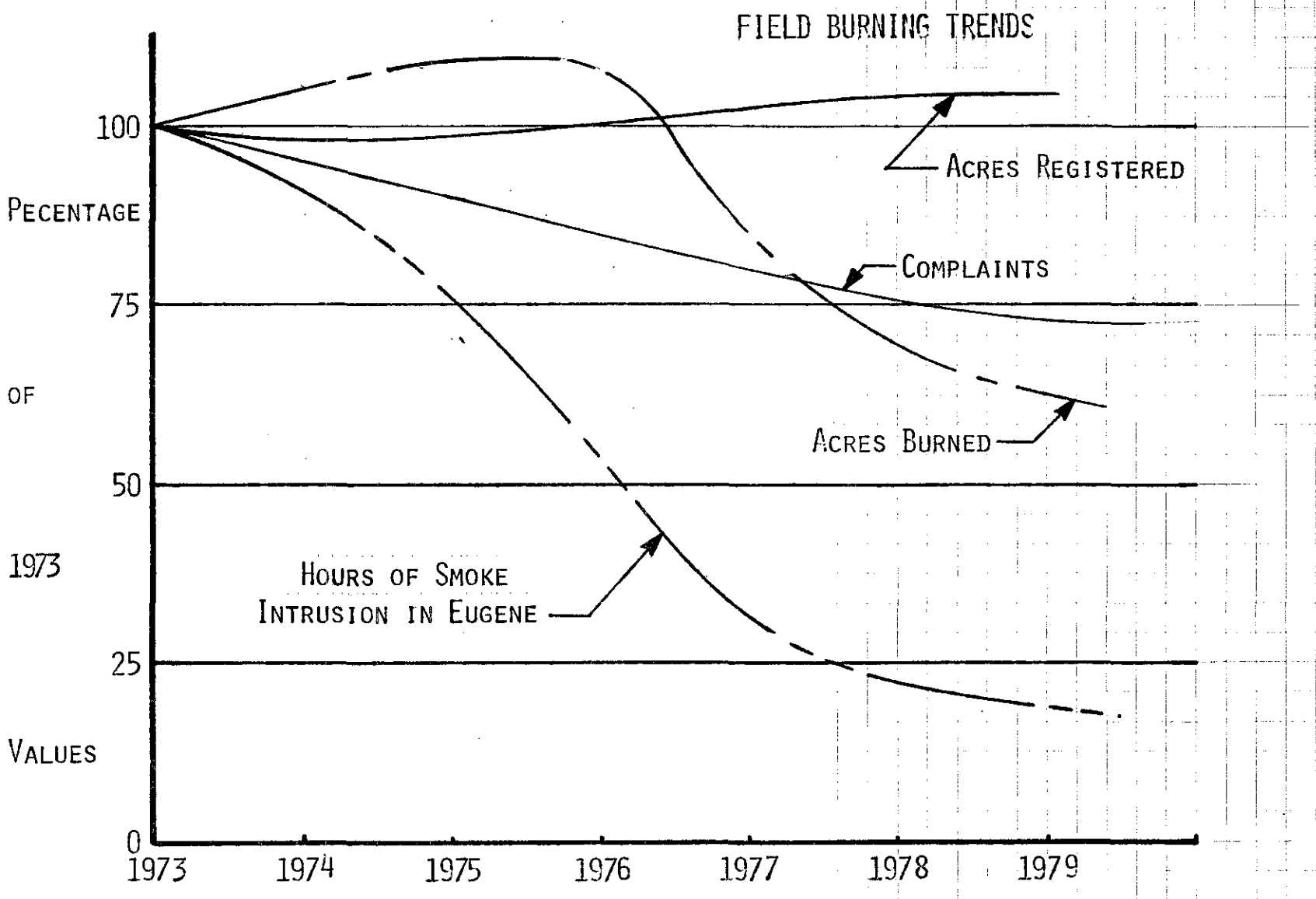
Attachment 4

SURFACE WEATHER AND AIR QUALITY
DATA ACQUISITION SITES

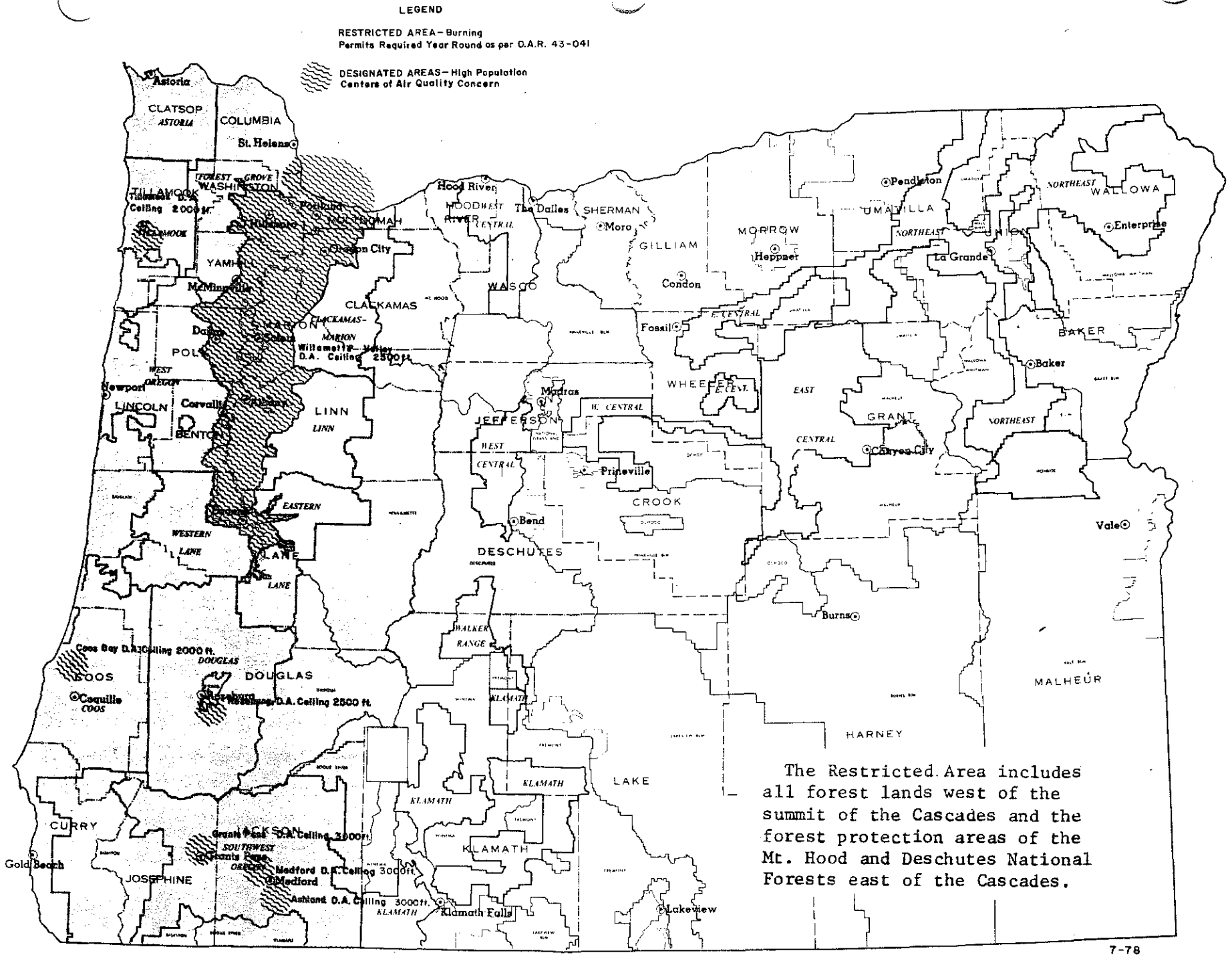
▲ - Oregon Seed Council Meteorological Site

● - DEQ Nephelometer and Meteorological Site (telemetered)

■ - DEQ Automatic Particle Monitoring Site



Attachment 5



Attachment 6

Map of Oregon Smoke Management Plan Designated Areas

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Addendum to Agenda Item No. L, September 19, 1980 Environmental Quality Commission Meeting.

On September 12, 1980, the Lane Board of Commissioners adopted a voluntary stipulated agreement by a four to one vote.

That proposed agreement was sent to Bill Young and received on September 15, 1980. It is attached.

The proposed agreement meets the minimum acceptable conditions suggested in the staff report under Evaluation and Alternatives, paragraph 2. And it contains certain additional commitments by Lane County which should increase the value of the resulting groundwater protection and remedial action plan.

If adopted, the following additional actions or involvements can be anticipated:

1. The Environmental Quality Commission must still act regarding the temporary rule by no later than October 17.

2. DEQ staff will be obliged to commit no less than 0.25 FTE technical assistance for as long as it takes to implement elements in the agreement. The primary elements requiring such assistance include adoption or amendment of the existing "Eugene-Springfield 208 Plan", and securing a tri-party agreement among Eugene, Lane Board of Commissioners and the Environmental Quality Commission.

3. DEQ staff must complete and the Environmental Quality Commission adopt a final groundwater quality policy on or before March, 1981.

