

6/11/1982

OREGON

ENVIRONMENTAL QUALITY

COMMISSION MEETING

MATERIALS



State of Oregon
Department of
Environmental
Quality

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OREGON ENVIRONMENTAL QUALITY COMMISSION MEETING

June 11, 1982

14th Floor Conference Room
Department of Environmental Quality
522 S. W. Fifth Avenue
Portland, Oregon

AGENDA

9:00 am CONSENT ITEMS

These routine items are usually acted on without public discussion. If any item is of special interest to the Commission or sufficient need for public comment is indicated, the Chairman may hold any item over for discussion.

- A. Minutes of the April 16, 1982, EQC meeting.
- B. Monthly Activity Reports for March and April, 1982.
- C. Tax Credits.

9:05 am D. PUBLIC FORUM

This is an opportunity for citizens to speak to the Commission on environmental issues and concerns not a part of this scheduled meeting. The Commission may discontinue this forum after a reasonable time if an exceptionally large number of speakers wish to appear.

HEARING AUTHORIZATIONS

- E. Request for authorization to conduct a public hearing on:
 - (a) Amending OAR 340-71-460(6), Clatsop Plains moratorium area rule (septic tank construction moratorium);
 - (b) Adoption of proposed Clatsop Plains Aquifer Geographic Rule, (OAR 340-71-400(5); and
 - (c) Adoption of Clatsop Plains Groundwater Protection Plan as a revision to the Statewide Water Quality Management Plan for the North Coast--Lower Columbia Basin.

ACTION AND INFORMATIONAL ITEMS

Public testimony will be accepted on the following except items for which a public hearing has previously been held. Testimony will not be taken on items marked with an asterisk (*). However, the Commission may choose to question interested parties present at the meeting.

- F. Request for a variance from OAR 340-25-315(2) and approval of compliance schedule for particulate matter emissions from Weyerhaeuser Company North Bend Plywood Mill.
- G. Request by Lake County for extension of variances from rules prohibiting open burning dumps, OAR 340-61-040(2).

(MORE)

- H. Request by the City of Paisley for extension of variance from rules prohibiting open burning dumps, OAR 340-61-040(2).
- I. Mr. and Mrs. Leonard Silverwood: Appeal of a variance officer's decision to grant a hardship variance from the On-Site Sewage Disposal Rules with a condition that limits the number of permanent residents using the sewage disposal system.
- J. Certification of plans for sewerage system as adequate to alleviate health hazard, ORS 222.898--certain territory contiguous to the City of Tillamook.
- K. Compliance schedule status report for wood dryers at particleboard plants in Medford AQMA.
- L. Informational report: Rock Mesa mining claims in the Three Sisters Wilderness.
- * M. Proposed adoption of Gravel-less Disposal Trench Alternative On-Site System Rules, OAR 340-71-355 and OAR 340-73-060(2) (f).
- * N. Adoption of specific air pollution control rules for Benton, Linn, Marion, Polk, and Yamhill Counties, OAR 340-29-001 to 340-29-010.
- * O. Adoption of proposed revisions to Primary Aluminum Plant Regulations, OAR 340-25-255 through 340-25-285.

WORK SESSION

The Commission reserves this time, if needed, for further consideration of any item on the agenda.

Because of the uncertain length of time needed, the Commission may deal with any item at any time in the meeting except those set for a specific time. Anyone wishing to be heard on any item not having a set time should arrive at 9:00 am to avoid missing any item of interest.

The Commission will breakfast (7:30 am) at the Portland Motor Hotel, 1414 S. W. Sixth Avenue, Portland; and will lunch at DEQ Headquarters, 522 S. W. Fifth Avenue, Portland.

At the conclusion of the Commission's regularly scheduled agenda, they will continue in work session to discuss possible legislation for the 1983 Oregon Legislative Session.

OREGON ENVIRONMENTAL QUALITY COMMISSION

June 11, 1982

BREAKFAST AGENDA

- | | |
|---|-----------|
| 1. Modification of civil penalties
by hearings officer | Zucker |
| 2. Field burning update | O'Connell |
| 3. Budget status | Downs |
| 4. EQC meetings: future dates and locations | Shaw |

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED FORTIETH MEETING

OF THE

OREGON ENVIRONMENTAL QUALITY COMMISSION

June 11, 1982

On Friday, June 11, 1982, the one hundred fortieth meeting of the Oregon Environmental Quality Commission convened at the Department of Environmental Quality, Portland, Oregon. Present were Commission members Mr. Joe B. Richards, Chairman; Mr. Fred J. Burgess; Mr. Ronald M. Somers; Mr. Wallace B. Brill; and Mrs. Mary V. Bishop. Present on behalf of the Department were its Director, William H. Young, and several members of the Department staff. Commissioner-elect James Petersen was also present.

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 S.W. 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 Portland Motor Hotel in Portland. Commissioners Richards, Somers, Brill, Burgess and Bishop and Commissioner-elect Petersen were present, as were several members of the Department staff.

The following items were discussed:

1. Modification of Civil Penalties by Hearings Officer: Linda Zucker, EQC Hearing Officer, asked the Commission whether she could share the responsibility for modifying civil penalties in the Hearing Officer's Order, thereby reducing the number of contested cases brought before the Commission. The Commission agreed to this procedure for the time being.
2. Field Burning Update: Sean O'Connell, Field Burning Manager, reviewed the current status of the field burning program, including predictions of acreage to be burned this year and a description of some new methods for forecasting weather conditions.
3. Budget Status: The Director reviewed for the Commission the forthcoming proposed budget cuts and salary reductions which could come out of the Special Session to be held on June 14.

FORMAL MEETING

Commissioners Richards, Somers, Burgess, Bishop, and Brill and Commissioner-elect Petersen were present for the formal meeting.

AGENDA ITEM A - MINUTES OF THE APRIL 16, 1982 MEETING.

It was MOVED by Commissioner Bishop, seconded by Commissioner Somers, and carried unanimously that the Minutes be approved as submitted.

AGENDA ITEM B - MONTHLY ACTIVITY REPORTS FOR MARCH AND APRIL, 1982.

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and passed unanimously that the Director's Recommendations be approved.

AGENDA ITEM C - TAX CREDITS.

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and carried unanimously that the Director's Recommendation be approved, including the withdrawal of applications T-1142 and T-1172 for Time Oil Company.

AGENDA ITEM D - PUBLIC FORUM.

Terry Morgan, attorney representing Happy Valley Landowners Committee, appeared and reported that the Happy Valley will appeal a recent LCDC Order. He requested that the matter be put on the agenda for the July EQC meeting to require the City to construct a sewer system to alleviate the problem of the 150 failing septic tanks in Happy Valley.

The Commission asked that the Director bring this issue before the Commission at an appropriate time in the future.

AGENDA ITEM E - REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING ON:

- (A) AMENDING OAR 340-71-460 (6);
- (B) PROPOSED CLATSOP PLAINS AQUIFER GEOGRAPHIC RULE, OAR 340-71-400 (5); and
- (C) ADOPTION OF THE CLATSOP PLAINS GROUNDWATER PROTECTION PLAN AS A REVISION TO THE STATEWIDE WATER QUALITY MANAGEMENT PLAN FOR THE NORTH COAST-LOWER COLUMBIA BASIS.

Clatsop Plains groundwater protection has been a concern of the Commission since 1970 when the initial resolution was passed discouraging the installation of subsurface sewage disposal systems. During the past two years, Clatsop County has been completing an extensive Section 208 planning project in Clatsop Plains in order to develop a comprehensive groundwater protection plan. The project was completed in March of this year.

The Clatsop County Board of Commissioners has adopted the project's final report, "Clatsop Plains Groundwater Protection Plan," as their management policy through county resolution.

Subsequently, the County has requested that the Commission remove the existing moratorium and utilize the final protection plan and its recommendations to develop an appropriate geographic rule.

Staff have developed a proposed Clatsop Plains Aquifer Geographic Rule (Attachment A of Agenda Item No. E) to address the County's request.

This agenda item requests Commission authorization to conduct a public hearing on:

- (a) Amending the existing moratorium rule;
- (b) The proposed new geographic rule; and
- (c) Adopting the County plan as part of the Statewide Water Quality Management Plan.

Director's Recommendation

Based on the Summation, it is recommended that the Commission authorize a public hearing to be held in Gearhart to take testimony on the question of amending the moratorium areas rule (OAR 340-71-460) by deleting subsection (6) (e) and Appendix 1 (the Clatsop Plains moratorium area); amending the geographic Area Special Consideration Rule, (OAR 340-71-400) by adding a new subsection (5), (Clatsop Plains Aquifer, Clatsop County), as presented in Attachment "A"; the adoption of the "Clatsop Plains Groundwater Protection Plan" as a revision to the Statewide Water Quality management Plan.

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

AGENDA ITEM F - REQUEST FOR A VARIANCE FROM OAR 340-25-315(2), PARTICULATE MATTER EMISSIONS, FROM WEYERHAEUSER COMPANY, NORTH BEND PLYWOOD MILL.

Oregon Administrative Rule 340-25-315(2) limits particulate emissions from plywood and veneer mill sources (other than the veneer dryers, fuel burning equipment, and refuse burning equipment) to one pound per 1000 square feet of plywood or veneer production on a 3/8-inch basis. As a result of changing the product line which requires finish sanding of more of the plant-produced plywood, Weyerhaeuser Company's North Bend plant has been unable to comply with the limit.

The Company has requested a variance from the mass rate particulate emissions rule for a period of one year beyond the compliance schedule in the current Air Contaminant Discharge Permit. The Company cites the negative cash flow from this facility due to the extremely depressed wood products market as justification for the extended compliance schedule.

Director's Recommendation

Based on submitted facts and existing conditions, the Director is recommending that the Commission grant the variance and extend the compliance schedule.

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

Agenda Items G and H both deal with solid waste disposal sites in Lake County. The County and City of Paisley have requested extensions of variances to allow continued open burning of refuse at several rural locations.

The Department agrees that the upgrading of these sites would require an expenditure of resources that is not warranted at this time and therefore supports both requests.

These matters are being dealt with in two separate agenda items, since Lake County is not responsible for the operation of the Paisley Disposal Site.

AGENDA ITEM G - REQUEST BY LAKE COUNTY FOR EXTENSION OF VARIANCES FROM RULES PROHIBITING OPEN BURNING DUMPS, OAR 340-61--040(2).

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant an extension of variances to OAR 340-61-040(2), until July 1, 1985, for Lake County disposal sites at Christmas Valley, Fort Rock, Silver Lake and Summer Lake.