4. The Environmental Quality Commission will hear semi-annual status reports beginning in 1981.

Adoption most likely eliminates the need for the Environmental Quality Commission to act on any of the alternatives contained in the staff report under Evaluation and Alternatives, paragraph 7. Should Lane County fail to meet the conditions of an adopted agreement, the Commission would have to reconsider alternatives.

Accordingly, paragraph 2 under the Director's Recommendation should be deleted. In its place, a new paragraph 2:

2. It is further recommended that the Commission adopt the voluntary stipulated agreement proposed by the Lane Board of Commissioners on September 12, 1980.

WILLIAM H. YOUNG

John E. Borden: wr
378-8240
September 18, 1980

Attachment: Proposed Intergovernmental Agreement dated September 12, 1980.

lane county

September 12, 1980
WP 26272-02

Bill Young
Director, Department of Environmental Quality
522 Southwest 5th
Portland, OR 97204

Dear Bill:

Since June, members of our staffs have been negotiating a draft "Stipulated Agreement" between Lane County Government and the Environmental Quality Commission regarding groundwater problems in the area generally known as River Road/Santa Clara. Their joint efforts produced a proposal referred to as "Option #1." In addition, based upon tentative agreements reached between Commissioner Harold Rutherford and yourself early last month, a second proposal was developed and identified as "Option #2." On August 21, the Board of Commissioners held two hearings to receive public comment on each of these options and additional alternatives. Approximately 60 individuals attended the hearings. Wednesday morning the Commissioners met for almost three hours to review and vote on the major components of each option. Based upon their decisions, staff drafted a final "Stipulated Agreement" which was approved in the afternoon on a four to one vote with Commissioner Weinstein dissenting. Several factors encouraged adoption of a voluntary agreement. Most importantly, we believe that a mutual agreement will enable development at greater densities as planned in the "Eugene/Springfield Metropolitan Plan." This element was of fundamental concern.

The final proposal obviously results from a serious and comprehensive assessment of all options as well as the likely impact of each commitment on the community and County government. Indeed, since April the Commissioners have met in public meetings totaling in excess of 15 hours to consider the question. I estimate that the Commissioners have received written or oral comments on the issue from at least 75 residents during recent months including both recognized community groups as well as one ad hoc citizens' organization. In addition, the City of Eugene has been informed of our progress through communications between staffs and elected officials. From the perspectives of citizen participation and intergovernmental relations, Lane County has deliberately sought an open, constructive review of existing proposals and encouraged optional approaches to the problems.

The proposed agreement which has resulted from this process contains significant commitments by Lane County which specifically address concerns previously identified by your department. In a recent letter to our staff, John Borden listed five commitments which were highly suggested as minimal requirements for a successful agreement:

1) Sanitary sewers are effective long-term means to reduce contaminants.

2) River Road/Santa Clara should receive urban services including sanitary sewers.

3) River Road/Santa Clara sewage treatment needs should be provided by the regional treatment facility presently under construction.

4) An Urban Master Sewage Plan should be adopted for the River Road/Santa Clara area.

5) The subdivision moratorium should be continued.

After reviewing the document you will note that we have included every suggested commitment. Yet the proposal goes beyond those "minimal" requirements by offering additional commitments including:

1) Portions of the groundwater are affected with bacteria and nitrate-nitrogen.

2) The River Road/Santa Clara area will eventually receive urban services including sewers.

3) Significant pollutants may result from septic tank discharges.

4) An interim sewage collection, treatment and disposal ordinance will be adopted.

5) A plat control program will be developed.

6) A public education program will be continued.

7) Semi-annual progress reports will be submitted to the EQC.

8) Lane County will work with the public and public agencies to develop a plan to provide sanitary facilities.

9) Lane County favors an additional tri-party agreement among Lane County, the EQC and the City of Eugene.

As these additional provisions were combined with the five commitments of primary concern to your staff, a comprehensive and complete document emerged. Most of the complex and controversial aspects of this issue were directly addressed during yesterday's meeting and courses of action were formulated and placed into the agreement.

It is our understanding that the Environmental Quality Commission will meet on Friday, September 19, in Bend to consider our proposal. Lane County will attend that meeting to discuss the proposed agreement and respond to questions. In the

meantime, if you have any questions or comments, do not hesitate to contact my office.

Sincerely,

Otto t'Hooft
Chairman
Lane County Board of Commissioners

SB:jf

Enclosure

cc: County Commissioners
George Morgan, General Administrator
Stan Biles, Intergovernmental Relations Officer

INTERGOVERNMENTAL AGREEMENT

WHEREAS, the Lane County Board of Commissioners and the Environmental Quality Commission recognize that public health must be protected and that a high-quality environment be maintained in the area generally known as River Road/Santa Clara, and

WHEREAS, Lane County recognizes that the River Road/Santa Clara area will eventually receive urban services including but not limited to sanitary sewers, and

WHEREAS, recent studies indicate that portions of the shallow groundwater in the area are affected with bacteria and nitrate-nitrogen, and

WHEREAS, studies indicate that significant pollutants may result from septic tank discharges from current developments, and

WHEREAS, Lane County and the Environmental Quality Commission agree that sanitary sewers are effective long-term means to reduce the level of contaminants in the River Road/Santa Clara area and,

WHEREAS, Lane County recognizes that the sewage treatment needs of the area should be provided by the Metropolitan Wastewater Management Commission's Sewage Treatment Facility, and

WHEREAS, Lane County and the City of Eugene have not jointly determined the most appropriate jurisdiction to provide sanitary sewage collection facilities to the area, and

WHEREAS, both jurisdictions recognize the planning and installation of long-term sanitary facilities in the area requires resolution of the question of jurisdictional responsibility, and

WHEREAS, Lane County and the EQC agree that concerted governmental effort to enhance the public health should be initiated prior to resolution of the jurisdictional question,

THEREFORE BE IT HEREBY RESOLVED:

I. Lane County hereby agrees to remove its current subdivision moratorium which was originally implemented on June 9, 1971 after the following have been accomplished:

   A. Lane County adopts a long-term urban master sewerage plan as described in Paragraph II.

   B. Lane County develops and adopts an interim sewage collection, treatment and disposal ordinance as described in Paragraph III.

   C. Lane County considers a plat control program as described in Paragraph IV.

II. Lane County agrees to adopt a long-term urban master sewerage plan for the River Road/Santa Clara area no later than 15 months after approval of this agreement. Such plan shall utilize or amend the existing "Eugene-Springfield Metropolitan Area Treatment Alternatives 208 Plan" of April 1977. This master sewerage plan shall specify the method of management, collection, treatment and disposal of sewage.

III. Lane County agrees to develop and adopt an "Interim sewage collection, treatment and disposal ordinance" for the River Road/Santa Clara area no later than six months after adoption of the master sewerage plan described in Paragraph II above. Interim facilities are defined as temporary, and are to be replaced by permanent regional facilities when available.

Interim facilities shall include, but are not limited to, standard subsurface sewage disposal systems, mechanical oxidation facilities, sewage stabilization ponds, sand filters or others as described in Oregon Administrative Rules 340-71-005 through 71-045.

The ordinance shall at a minimum specify:

A. Minimum criteria for facilities siting and construction.

B. Who will own and operate the facilities.

C. Under what circumstances and time schedules the facilities shall be salvaged or abandoned.

IV. Lane County agrees to consider a new "Plat control program" no later than July 1, 1981, to facilitate reasonable development in the area.

The purpose of a plat control program is to maintain desired ultimate development density potential in areas where development may occur at lower densities prior to provision of full urban services. Developing areas outside of cities rely upon on-site sewage disposal. The large parcel sizes necessary to accommodate on-site sewage disposal can diminish ultimate density potentials and preclude the economical provision of urban services if plat control is not implemented.

V. Lane County agrees to continue a public education program originally implemented on February 21, 1980.

VI. Lane County agrees to provide semi-annual progress reports to the EQC to indicate the status of these programs and the interagency jurisdiction question. The first report is due January 1, 1981.

VII. The EQC will review the semi-annual progress reports mentioned in paragraph VI., above. The EQC shall conduct a public hearing by no later than January 1, 1982 to evaluate progress. Upon review of said progress reports, at the public hearing, or at any other time the EQC may comment, assist, or take action outside the intergovernmental agreement including but not limited to that described in Oregon Revised Statutes (ORS) 222.850 through 222.915, ORS 454.235(2), and/or ORS 454.685.

VIII. Lane County agrees to work with the public, and affected public agencies during the planning and implementation of the public education, plat control, and alternative interim sewage programs.

IX. Lane County and the Environmental Quality Commission agree that resolution of the jurisdictional question will hasten improvement in groundwater quality and thereby enable further development of the area. A separate tri-party agreement among Lane County, the Environmental Quality Commission, and the City of Eugene is needed to define a joint process to distribute information regarding jurisdictional alternatives to area residents. In particular the City is encouraged to develop positions on, and disseminate information pertaining to a) annexation procedures, b) available city services, c) costs of identified services, and d) optional strategies to deliver services including but not limited to phased delivery of city services and phased financial mechanisms. A tri-party agreement including provisions identified above should be completed no later than December 1, 1980.

X. Upon a delineation of the appropriate jurisdiction to provide long-term sanitary services, Lane County agrees to develop or to work closely with appropriate public agencies to develop a plan to provide sanitary facilities.

XI. The EQC agrees to offer Lane County technical staff assistance on call as expeditiously as possible. To enhance local program capabilities, this assistance from the EQC will not be less than one-fourth FTE position.