AGENDA ITEM H - REQUEST BY THE CITY OF PAISLEY FOR EXTENSION OF VARIANCE FROM RULES PROHIBITING OPEN BURNING DUMPS, OAR 340-61-040(2).

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant an extension of the variance to OAR 340-61-040(2), until July 1, 1985, for the City of Paisley's solid waste disposal site.

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and carried unanimously that the Director's Recommendations in Agenda Items G and H, above, be approved.

AGENDA ITEM I - MR. & MRS. LEONARD SILVERWOOD - APPEAL OF A VARIANCE OFFICER'S DECISION TO GRANT A HARDSHIP VARIANCE FROM THE ON-SITE SEWAGE DISPOSAL RULES, WITH A CONDITION THAT LIMITS THE NUMBER OF PERMANENT RESIDENTS USING THE SEWAGE DISPOSAL SYSTEM.

Mr. and Mrs. Silverwood applied for a variance from the on-site sewage disposal rules to allow Washington County to issue a permit to repair their failing drainfield. Washington County was prevented by rule from issuing a permit because a public sewerage system was both physically and legally available. After conducting an information-gathering hearing, a Department variance officer, Sherman Olson, granted a hardship variance and imposed a condition that limits the number of permanent residents using the system to two persons. Mr. and Mrs. Silverwood are appealing this condition.

Director's Recommendation

Based upon the summation, it is recommended the Commission adopt the findings of the variance officer as the Commission's findings, and affirm his decision to approve the variance with such conditions as specified in the April 13, 1982 approval letter.

Leonard Silverwood, appellant, requested that the Commission alter the variance conditions to allow more than two residents to use the system. The Commission agreed to that change on the condition that the Silverwoods agreed to include that variance information on their deed record. The appellants chose to withdraw their appeal.

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

AGENDA ITEM J - CERTIFICATION OF PLANS FOR SEWERAGE SYSTEMS AS ADEQUATE TO ALLEVIATE HEALTH HAZARD, ORS 222.898 - CERTAIN TERRITORY CONTIGUOUS TO CITY OF TILLAMOOK.

The State Health Division has certified a health hazard to exist as a result of inadequate sewage disposal in an area north of the City of Tillamook. Pursuant to statute, the City is required to develop plans and a time schedule for alleviation of the hazard and submit them to the EQC for review and certification of adequacy. Upon EQC certification of adequacy, the City is required by law to annex the area and construct the facility.

The staff has reviewed the plans and time schedule and recommends certification of approval.

Director's Recommendation

Based upon our findings in the summation, it is recommended that the Commission approve the proposal of the City of Tillamook and certify said approval to the City.

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

AGENDA ITEM K - STATUS REPORT ON PARTICLE DRYER COMPLIANCE WITH EMISSION LIMITS IN THE MEDFORD-ASHLAND AQMA.

At its April 24, 1981, meeting, the Commission adopted amendments to rules for wood particle dryers and hardboard plants in the Medford AQMA. These amendments modified emission limits and extended compliance schedules for dryers at particleboard plants. They also established plant site emission limits for hardboard manufacturing plants.

The Department now considers it appropriate to inform the Commission as to the status of those facilities subject to these rules.

Medford Corporation, a hardboard manufacturer, was in compliance at the time the rules were amended and remains in that status.

The particleboard facilities are operated by Timber Products Co. and Down River Forest Products, Inc.

Timber Products is proceeding with an approved compliance schedule with the expectation that equipment installation will be completed in the latter part of 1982, and compliance will be demonstrated by June 30, 1983, as required by the rule. Equipment fabrication is underway, and funding arrangements will be completed about July 15, 1982.

Down River Forest Products announced in late April, 1982, its intent to cease operations in White City on or before the date control equipment must be installed. The Department has been working with the Company with the intent of taking appropriate permit action when adequate information on the shutdown becomes available.

This is an information item and no Commission action is necessary.

The Commission accepted the report and took no action.

AGENDA ITEM L - INFORMATIONAL REPORT: ROCK MESA MINING CLAIMS IN THE
THREE SISTERS WILDERNESS

This relates to possible mining on the rock mesa in the Three Sisters wilderness area.

A letter was received from a group of Central Oregon citizens and supported by the City of Bend who requested that the Commission be brought up to date on the mining issues and pending legal action on the mining claims.

In 1972 the Commission adopted very strict rules to maintain environmental quality for wilderness areas. Currently, no permit applications have been submitted to the Department for any type of activity.

It is the Department's intent to discuss the rock mesa mining issue with the Governor's office to determine if and how the State of Oregon should be involved in this matter.

The Department asks that the Commission concur with this course of action.

The Commission concurred.

AGENDA ITEM M - PROPOSED ADOPTION OF GRAVEL-LESS DISPOSAL TRENCH
ALTERNATIVE ON-SITE SYSTEMS RULES, OAR 340-71-355 AND
OAR 340-73-060(2) (f).

At the March 5, 1982, meeting, the Commission was provided a staff report requesting adoption of a number of proposed rule amendments. During discussion, some issues were raised with respect to a proposed new alternative called the gravel-less disposal trench system. The Commission decided to defer action on the proposed gravel-less disposal trench alternative system rule and the corresponding gravel-less pipe specification, while adopting the other proposed rule amendments. Staff were directed to reexamine the gravel-less disposal trench concept, including the pipe specification, and provide a report and recommendation to the Commission at the April meeting. However, at the April meeting the Commission set over consideration of the proposed rule amendments until this meeting.

Director's Recommendation

Based upon the Summation, it is recommended the Commission adopt the proposed gravel-less disposal trench alternative on-site systems rules, OAR 340-71-355 and OAR 340-73-060(2) (f), as set forth in Attachment "E".

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

AGENDA ITEM N - PROPOSED ADOPTION OF AMENDMENTS TO THE SPECIFIC AIR
POLLUTION CONTROL RULES FOR BENJON, LINN, MARION, POLK
AND YAMHILL COUNTIES, OAR 340-29-001 TO 340-29-010, TO
RETAIN THE ODOR, NUISANCE AND PARTICLE FALLOUT RULES AND
TO REPEAL CERTAIN RULES CONSIDERED OBSOLETE OR REDUNDANT.

In July of 1975, the Mid-Willamette Valley Air Pollution Authority (MWCAPA) ceased to exist. The Department assumed administration of the program in this area and had the Secretary of State publish all the Mid-Willamette Rules as Oregon Administrative Rules (OAR), effective July 2, 1975. The Department, since that time, has had a low-priority task to integrate appropriate Mid-Willamette rules into Oregon Administrative Rules. We are now proposing to complete this task.

Director's Recommendation

Based on the Summation, it is recommended that the Commission repeal OAR 340 Division 29 and replace it with the attached three state OAR's on odors, nuisance, and large particle fallout; and remove the present Division 29 from the Oregon Clean Air State Implementation Plan.

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

AGENDA ITEM 0 - ADOPTION OF PROPOSED MODIFICATIONS TO PRIMARY ALUMINUM
PLANT REGULATIONS, OAR 340-25-255 THROUGH 340-25-285.

Pursuant to authorization by the Commission, the Department held a public hearing on May 14, 1982, on proposed modifications to the primary aluminum plant regulation, OAR 340-25-255 through 340-25-285 that:

- (a) Delete requirements for "existing plants" to comply with "new plant" limits;
- (b) Do not change either emission limits for "new plants" or fluoride and opacity limits for "existing plants";
- (c) Apply present particulate mass emission rates to existing vertical stud Soderburg plants (Martin Marietta);
- (d) Establish revised particulate mass emission rates for existing pre-bake plants (Reynolds Metals); and
- (e) Specify applicable source test methods.

The hearing officer's report is attached to the staff report.

Since the hearing, the Department has made one significant change in the proposed rule modifications. The proposed monthly and annual particulate emission limits for prebake facilities were increased by 0.5 lb/ton Al produced. This was done to reflect the contribution of minor sources which the Department had inadvertently overlooked in its original proposal.

The Department recommends that the Commission adopt these rule modifications as now proposed.

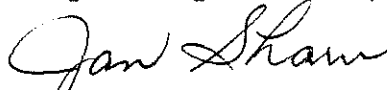
Director's Recommendation

Based upon the Summation, it is recommended that the Commission adopt the proposed rule changes as set forth herein as Attachment II and direct the Department to submit the modified rule to EPA as amendment to the State Implementation Plan.

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

There being no further business on the formal agenda, the meeting was recessed for lunch, to be reconvened for the purpose of a legislative concepts discussion to take place throughout the afternoon. Minutes of that session follow this document.

Respectfully submitted,



Jan Shaw
Commission Assistant

THESE MINUTES ARE NOT FINAL UNTIL APPROVED BY THE EQC

MINUTES OF THE ONE HUNDRED THIRTY-NINTH MEETING

OF THE

OREGON ENVIRONMENTAL QUALITY COMMISSION

April 16, 1982

On Friday, April 16, 1982, the one hundred thirty-ninth meeting of the Oregon Environmental Quality Commission convened at the Department of Environmental Quality, Portland, Oregon. Present were Commission members Mr. Joe B. Richards, Chairman; Mr. Fred J. Burgess; Mr. Ronald M. Somers; Mr. Wallace B. Brill; and Mrs. Mary V. Bishop. 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 S.W. 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 Portland Motor Hotel in Portland. Commissioners Richards, Somers, Brill, Burgess and Bishop were present, as were several members of the Department staff.

The following items were discussed:

1. Medford Clean Air Plan Status Report: John Kowalczyk, Air Quality Division, distributed and summarized written reports on CO and TSP. He told the Commission that these items should be ready for hearings in September, 1982.
2. Pollution Control Bond Fund: Fergus O'Donnell, Business Manager, reviewed the status of the bond fund, including the balance remaining for loans and projected demand. He said it was possible that we would go to market with a sale in the reasonably near future and said that we are exploring commitments from local governments prior to that time.
3. Legislative process/concepts: Stan Biles, Assistant to the Director, provided the Commission two written reports, one on a process for developing proposed legislation and the other summarizing legislative concepts that have been developed so far. He summarized the reports and invited the Commission to submit its concepts and concerns to staff. Chairman Richards proposed meeting with staff in June to discuss legislative concepts and suggested doing that before or after the June 11 regular EQC meeting.

4. Rock Mesa: The Director reviewed a discussion he had with a group which is opposed to mining in the Rock Mesa area and submitted a letter to the Commission from that group. The Commission asked staff to report further on that issue at the next meeting.

FORMAL MEETING

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

AGENDA ITEM A - MINUTES OF THE MARCH 5, 1982 MEETING.

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and carried unanimously that the Minutes be approved as submitted.

AGENDA ITEM B - MONTHLY ACTIVITY REPORT FOR FEBRUARY, 1982.

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and passed unanimously that the Director's recommendations be approved.

AGENDA ITEM C - TAX CREDITS.

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

AGENDA ITEM D - PUBLIC FORUM.

No one chose to appear.

Chairman Richards read a letter submitted to the Commission from a concerned group regarding mining in the Rock Mesa area. He requested staff to return to the next regular EQC meeting on June 11 with a further report on this matter.

AGENDA ITEM E - REQUEST FOR AUTHORIZATION TO HOLD A PUBLIC HEARING ON THE CONSTRUCTION GRANTS PRIORITY MANAGEMENT SYSTEM AND LIST FOR FY 83

This item is a request for authorization to hold a public hearing on the sewerage works construction grants priority list and minor revisions to the management system for Federal Fiscal Year 1983. The federal program underwent significant changes when the Construction Grant Amendments to the Clean Water Act were passed in December 1981. As we begin this year's process to set the FY 83 priority list for grants, we are revising our existing rules to conform with changed aspects of the federal program; however, we also begin with the knowledge that new federal regulations expected before mid-summer may alter the final product before we return to the Commission for final action.

Director's Recommendation

Based on the Summation, the director recommends the following:

1. The Commission authorize a hearing before a hearings officer on the FY 83 priority management system and priority list, to be held on June 3, 1982. All testimony entered into the record by the close of the hearing will be considered by the Commission.
2. The Department inform and update the Commission, as necessary, on new developments regarding this process.

AGENDA ITEM F - REQUEST FOR AUTHORIZATION TO HOLD A PUBLIC HEARING ON PROPOSED HOUSEKEEPING AMENDMENTS TO THE MOTOR VEHICLE EMISSION CONTROL INSPECTION TEST CRITERIA, METHODS AND STANDARDS OAR 340-24-300 THROUGH 24-350

The Commission is being asked to authorize a public hearing to consider proposed housekeeping amendments to the vehicle inspection program rules. Highlights of these proposed changes include deletion of the definition for non-complying import cars, a change in the test procedure, and a change in the policy on engine changes. An additional highlight of the proposed public hearing will be the opportunity for public comment on all aspects of the rules, not just the proposed amendments.

Director's Recommendation

Based upon the Summation, it is recommended that the public hearing be authorized.

AGENDA ITEM G(1), (2), and (3) -

ITEM G(1): REQUEST FOR AUTHORIZATION TO HOLD A PUBLIC HEARING ON PROPOSED REVISIONS TO THE STATE AIR QUALITY IMPLEMENTATION PLAN FOR THE PORTLAND-VANCOUVER INTERSTATE AQMA (OREGON PORTION) REGARDING OZONE CONTROL STRATEGIES.

Agenda Item G(1) is a hearing authorization report for proposed revisions to the State Implementation Plan regarding a detailed ozone control strategy for the Portland Metropolitan area. Attainment is predicted by the statutory federal deadline of December 31, 1987. The plan basically relies on existing controls such as the Oregon biennial auto inspection maintenance program and the previously adopted VOC rules which apply to certain industrial and commercial operations. The proposed amendment to the plan, which establishes a growth cushion policy to replace the offset program, has not been agreed to by the state of Washington, but we are hopeful Washington will develop a compatible SIP which EPA can approve.

Director's Recommendation

Based upon the Summation, the Director recommends that the EQC authorize a public hearing to consider public testimony on the proposed 1982 Ozone SIP Revision for the Portland-Vancouver Interstate AQMA.

ITEM G(2): REQUEST FOR AUTHORIZATION TO HOLD A PUBLIC HEARING ON PROPOSED REVISIONS TO THE STATE AIR QUALITY IMPLEMENTATION PLAN FOR THE PORTLAND-VANCOUVER INTERSTATE AQMA (OREGON PORTION) REGARDING CARBON MONOXIDE CONTROL STRATEGIES.

Agenda Item G(2) is a hearing authorization report for proposed revisions to the State Implementation Plan regarding a detailed carbon monoxide control strategy for the Portland metropolitan area. Attainment is predicted by 1985 with existing controls such as the biennial auto inspection maintenance program and the City of Portland's parking management program with a ceiling on downtown parking spaces. The plan has been endorsed by the Portland City Council as well as the METRO Council.

Director's Recommendation

Based on the Summation, the Director recommends that the EQC authorize a public hearing to consider public testimony on the proposed Carbon Monoxide SIP revision for the Portland-Vancouver Interstate AQMA (Oregon portion).

ITEM G(3): REQUEST FOR AUTHORIZATION TO CONDUCT A PUBLIC HEARING ON REVISING THE STATE IMPLEMENTATION PLAN REGARDING RULES FOR EQUIPMENT BURNING SALT LADEN WOOD WASTE FROM LOGS STORED IN SALT WATER, OAR 340-21-020 (2).

Weyerhaeuser has petitioned for permanent exemption of salt from rules for their stack plume on Coos Bay. Department review of the situation indicates that the salt impacts from the boiler are small in comparison to natural sea salt impacts. While the area caters to tourists, the industrial area around the mill is recognized as heavy-industrial zoned, and neither the company's file nor recent hearings have received any complaints about the heavy white opacity of Weyerhaeuser's stack. The Department has visited out-of-state mills where the salt is being captured, and Weyerhaeuser has estimated a capture cost for this stack; the consensus is that the cost and corrosion involved may not be worth the aesthetic and minimal environmental benefit. Therefore, the Department recognized a need to have the Commission consider converting rule 340-21-020(2), expiration date January 1, 1984, to a permanent exemption.

Director's Recommendation

Based on the Summation, it is recommended that the Commission authorize a public hearing to revise OAR 340-21-020(2) concerning boilers out of compliance because of salt and to consider the proposed amended rules for adoption as a revision to the State Implementation Plan.

It was MOVED by Commissioner Somers, seconded by Commissioner Burgess, and passed unanimously that the Director's Recommendations in Items E, F, and G(1), (2), and (3) be approved.

AGENDA ITEM H - EQC REVIEW OF PRIMARY ALUMINUM PLANT REGULATIONS PURSUANT TO OAR 340-25-265(5) AND REQUEST FOR AUTHORIZATION TO HOLD A PUBLIC HEARING ON PROPOSED REVISIONS TO OAR 340-25-255 THROUGH 340-25-285.

Oregon Administrative Rule 340-25-265(5) requires that the Commission review the feasibility of applying new aluminum plant emission limits OAR 340-25-265(1) to existing aluminum plants. A hearing was held on November 9, 1982 to obtain an informational base for the Commission's review.

Martin Marietta, Reynolds Metals Co., and others testified that requiring existing plants to comply with new plant limits is neither practicable or necessary. In addition, Reynolds formally indicated a need for a revision of particulate emission limits as applied to their plant. Ambient air impacts of present emission rates at Reynolds were analyzed. The results indicate that ambient standards would not be violated.

Based on the hearing record, the Department is recommending that the Commission find that applying "new plant" limits to existing plants is not feasible and authorize the Department to hold a public hearing on proposed changes to the Primary Aluminum Plant regulations as set forth in Attachment II of the staff report. The proposed changes would delete requirements for existing plants to comply with new plant limits and establish particulate emission limits specific to vertical stud Soderberg and prebake facilities.

Director's Recommendation

Based upon the Summation, it is recommended that the Commission find that applying OAR 340-25-265(4)(b) is not feasible and authorize the Department to hold a public hearing on the proposed rule changes set forth herein as Attachment II.

Bill Sheridan, Wasco County Fruit and Produce League, submitted copies of a letter sent on December 21, 1981, to the EQC hearing officer. He asked that it be made a part of the record before the time of the hearing on May 14. He urged that stricter standards be applied to Martin-Marietta because of past and future damage to crops from fluoride emissions and suggested a case-by-case approach, rather than lumping industries under the same standards.

Joe Byrne, Martin Marietta, complained that it was unfair to reopen testimony on this item after a hearing had already been held. He also found fault with the subject of the public hearing on May 14.

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

AGENDA ITEM I - REQUEST FOR AN EXTENSION OF A VARIANCE BY MAZAMA PLYWOOD COMPANY, SUTHERLIN, FROM OAR 340-25-315(1)(b), VENEER DRYER EMISSION LIMITS.

Agenda Item I is a request by Mt. Mazama Plywood Company for a six-month extension of a variance for their veneer dryers which they operate in Sutherlin. The current variance authorizes the company to exceed the Department's opacity limits for veneer dryers and requires demonstration of compliance by July 1, 1983. The company did submit a control strategy which was approved by the Department. However, detailed plans were not submitted and purchase orders have not been issued as required by the compliance schedule.

The Department is recommending that the company be allowed additional time to submit detailed plans and issue purchase orders and be required to meet existing construction and compliance demonstration dates.

Director's Recommendation

Based upon the Summation, it is recommended that conditions 1 and 2 of the variance granted by the EQC on July 17, 1981, be amended as follows:

1. By July 1, 1982, submit to the Department approvable detailed plans and specifications for control of the veneer dryer emissions.
2. By September 1, 1982, issue purchase orders for the necessary control equipment and affirm maintenance of schedule increments 3, 4, and 5 of the July 17, 1981 variance.

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

AGENDA ITEM K - REQUEST FOR VARIANCE FROM OAR 340-25-315() (b) VENEER DRYER EMISSION LIMITS, FOR CHAMPION INTERNATIONAL CORPORATION, LEBANON PLYWOOD DIVISION, STEAM HEATED DRYERS 1-6.

The Commission is being asked to consider a variance request from Champion International Corporation-Lebanon to allow bypass of a portion of their veneer dryer emission control system in violation of the Department's opacity regulations. Due to an industry-wide shortage of hopped fuel, the Company has been forced to reduce the steaming rate of their boilers. This, in turn, has limited the volume of veneer dryer gases which can be controlled by incineration. The Company maintains that this condition is caused by circumstances beyond their control and asks the Commission to consider the economic and employment impacts strict compliance with the Department's regulations would impose.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that a variance from OAR 340-25-315(1)(b), Veneer Dryer Emission Limits, be granted to Champion International Corporation, Lebanon Plywood Division, for operation of up to three steam heated veneer dryers in violation of the Department's emission limits, subject to the following conditions:

1. The veneer dryer control system (hogged fuel boiler incineration) will be operated at maximum efficiency, consistent with fuel availability and quality, to accommodate the most dryers possible.
2. Quarterly reports will be submitted to the Department detailing fuel availability and costs, steaming rates, number of dryers, aborted and forecast for the next quarter.
3. If the Department determines that the veneer dryer emissions cause significant adverse impact on the airshed, this variance may be revised or revoked.
4. This variance shall expire July 1, 1983.