XII. The EQC agrees to adopt a final groundwater quality policy, as discussed on 18 April, 1980, on or before March 1981.

XIII. Lane County and the Environmental Quality Commission agree that timely implementation of this agreement may be impacted by federal and state regulations, litigation, and financial conditions. Therefore, Lane County reserves the right to request from the EQC alterations to initially established time schedules.

Board of County Commissioners
of Lane County, Oregon

By: Otto t'Hooft, Chairman

Harold Rutherford, Vice Chairman

Vance Freeman

Gerald Rust
NO NO NO NO
WHERE ARE THE CITIZENS CONSTITUTIONAL RIGHTS?

Archie Weinstein

9/12/80
Date

Teresa J. Wilson 9-11-80
Approved as to Form

Environmental Quality Commission
of Oregon

By: Joe B. Richards, Chairman

Albert H. Densmore, Vice Chairman

Ronald M. Somers

Fred J. Burgess

Mary V. Bishop

Date

Approved as to Form

VICTOR ATIYEH
Governor

Environmental Quality Commission

POST OFFICE BOX 1760, PORTLAND, OREGON 97207 PHONE (503) 229-5696

TO: Environmental Quality Commission

FROM: Director

SUBJECT: Agenda Item No. L, September 19, 1980 Environmental Quality Commission Meeting. Status Of Voluntary Stipulated Agreement Between The Lane Board Of Commissioners And The Environmental Quality Commission Concerning The River Road/Santa Clara Area In Lane County, And Request For Authorization To Conduct A Public Rule Making Hearing OAR 340-71-030(10).

Background and Problem Statement

1. On April 18, 1980, the Environmental Quality Commission found that:

   a. The River Road/Santa Clara shallow aquifer is generally contaminated with fecal coliform organisms in excess of drinking water and body contact standards.

   b. Existing nitrate-nitrogen concentrations within the study area exceed the 5 mg/l planning target on the average. The 10 mg/l EPA maximum drinking water standard is currently exceeded in several locations. Said 10 mg/l standard contains no safety factor.

   c. Based on the Sweet Groundwater Study, about 73% of the nitrate-nitrogen pollutants (and by analogy a similar share of the fecal coliform contamination) results from septic tank effluent. Septic tank pollutants can migrate rapidly to the groundwater from drainfields via macropore travel.

   d. A public health hazard exists based on fecal coliform data for persons using the aquifer for domestic (drinking) or irrigation purposes. A health hazard similarly exists in several subareas based on nitrate-nitrogen levels.

2. The Commission further concluded that even if the septic tank moratorium then in effect were continued, groundwater pollution would increase before stabilizing at some worse condition. The Commission stopped short of declaring a health hazard or even continuing a full scale septic tank moratorium because:

a. The Lane Board of Commissioners, who had originally requested the septic tank moratorium, submitted a subsequent request to lift that moratorium on February 21, 1980, and

b. The Commission felt there were (and still are) better ways to solve the documented area-wide pollution problems in the long term utilizing the local planning process.

3. Accordingly, on April 18, 1980, the Commission:

a. Repealed the septic tank moratorium.

b. Adopted a temporary regional rule which allows some new development on septic tanks. The Commission recognized that such action would add to the pollutant load to local groundwater, but hoped such approval would support the Lane Board in their efforts to develop a long term remedy for all of River Road/Santa Clara. Thus the total groundwater problem would be solved in some reasonable time as facilitated by permitting the problem to temporarily worsen.

c. Authorized DEQ staff to approve a groundwater protection and remedial action plan for the River Road/Santa Clara area when Lane County submitted one. It was further allowed that such plan could accommodate even further temporary groundwater degradation if necessary to accomplish a long term remedy. For example, temporary high density on septic tanks might be necessary to provide the financial base for ultimate remedies.

d. Directed DEQ staff to secure within 120 days (by August 18) a voluntary agreement with the Lane Board to prepare a groundwater protection and remedial action plan for the River Road/Santa Clara area.

4. The Lane Board requested a 30 day extension to prepare the voluntary stipulated agreement. At its August 15 meeting in Pendleton, the Commission granted the extension to September 19, 1980.

5. At this writing, efforts are underway to secure the voluntary agreement. In April, Lane County and Eugene were making progress toward adoption of the 1990 Metro Plan Update. It was thought that the 1990 Update would include the groundwater protection and remedial action plan as an element.

Lane County and Eugene now disagree on certain elements of the 1990 Update. Each has adopted a separate version for submission to LCDC.

6. Work continued, and two draft agreements were presented to the Board by Lane County staff. The Board conducted two public hearings in Eugene on August 21 to obtain comments. The majority of comments were in opposition to any version of an agreement. Many expressed doubt that there is a groundwater pollution problem. Most persons were especially concerned that annexation to Eugene might be inevitable if areawide sewers were required.

7. The Board accepted written testimony for several days following the hearings, then convened in work sessions to prepare an agreement. At this writing, the agreement is unavailable. It will be transmitted separately on or before the September 19 meeting if available.

Evaluation and Alternatives

1. An agreement containing concepts and commitments can accomplish the Commission's objectives within the framework of the jurisdictional dispute even though outside of the 1990 Metro Plan Update.

2. Such an agreement, to be acceptable to the Commission, should at least contain the following critical elements:

   a. A recognition that the River Road/Santa Clara area will eventually be served by urban services.

   b. Sewers are the effective overall method to reduce pollutants to groundwater.

   c. Sewers will ultimately be routed to a central sewage treatment facility, namely the MWMC plant.

   d. Lane County agrees to adopt or amend the existing "Eugene-Springfield Metropolitan Area Treatment Alternatives 208 Plan" of April, 1977 in a reasonably short time frame.

   e. Lane County will maintain the current subdivision moratorium in River Road/Santa Clara at least until they adopt a long term urban master sewerage plan, and indicate how they will commit to its eventual implementation.

   f. The maximum possible commitment toward resolution of the jurisdictional question is made. For example, language wherein Lane County provides information for creation and operation of a County Service District and recommends a tri-party agreement among Lane County, Eugene, and the EQC to provide the same information for annexation is sufficient.

3. One of the draft agreements before the Board adequately addresses these critical elements.

4. The Board of Commissioners has stated that they will decide by September 10 whether to submit an agreement to the Commission. Presuming that they will submit an agreement, they will next decide whether to adopt one of the current drafts, make a combination of the drafts, or propose a version different from the others.

5. If an agreement is not obtained by September 19, the EQC has an array of options to consider. And the Commission must act on the "temporary" regional rule currently in effect by no later than October 18, at which time it automatically expires (the Commission meets October 17 in Portland).

6. Possible EQC actions regarding the temporary regional rule include but are not limited to:

   a. Continue the temporary rule (make it permanent).

   b. Modify the temporary rule.

   c. Repeal the rule.

   d. Do nothing (let the temporary rule lapse).

7. Alternately or in addition to any one of the above, the EQC might:

   a. Reinstate the septic tank moratorium (ORS 454.685).

   b. Begin proceedings to form a Lane County sewer service district, then construct a sewage collection system and assess costs to the public served (ORS 454.235(2)).

   c. Participate in health hazard annexation proceedings (ORS 222.850 through 222.915).

   d. Formally object to the versions of the 1990 Plan Update through the LCDC interagency coordination process.

   e. Order Lane County to prepare a groundwater protection and remedial action plan.

   f. Elaborate on the April 18, 1980 dialogue to allow modifications to the 16.7 pound/acre-year nitrate-nitrogen loading rate if either:

1. Lane County adopts the existing "Eugene-Springfield Metropolitan Area Treatment Alternatives 208 Plan" and commits to its implementation, or

2. The EQC adopts a statewide groundwater policy which delineates specific state and local jurisdiction responsibilities/actions different from or in addition to those currently in place in the interim policy document.

Summation

1. On April 18, 1980, the Commission directed DEQ staff to secure a voluntary agreement with the Lane Board by August 18 (extended to September 19, 1980).

2. The Lane Board presented two drafts to the public, and is currently deliberating whether to propose an agreement, and what it should look like. Presuming an agreement will be forthcoming, it will be sent separately.

3. One draft before the Board contains elements DEQ staff believe are necessary for the agreement to be considered adequate.

4. The Commission must act on the temporary regional rule before it expires on October 18, 1980. Public notices for an October 17 EQC rule making hearing have been forwarded to the Secretary of State.

5. The Commission will need to consider several alternatives and their consequences depending upon what Lane County proposes in the agreement.

6. Since the agreement is unavailable at this writing, but is expected on or shortly before the September 19 meeting, detailed discussion of alternatives is more appropriate later (September 19).

Director's Recommendation

Based on the findings in the Summation:

1. It is recommended that the public rule making hearing be authorized for October 17, 1980.

2. There are no further recommendations at this time, since this is a status report.

WILLIAM H. YOUNG JLS for

Appendix A: Hearing Notice for Secretary of State.
Appendix B: Land Use Consistency Statement.
Appendix C: Statement of Need for Rulemaking and Fiscal Impact Statement.
Appendix D: Proposed Permanent Rule, OAR 340-71-030(10).