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

AGENDA ITEM L - PROPOSED ADOPTION OF AMENDMENTS TO HAZARDOUS WASTE MANAGEMENT RULE, OAR 340-63-125.

At the December 4, 1981, Commission meeting, the staff proposed amendments to portions of the hazardous waste management rules dealing with waste pesticides and empty (hazardous material) containers. Although the majority of the proposed rule changes were adopted, the proposed design guidelines for use in approving plans for waste pesticide management facilities were not.

Subsequent to the December 4, 1981, Commission meeting, the staff met with representatives of the Department of Transportation-Division of Aeronautics and the Oregon Agricultural Aviator Association on January 14, 1982. Then on March 18, 1982, the staff held the authorized public hearing in Room 1400 of DEQ's office in Portland, Oregon. It was again concluded that generalized performance standards would provide specific enough design objectives while retaining flexibility to account for specific site condition. No major objections were raised to the staff's current proposal.

The staff is now requesting the Environmental Quality Commission to adopt the proposed amendment to Hazardous Waste Management Rule OAR 340-63-125 "Appendix: A Performance Standards for Waste Pesticide Management Systems."

Director's Recommendation

Based upon the summation, it is recommended that the Commission adopt the proposed amendments to the Department's Hazardous Waste Management Rule OAR 340-63-125.

Paul Burkett, Administrator, Aeronautics Division of ODOT, appeared to say that he was comfortable with the staff proposal.

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

AGENDA ITEM M - PUBLIC HEARING ON QUESTION OF EXTENDING DATE ON PROHIBITION OF CESSPOOLS TO SERVE NEW CONSTRUCTION, OAR 340-71-335.

This item is a public hearing on the question of extending the date on prohibition of cesspools to serve new construction. At the last meeting, the EQC adopted a second temporary rule extending the prohibition date to today, at the request of the Homebuilders Association and Multnomah County. The Homebuilders indicated a desire to initiate a county systems development charge ordinance and to investigate the possibility of a users fee for existing cesspools, as a condition for extending the prohibition date.

The proposed rule amendments would extend the October 1, 1981, prohibition date for cesspools to January 1, 1985, provided Multnomah County adopts a systems development charge ordinance by October 1st of this year.

Director's Recommendation

Based upon the Summation, after public hearing, it is recommended that the Commission amend the permanent rule, OAR 340-71-355, as set forth in Attachment "A", extending the cesspool prohibition date, the rule amendments to be effective upon filing with the Secretary of State.

Burke Raymond, Multnomah County, reported on the accomplishments since the last meeting regarding a systems development charge process and said he was in favor of the proposed proposed action.

Kevin Hanway, attorney representing Oregon Homebuilders Association, described the proposed method for levying assessments and service charges which will be in effect by October 1.

Chairman Richards proposed an amendment to be made to the proposed rule, OAR 340-71-335(2) (b), as follows:

"... shall not later than July 1, 1983, submit to the Department an assessment of the feasibility of imposing user fees on existing cesspools and appropriate exemptions therefrom, and by July 1, 1984 ..."

[Underlined language to be added.]

It was MOVED by Commissioner Somers, seconded by Commissioner Burgess, and passed unanimously that the Director's Recommendation, as amended, be approved.

AGENDA ITEM N - INFORMATIONAL REPORT - DEQ ACTIVITIES FOR MEETING FEDERAL REQUIREMENTS TO PROTECT VISIBILITY IN CLASS I AREAS.

Congress, and subsequently EPA, promulgated requirements to protect visibility in Class I Areas. States were required to incorporate visibility protection for Class I Areas into their State Implementation Plan.

While the Department has drafted a visibility protection plan, EPA and Congress have given indication they may consider changes to the visibility plan requirements. As a result, the Department, Oregon industries, and affected government agencies favor not adopting a visibility plan until the final federal direction is clear. However, there is widespread support to implement an adequate monitoring program.

Instead of spending limited staff and Commission time trying to adopt the draft plan, the Department proposes to:

1. Use limited EPA special funds to conduct monitoring;
2. Use the recommendations of a special visibility monitoring task force to help design a more adequate program, and
3. Suspend adoption of a final visibility plan until potential changes are resolved.

Director's Recommendation

This is an informational report and no formal action by the Commission is necessary. However, it is recommended that the Commission confirm the Department's proposed position on this matter, namely:

1. Some limited effort should be directed toward preserving, protecting and enhancing the air quality in Oregon's 12 Class I areas, considering their importance to the state's tourist industry and their value as a nearby recreational resource to the inhabitants of the state of Oregon.
2. Adoption of a complete visibility plan to meet existing federal rules should be suspended until petitions to EPA and the Clean Air Act reauthorization are resolved.
3. Development and implementation of a baseline visibility monitoring program be immediately pursued with priority given to monitoring in the vicinity of the Mt. Hood, Mt. Jefferson/ Three Sisters, and Wallowa wilderness area and Crater Lake National Park.

Chairman Richards suggested removing the word "limited" from Paragraph #1 of the Director's Recommendation.

The following language was also proposed at the end of Paragraph #2 of the Director's Recommendation:

"... are resolved, or until June 1, 1983, whichever shall first occur."

[Underlined language to be added.]

It was MOVED by Commissioner Somers, seconded by Commissioner Bishop, and passed unanimously that the Director's Recommendation, as amended, be approved.

AGENDA ITEM O - CITY OF COTTAGE GROVE: SEWERAGE SYSTEM IMPROVEMENT PROGRAM

Cottage Grove has had difficulty complying with conditions of their NPDES Permit and Consent Agreement. Department staff have been working closely with the City since 1978 to solve the problems. The City has repeatedly been just beyond those eligible for Step III sewerage construction grants. Cottage Grove has proposed a phased construction program based upon local funds and use of the relatively inexpensive money in the Pollution Control Bond Fund. The proposal is similar to Seaside. Staff recommends EQC concurrence with Cottage Grove's phased compliance program.

Director's Recommendation

1. Based on the Summation, it is recommended that the Commission approve, in concept, the alternative sewerage system improvement program proposed by the City of Cottage Grove.
2. Direct the Department to enter into a revised Stipulated Agreement and its attendant negotiations after the May 18 election to reflect details of this program or an appropriate alternative.

Bill Whiteman, Cottage Grove mayor, answered questions from the Commission regarding the bond issue.

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

AGENDA ITEM P - PROPOSED ADOPTION OF GRAVEL-LESS DISPOSAL TRENCH ALTERNATIVE ON-SITE SYSTEMS RULES, OAR 340-71-355 AND OAR 340-73-060 (2) (f).

At the March 5, 1982, meeting, the Commission was provided a staff report requesting adoption of a number of proposed rule amendments. During discussion, some issues were raised with respect to a proposed new alternative called the gravel-less disposal trench system. The Commission decided to defer action on the proposed gravel-less disposal trench alternative system rule and the corresponding gravel-less pipe specification, while adopting the other proposed rule amendments. Staff were directed to reexamine the gravel-less disposal trench concept, including the pipe specification, and provide a report and recommendation to the Commission at this meeting.

Director's Recommendation

Based upon the Summation, it is recommended the Commission adopt the proposed gravel-less disposal trench alternative on-site systems rules, OAR 340-71-355 and OAR 340-73-060(2) (f), as set forth in Attachment "E".

It was MOVED by commissioner Somers, seconded by Commissioner Bishop, and passed unanimously to delay action on this matter until the next regular EQC meeting on June 11, 1982.

AGENDA ITEM Q - REQUEST BY CITY OF PORTLAND TO AMEND REVENUE BOND PURCHASE AGREEMENT (ITEM H, DECEMBER 4, 1981 EQC AGENDA), INCLUDING REVIEW AND RECOMMENDATIONS BY BOND COUNSEL ON THE FORM OF AGREEMENT USED BY THE DEPARTMENT.

The City of Portland requested that we amend some language in the bond purchase agreement approved at the December 4, 1981, EQC meeting.

The one important issue concerns the addition of the words, "if the Department deems itself insecure or..." to the section establishing criteria for the Department to specify actions to prevent defaults.

It appears that this could inhibit future bond sales by the city and we are therefore recommending that the phrase be deleted.

The staff report also contains responses to other questions raised by the Commission.

Director's Recommendation

Based upon the Summation, it is the Director's recommendation that the revenue bond purchase agreement with the City of Portland be amended to delete the words "if the Department deems itself insecure or..." in Part A Section II A 13(ii).

Mark Gardner, City of Portland Financial Manager, and Harvey Rogers, bond counsel, appeared and answered questions from the Commission regarding the Department's security in the revenue bond purchase.

It was MOVED by Commissioner Bishop, seconded by Commissioner Burgess, and passed that the Director's Recommendation be approved. Commissioner Somers voted no.

AGENDA ITEM R - REQUEST FOR CONCURRENCE: PURCHASE OF YAMHILL COUNTY REVENUE BONDS FOR CONSTRUCTION OF SANITARY LANDFILL.

Following the October 9 preliminary proposal, we have worked out the details of the loan arrangement with the County and the operator.

The only item of the many covered in the Staff Report which has not been resolved is Item No. 5. The operator does not feel it is practical or indeed necessary to obtain either the bond insurance or a 20-year letter of credit, requested by the Department as the ultimate security.

After a review of the other safeguards and guarantees included in the document, we have concluded that even without a letter of credit this loan represents an acceptable risk in furtherance of a worthwhile pollution control effort and therefore recommend it for EQC concurrence.

Director's Recommendation

Based on the Summation, it is the Director's recommendation that the Commission concur in the purchase of Yamhill County Pollution Control Revenue Bonds 1982 series A in the amount of \$475,000.

Chairman Richards asked if the personal and related party guarantees were adequate in amount to cover the loan. This was confirmed by the Department's Business Manager. The Chairman emphasized that the Commission would expect similar evidence of adequate financial backing and appropriate guarantees if other counties applied for loans using the same revenue bond arrangement to finance independent landfill operations.

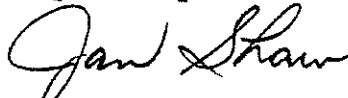
It was MOVED by Commissioner Somers, seconded by Commissioner Burgess, and passed unanimously that the Director's Recommendation be approved.

There being no further business, the meeting was adjourned.

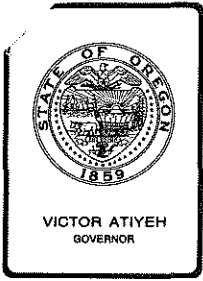
LUNCH MEETING

1. Visibility: Ann Batson, Air Quality Division, presented a slide show on visibility and the Agency's program for monitoring visibility impairment in Class I areas.
2. Groundwater: Mark Fritzler, Water Quality Public Participation Representative, presented a slide show on the groundwater program of the agency.

Respectfully submitted,



Jan Shaw
Commission Assistant



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. B, June 11, 1982, EQC Meeting
March and April, 1982 Program Activity Reports

Discussion

Attached are the March and April, 1982 Program Activity Reports.

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 air, water and solid waste 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 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, giving confirming approval to the air contaminant source plans and specifications.

Bill

William H. Young
Director

M. Downs:k
229-6485
May 19, 1982
Attachments
MK616 (2)

DEPARTMENT OF ENVIRONMENTAL QUALITY

Monthly Activity Report

March and April, 1982

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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

AQ, WQ, SW Divisions
(Reporting Unit)

March 1982
(Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	
<u>Air</u>							
Direct Sources	6	59	6	79	0	0	26
Small Gasoline Storage Tanks Vapor Controls	0	0	0	0	0	0	0
Total	6	59	6	79	0	0	26
<u>Water</u>							
Municipal	15	208	16	181	0	0	18
Industrial	4	37	4	44	0	0	8
Total	19	245	20	225	0	0	26
<u>Solid Waste</u>							
Gen. Refuse	3	34	0	30	1	1	11
Demolition	1	7	1	7	0	0	2
Industrial	1	4	0	11	0	1	4
Sludge	0	3	0	3	0	0	0
Total	5	48	1	51	1	2	17
<u>Hazardous Wastes</u>							
	0	0	0	0	0	0	0
<u>GRAND TOTAL</u>	30	352	27	355	1	2	69

DEPARTMENT OF ENVIRONMENTAL QUALITY
 AIR QUALITY DIVISION
 MONTHLY ACTIVITY REPORT
 DIRECT SOURCES
 PLAN ACTIONS COMPLETED

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE OF ACTION	ACTION
JACKSON	705	UNITED PIPE & SUPPLY	YARD PAVING	01/21/82	APPROVED
COLUMBIA	773	OWENS-CORNING FIBERGLAS	(2) DUCON SCRUBBERS	03/10/82	APPROVED
MULTNOMAH	811	ESCO CORPORATION PLANT 1	SAND HANDLING DUST COLLECTOR	03/15/82	APPROVED
LINN	813	TELEDYNE WAH CHANG	PANGBORN HY-PULSE COLLECTOR	03/18/82	APPROVED
LINN	817	DURAFLOKE CO	BAGHOUSE	03/04/82	APPROVED
MULTNOMAH	819	MARTIN MARIETTA ALUMINUM	UNLOADING FACILITY	03/15/82	APPROVED
TOTAL NUMBER QUICK LOOK REPORT LINES			6		

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PLAN ACTIONS PENDING

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE	STATUS	ASSIGNED
JACKSON	596	CHEVRON USA INC.	BULK PLANT VOC CONTROL	04/30/79	RECEIVED	PO
JACKSON	593	TEXACO INC.	BULK PLANT VOC CONTROL	05/02/79	RECEIVED	PO
MULTNOMAH	598	POWELL DISTRIBUTING CO.	BULK PLANT VOC CONTROL	05/04/79	RECEIVED	PO
WASHINGTON	534	VALLEY PETROLEUM INC	VAPOR RETURN	12/12/79	RECEIVED	PO
CLACKAMAS	623	OREGON PORTLAND CEMENT	EXTEND KILN 4 STACK 50 FT.	05/30/80	RECEIVED	RO
LANE	655	TREE PRODUCTS HARDWOODS	WELLONS BOILER, NC BY LRAPA	06/18/80	RECEIVED	PO
MULTNOMAH	715	CARSON OIL CO.	VAPOR RECOVERY SYSTEM	07/28/80	RECEIVED	PO
CLACKAMAS	655	CLACKAMAS COUNTY GRANGE	BULK PLNT & SERVICE STATION	08/29/80	RECEIVED	PO
JACKSON	660	ENERGY COOPERATION INC	EXP ALCOHOL FUEL PLANT	09/16/80	RECEIVED	PO
MULTNOMAH	687	CONTINENTAL LIME INC	STORAGE/TRANSFER FACILITY	10/27/80	RQST AD INFO	RO
JACKSON	718	EARNEST ORCHARDS & PACK	OVERTREE SPRINKLER SYSTEM	01/14/81	RQST AD INFO	PO
CLACKAMAS	729	CLACKAMAS COUNTY GRANGE	VOC VAPOR RECOVERY SYSTEM	02/05/81	RECEIVED	PO
CLACKAMAS	754	GLOBE UNION-CANBY	DUCTING FOR VENT OF STACKERS	05/11/81	RECEIVED	RO
MULTNOMAH	752	ESCO CORPORATION PLANT 3	BAGHOUSE INSTALLATION	05/11/81	RECEIVED	RO
JACKSON	776	KOGAP MANUFACTURING	BURLEY SCUBBER	07/16/81	RQST AD INFO	RO
MALHEUR	737	ONTARIO RENDERING CO	EXIST. WATER SCRUBBER INSTAL	08/06/81	RQST AD INFO	PO
CLACKAMAS	805	OREGON PORTLAND CEMENT	CLINKER UNLOAD FACILITY	11/25/81	RECEIVED	RO
LANE	808	WEYERHAEUSER CO. PPRBRD M	OPACITY MONITORS	12/18/81	RECEIVED	RO
MULTNOMAH	809	ESCO CORPORATION PLANT 1	ADDTL HOGGING & CONT. SYS	12/24/81	RQST AD INFO	RO
MULTNOMAH	810	PRECISION CAST PARTS	FOUNDRY EXPANSION	01/08/82	RECEIVED	RO
MULTNOMAH	812	UNIVERSITY HOSPITAL NORTH	INCLIN SEMI-AUTO FEED SYS.	01/15/82	RECEIVED	RO
MULTNOMAH	816	CONTINENTAL CAN CO USA	WASTE SOLVENT FLASH VAPORIZE	02/22/82	RECEIVED	RO
YAMHILL	818	PUBLISHERS PAPER CO	COOLING VENTURI RECONSTRUCT	03/03/82	RECEIVED	RO
LANE	820	WEYERHAEUSER CO. PPRBRD M	2ND STAGE BLOW HEAT CONDENS	03/16/82	RECEIVED	RO
LINN	822	TELEDYNE WAH'CHANG	ELECTROSTATIC PRECIPITATOR	03/16/82	RECEIVED	RO
UMATILLA	821	TRUMBULL ORCHARDS	WIND MACHINE	03/17/82	RECEIVED	PO

TOTAL NUMBER QUICK LOOK REPORT LINES 26

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

March, 1982
(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			
<u>Direct Sources</u>							
New	0	26	5	20	15		
Existing	0	15	2	18	17		
Renewals	7	96	10	81	62		
Modifications	<u>3</u>	<u>15</u>	<u>8</u>	<u>29</u>	<u>10</u>		
Total	10	152	25	148	104	1873	1905
<u>Indirect Sources</u>							
New	1	9	0	9	3		
Existing	0	0	0	0	0		
Renewals	0	0	0	0	0		
Modifications	<u>0</u>	<u>3</u>	<u>0</u>	<u>3</u>	<u>0</u>		
Total	1	12	0	12	3	199	202
<u>GRAND TOTALS</u>	11	164	25	160	107	2072	2107

Number of
Pending Permits

Comments

12	To be drafted by Northwest Region
10	To be drafted by Willamette Valley Region
3	To be drafted by Southwest Region
4	To be drafted by Central Region
2	To be drafted by Eastern Region
11	To be drafted by Program Planning Division
38	To be drafted by Program Operations
11	Awaiting Public Notice
<u>13</u>	Awaiting the end of the 30-day period
104	TOTAL

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS ISSUED

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
CLACKAMAS	MT VIEW LUMBER COMPANY	03	1776	02/16/82	PERMIT ISSUED	02/25/82 MOD
TILLAMOOK	TILLAMOOK CO CREAMERY ASN	29	0059	09/29/81	PERMIT ISSUED	02/25/82 RNW
LINN	THREE PACK SHINGLE CO	22	3008	02/15/82	PERMIT ISSUED	02/26/82 MOD
BAKER	BAKER PEDI-MIX INC.	01	0022	06/01/81	PERMIT ISSUED	03/01/82 RNW
MARION	WILLAMETTE DOOF S MFG	24	0022	11/05/81	PERMIT ISSUED	03/01/82 RNW
MARION	WESTWOOD PRODUCTS	24	5774	11/25/81	PERMIT ISSUED	03/01/82 RNW
POLK	OREGON COLLEGE OF EDUC	27	5065	11/25/81	PERMIT ISSUED	03/01/82 RNW
UMATILLA	CELPRIL INDUSTRIES	30	0079	09/29/81	PERMIT ISSUED	03/01/82 NEW
UMATILLA	HEMISTON READY MIX	30	0095	01/08/81	PERMIT ISSUED	03/01/82 NEW
UMATILLA	HEMISTON READY MIX	30	0096	01/08/81	PERMIT ISSUED	03/01/82 NEW
WASCO	ROCKLINE INC	33	0026	09/18/81	PERMIT ISSUED	03/01/82 NEW
YAMHILL	DATON SAND AND GRAVEL CO	36	2010	09/10/81	PERMIT ISSUED	03/01/82 RNW
MALHEUR	ONTARIO ASPH. & CONC. INC	23	0016	02/08/82	PERMIT ISSUED	03/04/82 MOD
BAKER	OREGON PORTLAND CEMENT	01	0010	01/08/82	PERMIT ISSUED	03/15/82 MOD
COOS	ACME WOOD PRODUCTS C	06	0015	12/29/81	PERMIT ISSUED	03/15/82 RNW
MARION	PORTLAND GENERAL ELECTRIC	24	2313	01/15/82	PERMIT ISSUED	03/15/82 MOD
MARION	CITY VIEW CEMENTERY	24	4716	12/14/81	PERMIT ISSUED	03/15/82 RNW
MARION	OREGON STATE CAPITOL MALL	24	5131	09/10/81	PERMIT ISSUED	03/15/82 RNW
MULTNOMAH	B W FEED COMPANY	26	2637	02/15/82	PERMIT ISSUED	03/15/82 MOD
MULTNOMAH	COLUMBIA GRAIN, INC.	26	2807	11/23/81	PERMIT ISSUED	03/15/82 MOD
MULTNOMAH	COFFEE BEAN DIST. INC	26	3089	09/18/81	PERMIT ISSUED	03/15/82 EXT
UMATILLA	L W VAIL CO	30	0097	10/26/81	PERMIT ISSUED	03/15/82 EXT
PORT.SOURCE	PETER KIEWIT SON'S CO	37	0095	10/19/81	PERMIT ISSUED	03/15/82 RNW
PORT.SOURCE	JOHNSON ROCK PRODUCTS INC	37	0201	12/07/81	PERMIT ISSUED	03/15/82 RNW
PORT.SOURCE	RAJNEESH FOUNDATION INTL	37	0283	01/07/82	PERMIT ISSUED	03/15/82 NEW