John E. Borden/wr
378-8240
September 5, 1980

APPENDIX A

Environmental Quality Commission

POST OFFICE BOX 1760, PORTLAND, OREGON 97207 PHONE (503) 229-5696

VICTOR ATIYEH
Governor

Public Notice of Hearing
Prepared: Sept. 5, 1980
Hearing: October 17, 1980

Before the Environmental Quality Commission
of the State of Oregon

A CHANCE TO BE HEARD ABOUT:

WHETHER TO REPEAL, MODIFY OR MAKE PERMANENT THE CURRENT TEMPORARY REGIONAL SUBSURFACE SEWAGE DISPOSAL RULE IN EFFECT IN THE RIVER ROAD/SANTA CLARA AREA, LANE COUNTY

The Department of Environmental Quality is considering whether to change or make permanent Oregon Administrative Rules 340-71-030 (10). The existing rule limits the amount of nitrate-nitrogen discharged from subsurface sewage disposal systems to local groundwater in the River Road/Santa Clara area north of Eugene.

What Is The Department of Environmental Quality Proposing?

Four options will be presented to the Commission. The options are listed below. The Commission could change the language of these proposals:

Option 1: REPEAL THE TEMPORARY REGIONAL RULE.

Option 2: MODIFY THE TEMPORARY REGIONAL RULE.

Option 3: MAKE THE TEMPORARY REGIONAL RULE PERMANENT.

Option 4: TAKE NO ACTION and thereby let the current temporary regional rule lapse.

Who May Be Affected By This Proposal?

Residents who have shallow domestic water wells and/or irrigation wells in the River Road/Santa Clara area, persons who wish to construct or install buildings requiring sewage disposal systems in the River Road/Santa Clara area, and downgradient groundwater users (i.e., north of Beacon Drive).

How To Provide Your Information:

Information may be provided by any interested person. Written comments should be sent to the Department of Environmental Quality, Willamette Valley Region, 1095 25th St. S.E., Salem, Oregon 97310, and should be received by 5:00 p.m., October 17, 1980. Oral and written comments may be offered at the following public hearing:

City: Portland
Time: 10:00 a.m.
Date: October 17, 1980
Location: Portland City Council Chambers, 1220 SW 5th
Hearing Body: Environmental Quality Commission

Where To Obtain Additional Information:

Copies of the staff report and proposed rules may be obtained from Terri Sylvester, Department of Environmental Quality, Willamette Valley Region, 1095 25th St. S.E., Salem, Oregon, 97310, (503) 378-8240; or from Jane Fechtal, Department of Environmental Quality, Willamette Valley Region, 16 Oakway Mall, Eugene, Oregon, 97401, (503) 686-7601.

(From outside the Eugene and Salem areas, the State's toll-free number is 1-800-452-7813.)

Legal References For This Proposal:

The rule making hearing is being proposed under authority of ORS 454.612; 454.625; 454.685; 468.020 and will repeal, modify or make permanent OAR 340-71-030(10).

Need For Rule:

The Environmental Quality Commission approved OAR 340-71-030(10), a temporary regional subsurface sewage disposal rule, at its April 18, 1980 meeting in Eugene.

Temporary rules expire after 180 days unless made permanent by the Environmental Quality Commission. October 18, 1980 is the expiration date for the temporary rule.

Accordingly, the Commission must act to repeal, modify or make the rule permanent on or before October 18. The public rule making hearing is October 17, 1980.

Fiscal Impact:

Repeal the temporary rule OAR 340-71-030(10):

Agency costs would not be significantly affected by this action.

Local government could experience increased program costs associated with inspections conducted and permits issued in the subsurface sewage disposal program. Their resultant costs would be covered by permit fees associated with that program.

The general public could experience greatly increased costs due to increased construction difficulties should a sewerage system eventually be constructed to serve the area. Initial savings might be derived by the ability to more intensely develop currently undeveloped land.

Modify the temporary rule OAR 340-71-030(10):

Agency costs could be increased depending upon how the rule is modified. Up to 0.25 existing staff positions for two years might need to be allocated to compliance inspection, plan review, and administrative work.

Local government might need to obligate local funds for additional planning efforts and construction activities. The amount would depend on the nature and timing of capital construction projects, if any.

The general public might derive short term savings by more intensive development of currently undeveloped land. But costs associated with capital construction projects would eventually be borne by the general public.

Take no action and let the temporary rule OAR 340-71-030(10) lapse:

Fiscal impacts would be essentially the same as repeal of the rule.

Further Proceedings:

After rule making hearing, the EQC may adopt rules identical to those proposed, adopt modified rules on the same subject matter, repeal the temporary rule, or decline to act. The Commission's deliberation should come on October 17, 1980.

Dated: September 5, 1980
John E. Borden: wr
378-8240

APPENDIX B

BEFORE THE
ENVIRONMENTAL QUALITY COMMISSION

NOTICE PERTAINING TO CONSISTENCY WITH STATEWIDE PLANNING GOALS

The enclosed Public Notice concerns a proposal that appears to conform to Statewide Planning Goals 6 (Air, Water, and Land Resources Quality) and 11 (Public Facilities and Services). We are aware of no conflict with other goals.

With regard to Goal 6, the proposal could revise State rules and standards for safe subsurface disposal of sewage. This by definition in the goal complies with Goal 6. The goal requires waste discharges from future and existing developments not to violate State standards.

With regard to Goal 11, the proposal addresses the current River Road/ Santa Clara septic tank temporary regional rule in terms of assurances that groundwater will not be further polluted. To the extent that sewage disposal systems may be permitted under the proposal, such authorizations would accommodate the transition to future urban services, or be in accordance with alternatives developed in a later groundwater protection and remedial action plan. This is consistent with "timely" arrangement of services required by the goal.

The proposal is so similar to the current situation that no major land use impacts are identified.

Public comment on each of the land use issues involved is welcome, and may be submitted in the same fashion indicated for testimony in the accompanying NOTICE OF PUBLIC HEARING.

It is requested that local, state, and federal agencies review the proposed action and comment on possible conflicts with their programs affecting land use and with Statewide Planning Goals within their expertise and jurisdiction.

The Department of Environmental Quality intends to ask the Department of Land Conservation and Development to mediate any apparent conflicts brought to our attention by local, state or federal authorities.

After rule making hearing, the EQC may approve rules identical to those proposed in one of the options, adopt modified rules on the same subject matter, repeal the temporary rule, or decline to act. The Commission's deliberation should come on October 17, 1980 as part of a scheduled Commission meeting.

APPENDIX C

STATEMENT OF NEED FOR RULEMAKING
and
FISCAL IMPACT STATEMENT

Pursuant to ORS 183.335(2), this statement provides information on the Environmental Quality Commission's intended action to adopt a rule.

Proposed Permanent Amendment to Oregon Administrative Rules 340-71-030, Rules Governing Subsurface and Alternative Sewage Disposal

A. Legal authority for rules governing subsurface and alternative sewage disposal is ORS 454.625.

B. Need for Rulemaking:

The Environmental Quality Commission approved OAR 340-71-030(10), a temporary regional subsurface sewage disposal rule, at its April 18, 1980 meeting in Eugene.

Temporary rules expire after 180 days unless made permanent by the Environmental Quality Commission. October 18, 1980 is the expiration date for the temporary rule.

Accordingly, the Commission must act to repeal, modify or make the rule permanent on or before October 18. The public rule making hearing is October 17, 1980.

C. Documents relied upon in considering the need for and in preparing the Rule.

"The River Road/Santa Clara Groundwater Study, Final Technical Report" prepared by Sweet, Edwards and Associates, Inc.

Agenda Item No. J , April 18, 1980 Environmental Quality Commission Meeting. Public Hearing As To Whether To Continue, Repeal Or Modify Oregon Administrative Rule (OAR) 340-71-020(9) As It Relates To The Current Septic Tank Moratorium In Effect In The River Road/Santa Clara Area Of Lane County.

D. Fiscal Impact:

Repeal the temporary rule OAR 340-71-030(10):

Agency costs would not be significantly affected by this action.

Local government could experience increased program costs associated with inspections conducted and permits issued in the subsurface sewage disposal program. Their resultant costs would be covered by permit fees associated with that program.

The general public could experience greatly increased costs due to increased construction difficulties should a sewerage system eventually be constructed to serve the area. Initial savings might be derived by the ability to more intensely develop currently undeveloped land.

Modify the temporary rule OAR 340-71-030(10):

Agency costs could be increased depending upon how the rule is modified. Up to 0.25 existing staff positions for two years might need to be allocated to compliance inspection, plan review, and administrative work.

Local government might need to obligate local funds for additional planning efforts and construction activities. The amount would depend on the nature and timing of capital construction projects, if any.

The general public might derive short term savings by more intensive development of currently undeveloped land. But costs associated with capital construction projects would eventually be borne by the general public.

Take no action and let the temporary rule OAR 340-71-030(10) lapse:

Fiscal impacts would be essentially the same as repeal of the rule.

OAR 340-71-030(10) - RIVER ROAD/SANTA CLARA RULES:

(a) Within the areas set forth in subsection (b) below, the Director, or his authorized representative, may issue either construction permits for new subsurface sewage disposal systems or favorable reports of evaluation of site suitability to construct systems under the following circumstances:

(A) The system complies with all rules in effect at the time the permit is issued; and

(B) The system will not in itself contribute, or in combination with other new sources after April 18, 1980, contribute more than 16.7 pounds nitrate-nitrogen per acre per year to the local groundwater. The applicant shall assure compliance with this condition by showing his ownership or control of adequate land through easements or equivalent.