TOTAL NUMBER QUICK LOOK REPORT LINES

25

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

March, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

Indirect Source

* County	* Name of Source/Project	* Date of	* Action	*
*	*/Site and Type of Same	* Action	*	*
*	*	*	*	*

MAR.6 (5/79)

AA1557 (1)(a)

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
BENTON	I-G LUMBER COMPANY	02	2164	11/05/81	APPL SUB- PO	/ / MOD
BENTON	CSU VETERINARY DIAG LAB	02	2524	11/25/82	PMT DRFTD-NPN	03/24/82 RNW
CLACKAMAS	SALVAGE SMELTERS	03	2662	01/07/82	PMT DRFTD-NPN	03/24/82 RNW
CLACKAMAS	METROPOLITAN SER. DISTRICT	03	2667	06/08/81	APPL SUB- PP3DA	/ / NEW
COLUMBIA	BOISE CASCADE PAPERS	05	1349	06/27/81	APPL SUB- PP3DA	10/19/81 MOD
COLUMBIA	NIEDERMEYER-MARTIN CO.	05	2579	12/19/80	APPL SUB- RO	/ / NEW
COOS	DAVENPORT CONCRETE	06	0084	02/22/82	PUB NOT ISSUEDP	03/17/82 EXT
DESCHUTES	WILLAMETTE INDUSTRIES	09	0002	03/03/82	APPL SUB- RO	/ / RNW
HOOD RIVER	CASCADE LOCKS LUMBER CO.	14	0005	01/18/82	APPL SUB- RO	/ / RNW
JACKSON	MEDFORD CORP.	15	0014	09/11/81	APPL SUB- PO	10/15/81 MOD
JACKSON	BOISE CASCADE CORP	15	0020	11/01/81	PUB NOT ISSUEDP	12/14/81 RNW
JACKSON	DOWN RIVER FOREST PRODUCT	15	0027	02/22/82	APPL SUB- RO	/ / RNW
JACKSON	MINNESOTA MFG & MFG	15	0027	11/16/81	APPL SUB- PP3DA	/ / RNW
JACKSON	REICHHOLD CHEMICALS	15	0041	04/11/79	PUB NOT ISSUEDP	08/01/81 RNW
JACKSON	MEDFORD CORP	15	0048	04/09/81	APPL SUB- RO	/ / RNW
JACKSON	GRANGE COOP SUPPLY ASSN.	15	0166	09/22/81	APPL SUB- PO	/ / NEW
JACKSON	HAWK OIL COMPANY	15	0171	09/10/81	APPL SUB- PO	/ / NEW
JOSEPHINE	MILLER REDWOOD CO.	17	0023	01/13/82	APPL SUB- RO	/ / RNW
KLAMATH	WEYERHAEUSER COMPANY	19	0013	06/30/81	APPL SUB- RO	/ / RNW
LAKE	LOUISIANA PACIFIC CORP	19	0002	10/27/81	PMT DRFTD-NPN	02/22/82 PNW
LINN	R. VEAL & SON	22	1506	11/16/81	APPL SUB- RO	/ / PNW
LINN	WILLAMETTE INDUSTRIES	22	5208	12/03/81	PMT DRFTD-NPN	01/05/82 RNW
LINN	LYONS VENEER	22	6009	09/11/81	PUB NOT ISSUEDP	10/16/81 NEW
MARION	NATIONAL WOOD INDUSTRIES	24	0023	01/29/82	APPL SUB- RO	/ / PNW
MARION	STAYTON CANNING CO	24	1010	10/22/81	APPL SUB- RO	/ / PNW
MARION	STAYTON CANNING COOP	24	1011	10/22/81	APPL SUB- RO	/ / PNW
MARION	HUMANE SOCIETY	24	2327	10/22/81	APPL SUB- RO	/ / PNW
MARION	SALEM HOSPITAL GENERAL UN	24	2331	12/22/81	APPL SUB- RO	/ / PNW
MARION	MENNIS OIL CO INC	24	4984	09/29/81	APPL SUB- PO	/ / NEW
MARION	MERRITT TRUAX OIL CO	24	5323	03/14/81	APPL SUB- PO	/ / RNW
MARION	SALEM MEMORIAL HOSPITAL	24	5404	12/22/81	APPL SUB- RO	/ / PNW
MARION	OREGON STATE DEAF SCHOOL	24	5508	06/30/81	APPL SUB- RO	/ / RNW
MARION	OVERHEAD DOOR CORPORATION	24	5821	11/25/81	APPL SUB- RO	/ / PNW
MARION	STAYTON CANNING	24	7067	10/22/81	PMT DRFTD-NPN	03/02/82 RNW
MULTNOMAH	TRUMBULL ASPHALT	26	1315	03/04/82	APPL SUB- RO	/ / RNW
MULTNOMAH	OREGON STEEL MILLS	26	1365	09/29/81	APPL SUB- PO	/ / MOD
MULTNOMAH	OWENS-ILLINOIS	26	1376	06/10/81	PUB NOT ISSUEDP	10/02/81 RNW
MULTNOMAH	SAKRETE OF PACIFIC NW. IN	26	1947	01/22/82	APPL SUB- RO	/ / EXT
MULTNOMAH	KATISER CEMENT CORP	26	1995	02/18/82	APPL SUB- RO	/ / NEW
MULTNOMAH	CARGILL CO INC	26	2009	07/08/81	PMT DRFTD-NPN	03/18/82 RNW
MULTNOMAH	UNION OIL OF CALIFORNIA	26	2026	02/09/82	APPL SUB- PO	/ / EXT
MULTNOMAH	SHELL OIL COMPANY	26	2029	01/27/82	APPL SUB- PP3DA	/ / NEW
MULTNOMAH	MOPIL OIL COOP	26	2029	02/17/81	APPL SUB- PP3DA	01/13/82 NEW
MULTNOMAH	OWENS-CORNING FIBERGLAS	26	2044	03/02/82	APPL SUB- RO	/ / RNW
MULTNOMAH	FREIGHTLINER CORP	26	2197	12/21/81	APPL SUB- PP3DA	/ / MOD
MULTNOMAH	CONTINENTAL CAN CO USA	26	2332	10/19/81	APPL SUB- PP3DA	/ / EXT

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
MULTNOMAH	PORTLAND WILLAMETTE CO	26	2435	03/03/82	APPL SUB- PP&DA	/ / MOD
MULTNOMAH	VOLNEY FELT MILLS	26	2472	12/30/81	APPL SUB- RO	/ / RNW
MULTNOMAH	PORTLAND WIRE & IRON WKS	26	2486	06/01/81	APPL SUB- PO	/ / EXT
MULTNOMAH	W R GRACE & CO CONSTP DIV	26	2530	11/20/81	PMT DRFTD-NPN	01/18/82 MOD
MULTNOMAH	REIMANN AND MCKENNEY INC	26	2572	09/18/81	APPL SUB- PO	/ / RNW
MULTNOMAH	NORTHWEST MARINE IRON WKS	26	2592	03/22/82	PMT DRFTD-NPN	/ / MOD
MULTNOMAH	BINGHAM-WILLAMETTE CO	26	2749	10/20/81	APPL SUB- PO	/ / MOD
MULTNOMAH	CROWN ZELLERBACH PKG DIV	26	2777	09/16/81	APPL SUB- PP&DA	/ / EXT
MULTNOMAH	FMC CORP MARINE AND RAIL	26	2944	01/13/82	APPL SUB- PO	/ / EXT
MULTNOMAH	PORTLAND TERMINALS, INC.	26	2966	12/21/81	APPL SUB- PP&DA	/ / RNW
MULTNOMAH	BIRKENWALD SYSTEMS INC	26	3030	09/22/81	APPL SUB- PO	/ / EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3035	10/27/81	APPL SUB- PO	/ / EXT
MULTNOMAH	AMCOAT	26	3036	06/29/81	APPL SUB- PO	/ / EXT
MULTNOMAH	WAGNER MINING EQUIPMENT	26	3039	07/09/81	APPL SUB- RO	/ / EXT
MULTNOMAH	MARTIN MARIETTA ALUMINUM	26	3069	00/00/00	PUB NOT ISSUEDP	10/02/81 NEW
MULTNOMAH	OLUMPIC PIPE LINE COMPANY	26	3072	12/21/81	PUB NOT ISSUEDP	03/17/82 NEW
MULTNOMAH	CARSON OIL CO	26	3079	11/18/81	APPL SUB- PO	/ / EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3093	10/27/81	APPL SUB- PO	/ / EXT
POLK	MT FIR LUMBER CO	27	4080	02/28/82	APPL SUB- RO	03/18/82 PNW
POLK	AGRIPAC INC	27	8009	12/07/81	PMT DRFTD-NPN	03/09/82 PNW
UNION	PEACOCK LUMBER CO.	31	0005	01/27/82	APPL SUB- RO	/ / RNW
UNION	HOFF-ROUDE VALLEY LUMBER	31	0013	12/14/81	APPL SUB- RO	/ / PNW
WASCO	JH BAXTER & CO	33	0003	01/18/82	APPL SUB- RO	/ / RNW
WASCO	THE DALLES GENERAL HOSPT	33	0021	02/09/82	PUB NOT ISSUEDP	03/17/82 RNW
WASHINGTON	OREGON ROSES, INC	34	2633	11/16/81	APPL SUB- RO	/ / RNW
WASHINGTON	TEKTRONIX INC	34	2638	03/03/82	APPL SUB- RO	/ / MOD
WASHINGTON	OREGON ROSES	34	2641	11/06/81	APPL SUB- RO	/ / RNW
WASHINGTON	J PETERKORP & CO	34	2644	01/13/82	APPL SUB- RO	/ / RNW
WASHINGTON	COAST VENDING MACHINE CO.	34	2645	03/16/82	APPL SUB- RO	/ / RNW
WASHINGTON	BRETHAUER OIL CO.(UNION)	34	2652	12/21/81	APPL SUB- PP&DA	/ / EXT
WASHINGTON	METRO WEST OIL INC	34	2655	10/22/81	APPL SUB- PO	/ / NEW
WASHINGTON	WADE MANUFACTURING CO	34	2667	09/18/81	APPL SUB- PO	/ / EXT
WASHINGTON	LEAR SIEGLER PEERLESS DIV	34	2670	09/10/81	APPL SUB- PO	/ / EXT
WASHINGTON	PACIFIC FIREPLACE FURNISH	34	2676	06/05/81	APPL SUB- PO	/ / EXT
YAMHILL	CRABTREE ROCK CO	36	3001	02/09/82	PUB NOT ISSUEDP	03/17/82 RNW
YAMHILL	C.C. KEISEL CO INC	36	5089	10/07/81	PMT DRFTD-NPN	11/30/81 RNW
PORT.SOURCE	WILDISH MEDFORD CO.	37	0010	03/03/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	BAKER BEDI-MIX, INC.	37	0020	11/18/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	DESCHUTES READY MIX S & G	37	0026	01/13/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	TILLAMOOK CNTY RD DP	37	0034	10/27/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	WESTERN SUPPLYING, INC.	37	0047	12/16/81	PMT DRFTD-NPN	03/15/82 RNW
PORT.SOURCE	TIDEWATER CONTRACTORS INC	37	0053	11/16/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	AMERICAN ASPHALT PAVING	37	0078	11/16/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	OREGON STATE HWY DIVISION	37	0095	10/27/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	GRANT I SHARP CO	37	0099	12/05/80	APPL SUB- PO	/ / RNW
PORT.SOURCE	KINCHELOE & SONS INC	37	0146	12/16/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	BAKER COUNTY ROAD DEPT.	37	0152	01/27/82	APPL SUB- PO	/ / RNW