(b) Subsection (a) above shall apply to all of the following area generally known as River Road/Santa Clara, and defined by the boundary submitted by the Board of County Commissioners for Lane County which is bounded on the south by the city of

Eugene, on the west by the Southern Pacific Railroad, on the north by Beacon Drive, and on the east by the Willamette River, and containing all or portions of T-16S, R-4W, Sections 33, 34, 35, 36; T-17S, R-4W, Sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25; and T-17S, R-1E, Sections 6, 7, 18, Willamette Meridian.

(c) This rule is subject to modification or repeal by the Commission on an area-by-area basis upon petition by the appropriate local agency or agencies. Such petition either shall provide reasonable evidence that development using subsurface sewage disposal systems will not cause unacceptable degradation of groundwater quality or surface water quality or shall provide equally adequate evidence that degradation of groundwater or surface water quality will not occur as a result of such modification or repeal.

(d) Subsections (10)(a) and (10)(b) above shall not apply to any construction permit application based on a favorable report of evaluation of site suitability issued by the Director or his authorized representative pursuant to ORS 454.755(1)(b), where such report was issued prior to the effective date of this subsection (10).

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. M, September 19, 1980, EQC Meeting

Petition to Amend Administrative Rules Pertaining to Capping Fill Alternative Sewage System Rules OAR 340-71-039

Background and Problem Statement

The Commission, on June 20, 1980, adopted rules pertaining to capping fill alternative sewage systems; OAR 340-71-039. In addition, Geographic Region Rule A was rescinded in the same action. The new rules imposed additional requirements over the previous geographic region rule. The additional requirements are:

1. The drainfield site and the borrow site are to be scarified by rototilling to remove the vegetative mat.

2. Both the initial cap and the repair cap are to be constructed at the same time.

3. The site is required to be landscaped with grass.

On August 28, 1980, the Department received a petition to the Commission for amendments to the rules for capping fills. The proposed amendments pertain to the three items above. The petition (Attachment A) is from the Central Oregon area and is signed by fifty-one persons.

Alternatives and Evaluation

There appears to be three alternatives for Commission action:

1. Reject the petition and the proposed rule amendments.

2. Accept the petition and require the rule amendments to be effective with the major rule rewrite now underway in the Department to be effective January 1, 1980.

3. Accept the petition and amend the rules accordingly by temporary rule to be effective immediately.

Rototilling adds to the cost of the system; however, rototilling is just one method of scarifying the ground surface. There are other acceptable scarifying methods that are as effective but less expensive.

There are other vegetative covers that may be used in lieu of grass and which are as effective in providing transpiration.

Filling the repair area at a later date is expected to save several hundred dollars in the initial cost of a system. In the long term, cost savings may be lost due to property damage and increased cost of materials when the repair area is filled later. However, it is felt that the property owner should have the option of when to fill the repair area.

Considering the economic impact of the proposed amendments, especially the amendment that pertains to construction of both the initial cap and the repair cap at the same time, it appears that alternative 3, a temporary rule, is the most appropriate.

Summation

The Commission has adopted rules pertaining to capping fill alternative sewage systems.

A petition to the Commission to amend the capping fill rules has been received.

Director's Recommendation

1. Adopt the "Findings" in Attachment B as the Commission's findings.

2. Adopt a temporary rule amending the rules for capping fill alternative sewage systems as proposed in Attachment "A".

William H. Young

Attachments:
- A. Petition to the Commission to amend OAR 340-71-039
- B. Findings
- C. Statement of Need for Rulemaking and Fiscal Inpact Statement

T. Jack Osborne:bl
229-6218
XB179 (1)
September 9, 1980

PETITION TO THE OREGON ENVIRONMENTAL QUALITY COMMISSION FOR MODIFICATION OF OAR 340, DIVISION 71, RULE 71-039, CAPPING FILLS

ATTACHMENT A

RECEIVED
AUG 28 1980

Whereas, the Oregon Environmental Quality Commission adopted on June 20, 1980 amendments to OAR 340, Division 71, specifically adding a new rule, 71-039, entitled Capping Fills, and;

Whereas, the Capping Fill rule, specifically certain sections thereof; 340-71-039-2c, 340-71-039-2e and 340-7-039-2f pose undue and unjustified financial and timeliness hardships upon the homeowner, home builder, and subsurface sewage installation contractor and;

Whereas, the Capping Fill rule sections that we, the undersigned, petition for change or omission will not materially affect the intent of OAR 340, Division 71, nor affect the operation or reliability of a Capping Fill type subsurface sewage disposal system.

Therefore, we, the undersigned, petition the Oregon Environmental Quality Commission (EQC) to take whatever actions necessary to quickly expedite the modifications and deletions as contained in Exhibit A, herein made a part of this petition, as a temporary rule change at the soonest possible meeting of the E.Q.C. and do further petition for a permanent rule change of OAR 340, Division 7 specifically, Rule 71-039.

	Date	Name	Address	City	Phone
1.	Aug 19, 80	Roy Carlson	100 River Rd	Prineville	447-7042
2.	Aug 19 80	Clay Vincent	P.O. Box 5	Prineville	NONE
3.	8-19-80	[illegible]	505 E 1st	Prineville,	447-4968
4.	8-19 80	Jack Briggs	1465 Spruce Lane	Prineville	447-5559
5.	8-19-80	Tommy J. Stockton	#12 Mt View Circle		
6.	8-19-80	D.M. Stockton	#12 Mtn View	Prineville	
7.	8-17-80	[illegible]	Rt 2 Box 460	Prineville Ore	447 5582
8.	8-19-80	Carl R. [illegible]	1180 Wilshire Rd	Prineville Ore	
9.	8-19-80	Carl L. Shumway	1000 E 1st	Prineville	447-5711
10.	8-19-80	Allen Carlson	601 Country Loop		447-7496
11.	8-19-80	Iva Carlson	266 S. Elmwood	Prineville, Ore	447-4603
12.	8-19-80	Teresa Close	515 S. Main St.	Prineville, Or.	447-6353
13.	8-20-80	Evelyn Gerardo	M.S.R. Box 45	Prineville, Or.	447-6620
14.	8-20-80	Lee Hisaw	1310 Ochoco Hwy	Prineville. Ore.	447-3673
15.	8-20-80	James Hisaw	300 McCann	Prineville oreg	447 6625
16.	8-20-80	James L. Hisaw	395 E 1st	Prineville Ore.	—
17.	8-20-80	Bruce Baird	170 N Holley	Prineville ore	447 6844
18.	8-20-80	Scott Patton	138 M.S.R	Prineville	447-6224
19.	8-20-80	Don Hill	1757 U.F.R.	Prineville	447-3787
20.	8-20-80	Alex Kolda	608 E 1st P.O. Bx 27	Prineville, Ore	447-5300
	8-21-80	[illegible]	[illegible]	Prineville	

PETITION TO THE OREGON ENVIRONMENTAL
QUALITY COMMISSION FOR MODIFICATION OF OAR 340,
DIVISION 71, RULE 71-039, CAPPING FILLS

	Date	Name	Address	City	Phone
21.	8/20/80	[illegible]	P.O. Box 66	Prineville, Ore.	447-5502
22.	8/20/80	Bruce Stewart	PO BOX 114	Prineville OR.	4471142
23.	8/20/80	Lawrence Donside	P.O. Box 220	Prineville	447-595[illegible]
24.	8/20/80	Gary L. Ewin	Rt. 2 Box 596-A	Prineville	447-6803
25.	8/20/80	Chris [illegible]	PLK Bx 650	Prineville	447-4855
26.	8/20/80	[illegible]	Highland	Prineville	447-6882
27.	8/20/80	Char A Kasper	212 S.E. 4th	Prineville	447-4465
28.	8/20/80	Charlotte [illegible]	898 N Beard	Prineville Ore	447-6754
29.	8/20/80	Harmony Jobson	979 N. Ewen	Prineville Or	447-5965
30.	8/20/80	Tracy Hicks	Rt 1 Box 836	Prineville Or.	447-1841
31.	8/20/80	Ernest J. Endres	603 [illegible] Ave	Prineville Ore	447-3230
32.	8/20/80	[illegible]	50 BUCKBOARD LANE	PRINEVILLE ORE	447-1250
33.	8/20/80	[illegible]	39 [illegible] RD	PRINEVILLE ORE	447-3784
34.	8/20/80	Gary Owens	Rt 1 Box 792	Prineville, Ore	447-[illegible]
35.	8/20/80	James W Dodd	Rt 2 Box 604E	Prineville Ore	447-1542
36.	8/20	Raymond [illegible]	Rt 2 Box 614	Prineville Ore	447-[illegible]
37.	8-20-80	Eileen Bishop	PO Box 271	Prineville Oreg	447-5249
38.	8-20-80	D. G. Higgins	Box 412	Powell Butte, Ore	447-5426
39.	8/20/80	Geni Jones	Rt. 1 Box 803	Prineville, Ore.	
40.	8/20/80	[illegible]	231 Main	Prineville, Ore	
41.	8/20/80	Milton [illegible]	Box 9 [illegible]	Prineville Or	
42.	8-20/80	Darrell Goodman	Rt 1 Box 972	Prineville Ore	
43.	8/20/80	Doug Taylor	760 Loper Av.	Prineville, Oregon	
44.	8/20/80	[illegible]	Rt 1 Box 1208	PRINEVILLE ORE	
45.	8/20/80	Jerry [illegible]	Rt 3 Box 506	Prineville Ore	
46	Aug 20	[illegible]	997 N. Main	"	"
47.	8/20/80	Roland Welling	245 SE Craven Rd	Bend	Ore
48.	8-21-80	James L Smith	Rt 1 Box 1016A	Prineville Or	
49.	8-21-80	James Newbill	P.O. Box 533	Madras Oregon	
50	8-21-80	[illegible]	820	Prineville Or.	
51.	8-21-80	Charles Lawrence		Prineville Ore	

EXHIBIT A

ADOPTED

June 20, 1980

Amendments to OAR 340, Division 71

Amend OAR 340 Division 71, by adding a new rule, 71-039, as follows:

340-71-039 Capping Fills

For the purposes of this rule, "Capping Fill" means a system where the disposal trench effective sidewall is installed a minimum of twelve (12) inches into natural soil below a soil cap of specified depth and texture.

(1) General Conditions for Approval.

Subsurface sewage system construction permits may be issued by the Director or his authorized representative, for capping fill systems on specific sites provided all the following requirements can be met:

(a) Slope does not exceed twelve (12) percent.

(b) Temporarily perched water table is not closer than eighteen (18) inches to the surface at anytime during the year. Water levels may be predicted during periods of dry weather using criteria under 71-030, subsection (1)(c)(A), (B), and (C). A six (6) inch minimum

separation must be maintained between the bottom of the disposal trench and the water table.

(c) Where permanent water table is present, a minimum four (4) feet separation can be maintained between the bottom of the disposal trench and the water table. Water levels may be predicted during periods of dry weather using criteria under 71-030, subsections (1)(c)(A), (B), and (C).

(d) Where coarse grained material is present, a minimum eighteen (18) inch separation can be maintained between the bottom of the disposal trench and coarse grained material.

(e) A claypan, hardpan, saprolite, or bedrock is eighteen (18) inches or more below the natural soil surface.

(f) Soil texture from the ground surface to the layer described in 71-039(1)(e) is no finer than silty clay loam (as defined in OAR 340-71-010 and as classified in the soil texture classification chart (Table 2)).

(g) A minimum six (6) inch separation can be maintained between the bottom of the disposal trench and the layer described in 71-039(1)(e).

(h) The system can be sized according to thirty (30) inches to a restrictive layer, in Table 5 of OAR 340-71-030, unless the Director or his authorized representative determines that additional drainfield is required to provide a properly operating system.

(i) The site contains enough area for a full-sized initial system and a full-sized replacement system.

(j) Capping fill systems shall be limited to sewage flows of six hundred (600) gallons or less per day without special Department authorization.

(k) All other requirements of OAR 340-71-010 to 71-045 can be met.

(2) Construction Requirements.

The cap shall be constructed pursuant to permit requirements. Unless otherwise required by the Director or his authorized representative, construction sequence shall be as follows:

(a) The texture of the soil used for the cap must be of the same textural class, or of one textural class finer, as the natural topsoil. The soil must be

examined and approved by the Director or his authorized representative prior to placement.

(b) Construction of capping fills must occur between June 1 and October 1 unless otherwise allowed by the Director or his authorized representative. The upper twenty-four (24) inches of soil must not be saturated or at a moisture content which causes loss of soil structure and porosity when worked.

(c) The drainfield site and the borrow site shall be scarified [(rototill)] to destroy the vegetative mat.
Delete rototill

(d) Install drainfield as specified in construction permit. There shall be a minimum ten (10) feet of separation between the edge of the fill and the nearest trench sidewall.

(e) Apply fill to the fill site and work in (rototill) so that the two contact layers (native soil and fill) are incorporated. Evenly grade fill material to a final depth of sixteen (16) inches above the drainfield gravel. Both initial cap and repair cap [to] be
may
constructed at the same time.

(f) The site shall be ~~[landscaped with grass]~~ provided with a vegetative cover and protected from livestock, automotive traffic or other activity that would damage the system.

(g) Serial distribution systems shall be used on sites with slopes with three (3) to twelve (12) percent. The Director or his authorized representative may require a low pressure distribution system.

(3) Required Inspections.

The following minimum inspections shall be performed for each capping fill installed:

(a) Both the drainfield site and borrow material must be inspected for scarification, soil texture, and moisture content, prior to cap construction.

(b) Pre-cover inspection of the installed drainfield.

(c) After cap is placed, to determine that there is good contact between fill material and native soil (no obvious contact zone visible), adequate depth of material, and uniform distribution of fill material.

(d) Final inspection, after cover, grading, and planting. A Certificate of Satisfactory Completion may be issued at this point.

Amend OAR 340-71-030 and Diagrams as follows:

(a) Rescind:

1. OAR 340-71-030(8), Geographic Region Rule "A", in its entirety.

2. Diagrams 7-A and 7-B

(b) Amend OAR 340-71-030(1)(c) and OAR 340-71-030(1)(f) to delete reference to Diagram 7-A

Amend OAR 340-71-030(1)(c) as follows:

(c) An area where the highest level attained by a permanent water table or permanently perched water table will be within four (4) feet of the bottom point of the effective sidewall of the disposal trench, except in defined areas that have been the subject of a groundwater study and where the Department has determined that degradation of groundwater supplies

or health hazards would not be caused. [Diagram 7-A shows an acceptable design where such water table will be five (5) feet or more but less than five and one-half (5-1/2) feet below the surface of the ground.] Water table levels may be predicted during periods of dry weather utilizing one of the following criteria: ..

Amend OAR 340-71-030(1)(f) as follows:

(f) Where coarse grain material is located within thirty-six (36) inches of the natural ground surface and the installation and utilization of a disposal trench would cause degradation of the quality of public waters. A minimum separation distance of eighteen (18) inches shall be maintained between coarse grained materials and the bottom of the trench. [Diagram 7-A shows an acceptable design where coarse grain material is thirty (30) inches but less than thirty-six (36) inches below the natural ground surface.]