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
PORT.SOURCE	SUPERIOR ASPHALT & CONCRE	37	0166	01/07/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	J C COMPTON CO	37	0173	10/19/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	REID-WOLF INC	37	0183	11/30/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	QUALITY ASPHALT PAVING	37	0195	12/30/81	APPL SUB- PO	/ / RNW
PORT.SOURCE	R.L. COATS	37	0207	01/13/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	DESCHUTES READY MIX S & G	37	0220	01/13/82	APPL SUB- PO	/ / RNW
PORT.SOURCE	WILDISH MEDFORD S & G CO.	37	0250	10/22/81	PUB NOT ISSUEDP	01/04/82 RNW
PORT.SOURCE	TIDEWATER CONTRACTORS INC	37	0277	02/19/82	PUB NOT ISSUEDP	/ / RNW
PORT.SOURCE	SOUTHERN OREGON CONCRETE	37	0284	01/13/82	APPL SUB- PO	/ / NEW
PORT.SOURCE	CARSON CRUSHING CO	37	0285	02/22/82	PUB NOT ISSUEDP	03/17/82 NEW
PORT.SOURCE	AMEADA MINING & CONST CO. B	37	0286	02/17/82	PUB NOT ISSUEDP	03/17/82 NEW

TOTAL NUMBER QUICK LOOK REPORT LINES 104

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

March, 1982
(Month and Year)

PERMIT ACTIONS PENDING

#	County	#	Name of Source/Project /Site and Type of Same	#	Date of Initial Action	#	Date of Completed Action	#	Type of Action and Status	#
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Indirect Sources

Marion	Douglas McKay High School, 342 Spaces File No. 24-8001	01/01/78		Additional Information Requested
Multnomah	Columbia Square Office Complex 240 Spaces File No. 26-7018	09/07/77		Additional Information Requested
Washington	Main Street 990 Spaces File No. 34-8202	03/05/82	03/25/82	Proposed Permit Issued

MAR.7 (5/79)

AA1558 (1)(a)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit)	March 1982 (Month and Year)
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PLAN ACTIONS COMPLETED - 20

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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MUNICIPAL WASTE SOURCES 16

Clackamas	Internal Sealing of Sanitary Sewers Molalla	3/4/82	P.A.
Linn	Draperville Sanitary Sewage Collections Albany	3/4/82	P.A.
Washington	Hillsboro West WWTP Expansion Hillsboro	3/9/82	P.A.
Washington	Rock Creek Trunk Sanitary Sewer	3/9/82	P.A.
Lincoln	S.W. Hurbert Sewer Separation Newport	3/9/82	P.A.
Klamath	Chiloquin 2nd Addition Sanitary Sewers Chiloquin	3/9/82	P.A.
Columbia	Cooley Moorage Septic Tank, Dosing Tank Dosing Siphons, Low Pressure Distribution Drainfield	3/9/82	P.A.
Polk	West Salem Sewage Pump Station	3/10/82	P.A.
Marion	West Salem Force Main	3/10/82	P.A.
Benton	Riverview Heights Outfall Relocation	3/16/82	P.A.

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

March 1982
(Month and Year)

PLAN ACTIONS COMPLETED - 20

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
Douglas	Cliff Bryden Sewer Extension Green S.D.	3/10/82	P.A.	
Clackamas	Edwards Business Industrial Park No. 3 Wilsonville	3/10/82	P.A.	
Deschutes	Mountainback Town Homes Sunriver	3/10/82	P.A.	
Malheur	L.I.D. No. 36 Sewerage System Ontario	3/10/82	P.A.	
Malheur	L.I.D. No. 38 Sewerage System Ontario	3/10/82	P.A.	
Multnomah	Sanitary Sewer Construction Assessment District "T"	3/12/82	P.A.	

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit)	March 1982 (Month and Year)
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PLAN ACTIONS COMPLETED 20

*	County	*	Name of Source/Project	*	Date of	*	Action	*
*		*	/Site and Type of Same	*	Action	*		*
*		*		*		*		*

INDUSTRIAL WASTE SOURCES 4

Clackamas	Omark Industries New Pretreatment system for Metals Removal	3-12-82	Approved
Linn	Teledyne Wah Chang Modifications to Dechlorination System	3-17-82	Approved
Linn	Teledyne Wah Chang Concrete Pit with Epoxy Coating, Pump and Piping	3-18-82	Approved
Linn	Oregon Metalurgical Storm Drain and Process Drain Segregation Project	4-2-82	Approved

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

March 1982
(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.			
	* /**	* /**	* /**	* /**	* /**	* /**	* /**
<u>Municipal</u>							
New	0 /1	1 /12	0 /1	4 /11	0 / 9		
Existing	0 /0	0 / 0	0 /0	0 / 0	0 / 0		
Renewals	2 /0	47 /21	5 /7	37 /15	29 / 8		
Modifications	4 /0	2 / 0	2 /0	7 / 1	0 / 0		
Total	3 /1	50 /33	7 /8	48 /27	29 /17	238/105	238/114
<u>Industrial</u>							
New	0 /2	4 / 7	1 /1	5 /14	2 /15		
Existing	0 /0	0 / 0	0 /0	0 / 0	0 / 1		
Renewals	3 /1	56 /21	3 /1	26 /19	41 /18		
Modifications	0 /0	10 / 0	1 /0	12 / 2	1 / 0		
Total	3 /3	70 /28	5 /2	43 /35	44 /34	368/175	370/191
<u>Agricultural (Hatcheries, Dairies, etc.)</u>							
New	0 /0	1 /0	0 /0	0 /0	1 /0		
Existing	0 /0	0 /0	0 /0	0 /0	0 /0		
Renewals	0 /0	1 /0	1 /0	2 /0	0 /0		
Modifications	0 /0	0 /0	0 /0	0 /0	0 /0		
Total	0 /0	2 /0	1 /0	2 /0	1 /0	53/19	54/19
<u>GRAND TOTALS</u>	6 /4	122 /61	13 /10	93 /62	74 /51	659/299	662/324

* NPDES Permits

** State Permits

14 General Permits Issues in March 1982

202 General Permits (Exclusive of Portable Suction Types) Issued this Fiscal Year

24 of above were for Sewer Systems.

MAR.5W (8/79)

WL1511

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

March 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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MUNICIPAL AND INDUSTRIAL SOURCES - NPDES PERMITS (10)

Umatilla	Athena STP	3/5/82	Permit Renewed	
Lane	Georgia Pacific Corp. Irving Rd. - Eugene	3/5/82	" "	
Coos	Lakeside STP	3/5/82	" "	
Lane	Oregon Aqua Foods Springfield Salmon Hatchery	3/5/82	" "	
Columbia	Owens Corning Fiberglass St. Helens	3/5/82	" "	
Marion	Aumsville STP	3/10/82	" "	
Klamath	Chiloquin STP	3/10/82	" "	
Coos	Georgia Pacific Corp. Catalyst - Coos Bay	3/10/82	Permit Issued	
Columbia	Reichhold Chemical Inc. St. Helens	3/10/82	Permit Renewed	
Yamhill	Sheridan STP	3/10/82	Permit Renewed	

MUNICIPAL AND INDUSTRIAL SOURCES - STATE PERMITS (10)

Umatilla	Hill Meat Co. Pendleton	3/10/82	Permit Issued	
Malheur	Adrian STP	3/22/82	Permit Renewed	
Grant	Seneca STP	3/22/82	" "	

MAR.6 (5/79)

WL1511.A

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit)	March 1982 (Month and Year)
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PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	* * *
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MUNICIPAL AND INDUSTRIAL SOURCES - STATE PERMITS (Continued)

Umatilla	Ukiah STP	3/22/82	Permit Renewed	
Jackson	Jackson County Parks Emigrant Lake, STP	3-22-82	" "	
Jackson	Jackson County Parks Howard Prairie, STP	3/22/82	" "	
Lane	Lane County Parks Richardson Park, STP	3/22/82	" "	
Marion	St. Paul STP	3/22/82	Permit Issued	
Marion	Desert Seed Co. Brooks	3/22/82	Permit Renewed	
Marion	Willamette Lutheran Home Salem STP	3/22/82	" "	

MUNICIPAL AND INDUSTRIAL SOURCES - MODIFICATIONS (3)

Lincoln	Georgia-Pacific Corp. Toledo Paper Division	3/20/82	Addendum No. 1	
Linn	Lebanon STP	3/10/82	Schedule C by letter	
Lincoln	Inn at Otter Crest STP	3/29/82	Addendum No. 1	

MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (14)

Cooling Water Permit 0100 J, File 32539 (2)

Marion	Dick Kirk, Heat Pump, St. Paul	3/25/82	G. P. Issued	
Multnomah	FMC Corp. Portland	3/30/82	G. P. Issued	

MAR.6 (5/79)

WL1511.A

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

<u>Water Quality Division</u> (Reporting Unit)	<u>March 1982</u> (Month and Year)
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PERMIT ACTIONS COMPLETED

*	County	*	Name of Source/Project /Site and Type of Same	*	Date of Action	*	Action	*
*		*		*		*		*

MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (Continued)

Fish Production - Permit 0300 J, File 32542 (3)

Clackamas	U.S. Dept. of Interior Eagle Creek Estacada Fish Hatchery 3382 J/91035	3/12/82	Transferred to G. P.
Linn	Ron Scott Fish Hatchery Sweet Home	3/16/82	G. P. Issued
Lane	Domsea Farms Inc. Florence 2776 J/24595	3/30/82	Transferred to G. P.