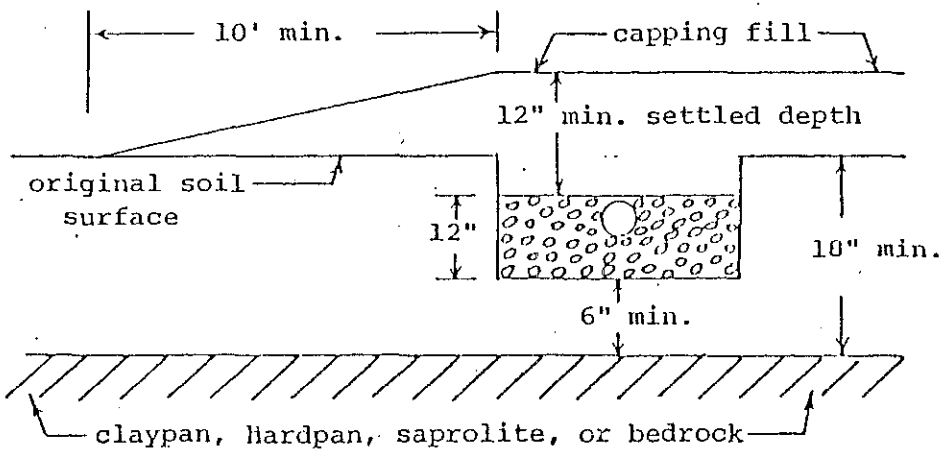
NOTE: Material underlined _____ is new

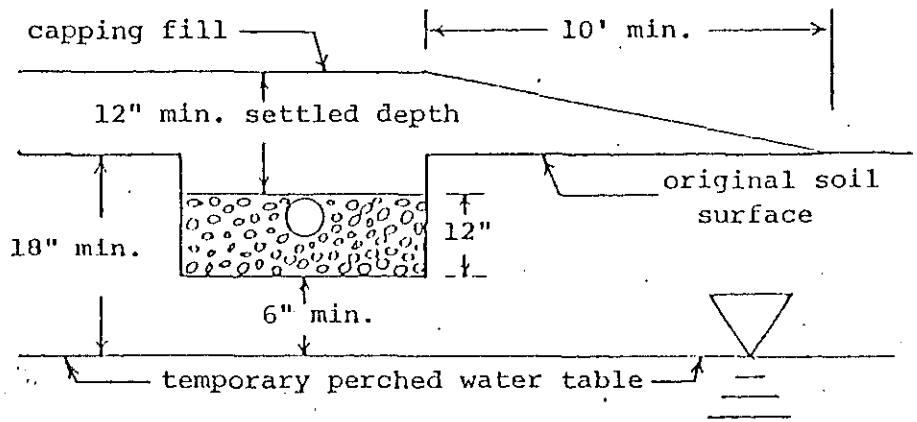
Material bracketed [ ] is deleted

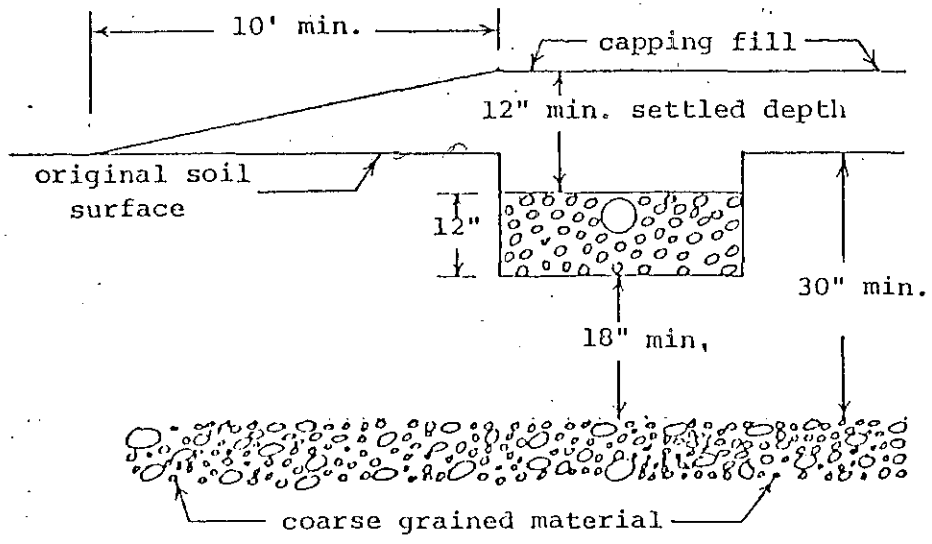
XS0818(pnl)

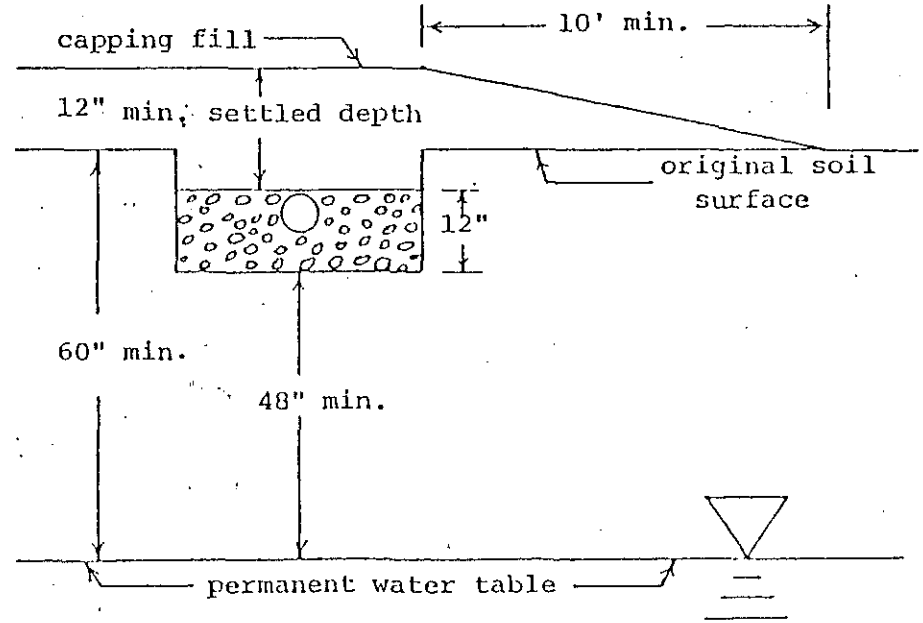
DIAGRAM

CAPPING FILL









Attachment B

State of Oregon

Environmental Quality Commission

FINDINGS

The Environmental Quality Commission of the State of Oregon finds that its failure to act promptly, by adopting a temporary rule, amending OAR 340-71-039, will result in serious prejudice to the public interest or the interest of the parties concerned, for the following reason:

> The requirements in the present rule for rototilling of the drainfield and borrow sites, immediate filling to construct the "cap" in the repair area, and landscaping the area with grass increase the initial cost of constructing a subsurface system. These features, while desireable in many cases, will not be necessary in most instances to secure a satisfactorily operating system. Thus, many individuals wishing to construct systems during the next two to three months will be required to make unnecessary expenditures if rule modifications are not adopted.

Joe B. Richards, Chairman

TJO:b
XB179.A

Attachment C

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION

OF THE STATE OF OREGON

IN THE MATTER OF THE ADOPTION OF A TEMPORARY RULE AMENDING OAR 340-71-039, CAPPING FILL SEWAGE SYSTEMS	))))	STATUTORY AUTHORITY, STATEMENT OF NEED, PRINCIPAL DOCUMENTS RELIED UPON, STATEMENT OF FISCAL IMPACT, AND STATEMENT OF LAND USE CONSISTENCY

1. Citation of Statutory Authority: ORS 454.625 authorizes the Environmental Quality Commission to adopt rules pertaining to subsurface and alternative sewage disposal.

2. Need for Rule: The Commission has received a petition to amend rules pertaining to capping fill alternative sewage systems. Certain requirements within the rules substantially increase initial systems costs, in many instances, unnecessarily. The proposed rule amendments would eliminate the mandatory requirements for filling of repair sites that may never be needed.

3. Documents Relied Upon: Petition to the Environmental Quality Commission for modification of OAR 340, Division 71, Rule 71-039, capping fills, received August 28, 1980. This document is available for inspection at the Department of Environmental Quality, 522 S.W. Fifth, Portland, during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

4. Fiscal Impact: Fiscal impact will be to those applicants for capping fill sewage system construction permits. Initial costs of such systems will be reduced substantially.

5. Statement of Land Use Consistency: Because the amendments proposed address the construction standards for subsurface systems without affecting the eligibility of land for development, the Department has concluded that there is no effect on land use.

TJO:b
XB179.B

PETITION TO THE OREGON ENVIRONMENTAL QUALITY COMMISSION FOR MODIFICATION OF OAR 340, DIVISION 71, RULE 71-039, CAPPING FILLS

ATTACHMENT A

Whereas, the Oregon Environmental Quality Commission adopted on June 20, 1980 amendments to OAR 340, Division 71, specifically adding a new rule, 71-039, entitled Capping Fills, and;

Whereas, the Capping Fill rule, specifically certain sections thereof; 340-71-039-2c, 340-71-039-2e and 340-7-039-2f pose undue and unjustified financial and timeliness hardships upon the homeowner, home builder, and subsurface sewage installation contractor and;

Whereas, the Capping Fill rule sections that we, the undersigned, petition for change or omission will not materially affect the intent of OAR 340, Division 71, nor affect the operation or reliability of a Capping Fill type subsurface sewage disposal system.

Therefore, we, the undersigned, petition the Oregon Environmental Quality Commission (EQC) to take whatever actions necessary to quickly expedite the modifications and deletions as contained in Exhibit A, herein made a part of this petition, as a temporary rule change at the soonest possible meeting of the E.Q.C. and do further petition for a permanent rule change of OAR 340, Division 7 specifically, Rule 71-039.

	Date	Name	Address	City	Phone
1.	Aug 19, 80	Roy Carlson	100 River Rd	Prineville	447-7042
2.	Aug 19, 80	Clay Vincent,	P.O. Box 5	Prineville	NONE
3.	8-19-80	[illegible]	505 E 1st	Prineville,	447-4968
4.	8-19 80	[illegible]	1465 Spruce Lane	Prineville	447-5559
5.	Aug 19-80	[illegible] Stockton	#12 Mt View [illegible]		
6.	8-19-80	[illegible] M. Stockton	#12 Mtn View	Prineville	
7.	8-19-80	[illegible]	Rt 2 Box 460	Prineville Ore	447 5580
8.	8-19-80	Carl R [illegible]	1180 Wilshire Rd	Prineville Ore	
9.	8-19-80	Carl L. Shumway	1000 E 1st	Prineville	447-5711
10.	8-19-80	Allen Carlson	601 Country Loop		447-7496
11.	8-19-80	[illegible] Carlson	266 S. Illwood	Prineville, Ore	447-4603
12.	8-19-80	Teresa Close	515 S. Main St.,	Prineville, Or.	447-6353
13.	8-20-80	Evelyn Gerardi	M. S. R. Box 45	Prineville, Or.	447-6620
14.	8-20-80	Lee Hisaw	1310 Ochoco Hwy	Prineville. Ore.	447-3673
15.	8-20-80	James Hisaw	300 McCoin	Prineville oreg	447 6625
16.	8-20-80	James L. Hisaw	395 E 1st	Prineville Ore.	—
17.	8-20-80	Bruce Baird	170 N Holly	Prineville ore	447 6844
18.	8-20-80	Scott Patton	138 MSR	PRINEVILLE	447-6224
19.	8-20-80	Don Hill	1757 O.F.R.	Prineville	447-3787
20.	8-20-80	Alex Kolda	608 E 1st P.O. Bx 27	Prineville, Ore	447-5300
	8-21-80	[illegible]	15 [illegible]	Prineville, Or	447-[illegible]

PETITION TO THE OREGON ENVIRONMENTAL
QUALITY COMMISSION FOR MODIFICATION OF OAR 340,
DIVISION 71, RULE 71-039, CAPPING FILLS

	Date	Name	Address	City	Phone
21.	8/20/80	[illegible]	P.O. Box 66	Prineville, Ore.	447-5502
22.	8/20/80	Bruce Stewart	PO BOX 114	Prineville OR.	447 1142
23.	8/20/80	Laurence Gosnide	P.O. Box 220	Prineville	447-595[illegible]
24.	8/20/80	Gary L. Ervin	Rt. 2 Box 594-A	Prineville	447-6803
25.	8/20/80	Chris Davy	PLK Bx 650	Prineville	447-4855
26.	8/20/80	Sue Pachey	Highland	Prineville	447-6882
27.	8/20/80	Chas A Kaufer	212 S.E. 4th	Prineville	447-4465
28.	8/20/80	Charlotte Seapit	898 N Beard	Prineville Or	447-6754
29.	8/20/80	Harmony Gibson	979 N. Ewen	Prineville Or	447-5965
30.	8/20/80	Tracy Hicks	Rt 1 Box 836	Prineville Or	447-1841
31.	8/20/80	Ernest J. Endres	603 [illegible] Ave	Prineville Ore	447-3230
32.	8/20/80	Charles D [illegible]	50 BUCKBOARD LANE	PRINEVILLE ORE	447-1250
33.	8/20/80	Donald Mattern	39 APOLLO RD	PRINEVILLE ORE	447-3784
34.	8/20/80	Gary Owens	Rt 1 Box 792	Prineville, Ore.	447-~~3374~~
35.	8/20/80	James W Dodi	Rt 2 Box 604E	Prineville Ore	447-1542
36.	8/20/	Raymond Bishop	Rt 2 Box 614	Prineville Ore	447-3330
37.	8-20-80	Eileen Bishop	PO Box 271	Prineville Oreg	447-5249
38.	8-20-80	D. J. Higgins	Box 412	Powell Butte, Ore	447-5926
39.	8/20/80	Gene Jones	Rt. 1 Box 803	Prineville, Ore.	
40.	~~8/20/80~~	~~[illegible]~~	~~231 [illegible]~~	~~Prineville, Ore~~	
41.	8/20/80	Milton [illegible]	Box 9 MSR	Prineville Or	
42.	8-20/80	Darrell Goodman	Rt 1 Box 972	Prineville Ore	
43.	8/20/80	Doug Taylor	760 Loper Av.	Prineville, Oregon	
44.	8/20/80	Mel [illegible]	RT 1 Box 1208	Prineville ORE	
45.	8/20/80	Jerry [illegible]	Rt 3 Box 506	Prineville Ore	
46	Aug 20	[illegible]	997 N. Main	" "	
47.	8-20/80	Roland Walling	245 SE Craven Rd	Bend Ore	
48.	8-21-80	James L Smith	Rt 1 Box 1016A	Prineville Or	
49.	8-21-80	James Newhill	P.O. Box 555	Madras Oregon	
50.	8-21-80	Pat Lee	820	Prineville Or	
51.	8-21-80	Charlie Lawrence		Prineville Ore	

VICTOR ATIYEH
GOVERNOR

Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207
522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. N, September 19, 1980 EQC Meeting

Request for an Extension of the Variance from OAR 340-30-045(b) Granted to Southwest Forest Industries for Operation of the Veneer Dryers at their Medford Plants

Background and Problem Statement

On December 14, 1979, the Commission granted a variance to Southwest Forest Industries to allow operation of the veneer dryers at their Plants #5 and #6 in violation of OAR 340-30-045(b) and the plant site emission limit until July 1, 1980. The company has requested an extension of that variance until April 1, 1981.

The variance was granted to allow time for installation of the control equipment. The installation of the controls is now complete, however compliance cannot be demonstrated as both mills are closed due to poor market conditions.

The Commission is authorized by ORS 468.345 to grant variances from these rules if it finds that strict compliance with the rule is inappropriate because of conditions beyond the control of the company.

Alternatives and Evaluations

Southwest Forest Industries operates three veneer dryers at Plant #5 and three veneer dryers at Plant #6. Controls for these dryers have been installed in accordance with the compliance schedule contained in the previously issued variance.

Neither of these plants is operating at this time because of the low demand for plywood. The company feels that at least 30 days operational experience will be necessary to debug the equipment and prepare for a source test. There are no similiar installations with operating experience to study. This period of time is reasonable for startup of this type of equipment. Southwest Forest Industries has requested an extension until April 1, 1981, or 30 days after startup, which ever is sooner. The Department supports their request.

Because these sources are not in operation, there will be no excessive emissions as a result of this variance. A variance should be issued with the following conditions:

1) The Department shall be notified prior to the startup of the veneer dryers and their controls.
2) Within 30 days of startup or by not later than April 1, 1981, a source test shall be performed to measure particulate emissions from the veneer dryers.
3) Within 30 days of the source test, the results shall be submitted to the Department. If the veneer dryers exceed the emission limits, a revised control strategy, and schedule shall be submitted at that time.
4) This variance shall expire on April 1, 1981 or 30 days after plant startup, whichever is sooner.

Summation

1. Southwest Forest Industries requested an extension of the variance granted by the Commission on December 14, 1979, for operation of their Medford veneer dryers in violation of OAR 340-30-045(b) and the plant site emission limit. The extension was requested for 30 days after startup or until April 1, 1981, whichever is sooner.
2. Construction of the control equipment has been completed, but the plants are not operating due to economic conditions.
3. The Department supports a variance extension until April 1, 1981, or 30 days after startup whichever is sooner, because the current plywood market, which is beyond the control of the company, would make the startup of the plants for compliance demonstration impractical.
4. The Commission is authorized by ORS 468.345 to grant a variance if it finds that strict compliance is inappropriate because conditions exist that are beyond control of the company.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that a variance from OAR 340-30-045(b) and the plant site emission limit be granted to Southwest Forest Industries for operation of the veneer dryers at their plants #5 and #6. This variance will be subject to the following conditions:

1) The Department shall be notified prior to the startup of the veneer dryers and their controls.
2) Within 30 days of startup or by not later than April 1, 1981, a source test shall be performed to measure particulate emissions from the veneer dryers.
3) Within 30 days of the source test, the results shall be submitted to the Department. If the veneer dryers exceed the emission

limits, a revised control strategy, and schedule shall be submitted at that time.

4) This variance shall expire on April 1, 1981 or 30 days after plant, whichever is sooner.

William H. Young WHY for

Attachments: Variance Request by Southwest Forest Industries
F.A. Skirvin:kmm
229-6414
August 13, 1980
AI319 (2)

ATTACHMENT

Southwest Forest Industries
PACIFIC NORTHWEST DIVISION

P. O. Box 820
Medford, Oregon 97501
Telephone (503) 776-5750

June 10, 1980

Mr. Ed Woods
Air Quality Division
Department of Environmental Quality
P. O. Box 1760
Portland, OR 97207

Dear Mr. Woods:

This is in reference to my letter to Mr. F. A. Skirvin dated June 4, 1980 and to our phone conversation this date.

We respectfully request a revised variance for Plants #5 (E115-0012) and #6 (E115-0006) which reflects final compliance by April 1, 1981 or thirty days after plant startup, whichever is sooner.

This request is necessitated by continuing equipment delivery delays and to the fact that market conditions forced the closure of both plants in November of 1979. They have not operated since and we cannot predict a startup date in the near future for either of them.

Very truly yours,

D. A. Graves
Vice President

DAG/pgm

cc: R. Fischer
D. Leland
R. Sternberger
G. Wirth

ATTACHMENT

Southwest Forest Industries
PACIFIC NORTHWEST DIVISION

P. O. Box 820
Medford, Oregon 97501
Telephone (503) 776-5750

June 4, 1980

Program Operations
Air Quality Division
Department of Environmental Quality
P. O. Box 1760
Portland, OR 97207

Attention: F. A. Skirvin, Supervisor

Gentlemen:

This letter is to inform you that Southwest Forest Industries will not be in a position to demonstrate compliance with the plant site emission limits for Plants #5 (E115-0012) and #6 (E115-0006) by the July 1, 1980 date stipulated in your letter of December 24, 1979 granting a variance for these plants. Due to equipment delivery delays, construction was not completed by May 1, 1980 as specified. In addition, market conditions have forced the temporary closure of these plants for an indeterminate period. From a practical viewpoint, these new scrubbers cannot be considered "operationally complete" until they have been adjusted to actual veneer drying conditions. We anticipate needing a minimum of thirty days following plant start up to insure the proper operation of the scrubbers and to schedule the source tests.

Accordingly, we request a revised variance for these plants that reflects these new conditions. Unfortunately, we cannot predict at this time when economic conditions will permit renewed operations at these plants.

In a related matter, the Discharge Permits for Plants #1 (22-0513), #3 (17-0030) and #4 (17-0007) require that orders be placed for ionic scrubbers for these plants by July 1, 1980. It has always been the intent of Southwest that this scrubber system be proved in operation at Plants #5 and #6 before we committed to installing identical systems at our other plants, and we feel that the Department recognized the logic of this procedure when it issued the addenda to the Permits for Plants #1, #3 and #4. Accordingly, we request that these Permits be further revised to take into account our present situation. We suggest that purchase orders be placed for scrubber systems for these plants within thirty days of completion of successful source testing at Plants #5 and #6.

Your consideration of these important matters is greatly appreciated.

Very truly yours,

D. A. Graves
Vice President

DAG/pgm

cc: R. Fischer
D. Leland
R. Sternberger
G. Wirth