Portable Suction Dredges - Permit 0700 J, File 34547 (1)

Thousand Oaks California	Richard York 5" Suction	3/16/82	G. P. Issued
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Seafood Processing - Permit 0900 J, File 32585 (6)

Clatsop	Alaska Packers Assoc. Hammond 2710 J/1078	3/16/82	Transferred to G. P.
Lincoln	Depoe Bay Fish Co. Newport 2569 J//24106	3/5/82	Transferred to G. P.
Curry	Eureka Fisheries Inc. Brookings 2987 J/28400	3/25/82	Transferred to G. P.
Clatsop	Snow Mist Seafoods Warrenton 2704 J/43693	3/2/82	Transferred to G. P.
Lincoln	Snow Mist Seafoods Newport 2628 J/43692	3/2/82	Transferred to G. P.

MAR.6 (5/79)

WL1511.A

DEPARTMENT OF ENVIRONMENTAL QUALITY
MONTHLY ACTIVITY REPORT

Water Quality Division (Reporting Unit)	March 1982 (Month and Year)
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PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*

MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (Continued)

Seafood Processing - Permit 0900 J, File 32585 (Continued)

Tillamook	Hoy Bros. Fish and Crab Co. Garibaldi 2598 J/40416	3/29/82	Transferred
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Gravel (Mining - Permit 1000, File 32565 (2)

Douglas	Ralf N. Hakanson Oakland 2488/36106	3/29/82	Transferred to G. P.
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Linn	Hub City Concrete Co. Albany 3331/40479	3/9/82	Transferred
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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit) March 1982 (Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

CHEM-SECURITY SYSTEMS, INC., GILLIAM CO.

WASTE DESCRIPTION

* Date *	Type	Source	Quantity Present	Quantity Future
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DISPOSAL REQUESTS GRANTED (41)

OREGON (9)

3/1	PCB transformers	Indus. gases	0	750 gal.
3/3	PCB capacitors	Screen wire products	0	2 drums
3/3	Aluminum nitrate	Research lab	4 drums	0
3/3	Fluosilicic acid	Research lab	2 drums	0
3/3	Phenol formaldehyde resin	Plywood mill	0	26 tons
3/3	PCB transformers	Wood products	0	141 gal.
3/15	Chromic acid plating solution	Chain saw	0	1650 gal.
3/15	Extrusion sludge with lead and trace amounts of 1,1,1-trichloroethane	Zirconium metal	30 drums	60 drums
3/17	PCB transformers	Al. smelting	15,000 lb.	0

WASHINGTON (24)

3/3	Various laboratory solvents	Research lab	0	18 drums
3/3	Carbon tetrachloride	Paper mill	0	220 gal.

SC368.E
MAR.15 (1/82)

* * *	* Date *	* Type *	* Source *	* Present *	* Quantity * Future *	* *
	3/3	Phenol-contaminated soil	Paper mill	0	550 gal.	
	3/3	Mercury-contaminated laboratory acid	Paper mill	0	150 gal.	
	3/3	1,1,1-trichloroethane	Paper mill	1 drum	0	
	3/3	Mercury-contaminated brine sludge	Paper mill	80 drums	0	
	3/3	1,4-diethylene dioxide	Paper mill	1 drum	0	
	3/3	PCB-contaminated debris	Paper mill	0	10 drums	
	3/9	Trichloroethane, IPA, toluene, Freon	Electronic products	0	50 drums	
	3/9	Toluene, enamel paint, formulated resins, etc.	Electronic products	0	100 gal.	
	3/15	Pyrophosphate copper solution	Electro-plating	770 gal.	300 gal.	
	3/15	Electroless copper solution	Electro-plating	385 gal.	400 gal.	
	3/15	Methyl ethyl ketone & epoxy thinner (ethylene glycol/ethylene ether)	Metal shop	0	30 drums	
	3/15	PCB containing devices	Fed. agency	0	5,000 cu.ft.	
	3/16	Chlorinated organics-contaminated soil	Chemical co.	40 cu.ft.	0	
	3/18	Sulfated lime baghouse dust	Al. smelting	0	8,000 tons	
	3/18	Cellosolve acetate	Foundry	0	60 drums	
	3/18	Trichloroethylene still bottoms	Acid pickling	0	32 drums	
	3/18	Hydrofluoric/nitric acid solution	Acid pickling	0	72,000 gal.	

SC368.E
MAR. 15 (1/82)

* Date *	Type	Source	Present	Quantity Future
3/18	Alkaline cleaning solution with hexavalent chrome	Shipyards	0	10,000 gal.
3/18	Acid cleaning solution with hexavalent chrome	Shipyards	0	10,000 gal.
3/18	PCB liquid	Railroad co.	0	6 drums
3/18	Methylene chloride-soaked polyurethane foam	Polyurethane foam products	0	20 drums
3/18	Methyl ethyl ketone & chloroethane mixture	Electronic co.	7 drums	0
OTHER STATES (8)				
3/3	PCB transformers/contaminated debris (Idaho)	Electric utility	0	700 cu.ft.
3/16	Soil contaminated pentachlorophenol solution (Hawaii)	Wood preserv.	0	10 drums
3/15	Stencil cleaning residue with petroleum distillate, xylene, toluene, methanol (B.C.)	Lumber mill	2 drums	12 drums
3/17	PCB transformers (Idaho)	Fed. agency	2,251 cu.ft.	0
3/17	PCB-contaminated materials (Idaho)	Fed. agency	20 drums	0
3/16	PCB-contaminated oil (N. Dakota)	Electric utility	400 gal.	0
3/16	PCB-contaminated rags, etc. (N. Dakota)	Electric utility	2 drums	0
3/16	PCB oil and capacitors (N. Dakota)	Electric utility	400 gal.	0

SC368.E
MAR.15 (1/82)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program
(Reporting Unit)

March, 1982
(Month and Year)

SUMMARY OF NOISE CONTROL ACTIONS

Source Category	New Actions Initiated		Final Actions Completed		Actions Pending	
	<u>Mo</u>	<u>FY</u>	<u>Mo</u>	<u>FY</u>	<u>Mo</u>	<u>Last Mo</u>
Industrial/ Commercial	8	28	0	10	95	87
Airports	0	0	0	9	1	1
Total	8	28	0	19	96	88

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program	March, 1982
(Reporting Unit)	(Month and Year)

FINAL NOISE CONTROL ACTIONS COMPLETED

County	*	Name of Source and Location	*	Date	*	Action
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None

CIVIL PENALTY ASSESSMENTS
DEPARTMENT OF ENVIRONMENTAL QUALITY
1981

CIVIL PENALTIES ASSESSED DURING MONTH OF MARCH, 1982:

<u>Name and Location of Violation</u>	<u>Case No. & Type of Violation</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Status</u>
Arthur Pullen dba/Foley Lakes Mobile Home Park Wasco County	WQ-CR-82-16 Failure to construct sewer line & connect to City of The Dalles sewerage system, in violation of a Commission Order.	3-1-82	\$4,500 (\$50 per day for 90 days)	Filed hearing request and answer on 3-22-82
William Elliot Benton County	AQOB-WVR-82-20 Open burned a large pile of trash within a special control area.	3-9-82	\$ 150	Awaiting response to notice.
Griffith Polymers, Inc. Washington County	AQOB-NWR-82-21 Open burned materials which emit dense smoke.	3-9-82	\$ 50	Paid 3-16-82.
Gary Eastwood Multnomah County	AQOB-NWR-82-18 Open burned wire insulation.	3-16-82	\$ 400	Awaiting response to notice.
Douglas Anderson Washington County	AQOB-NWR-82-23 Open burned land clearing debris and commercial wastes.	3-22-82	\$ 300	Awaiting response to notice.

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<u>ACTIONS</u>	<u>LAST MONTH</u>	<u>PRESENT</u>
Preliminary Issues	5	4
Discovery	1	0
Settlement Action	3	4
Hearing to be scheduled	7	8
Hearing scheduled	2	2
HO's Decision Due	2	1
Briefing	0	0
Inactive	2	2
 SUBTOTAL of Active Files	 <u>22</u>	 <u>21</u>
 HO's Decision Out/Option for EQC Appeal	 0	 3
Appealed to EQC	0	0
EQC Appeal Complete/Option for Court Review	0	1
Court Review Option Pending or Taken	1	1
Case Closed	1	0
 TOTAL Cases	 <u>24</u>	 <u>26</u>

15-AQ-NWR-76-178 15th Hearing Section case in 1976 involving Air Quality Division violation in Northwest Region jurisdiction in 1976; 178th enforcement action in Northwest Region in 1976.

ACDP Air Contaminant Discharge Permit
AQ Air Quality
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 Enforcement Section requests Hearing Section schedule a hearing
VAK Van Kollias, Enforcement Section
LMS Larry Schurr, Enforcement 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
OSS On-Site Sewage
P Litigation over permit or its conditions
Prtys All parties involved
Rem Order Remedial Action Order
Resp Code Source of next expected activity in case
SW Solid Waste Division
SWR Southwest Region
T Litigation over tax credit matter
Transcr Transcript being made of case
Underlining New status or new case since last month's contested case log
WVR Willamette Valley Region
WQ Water Quality Division

March 1982

DEQ/EQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrri	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
POWELL, Ronald	11/77	11/77	RLH	01/23/80	Resp	\$10,000 Fld Brn 12-AQ-MWR-77-241	Decision issued 3/16/82.
WAH CHANG	04/78	04/78	RLH		Prtys	16-P-WQ-WVR-78-2849-J NPDES Permit Modification	Current permit in force. Hearing deferred.
WAH CHANG	04/78	04/78	RLH		Prtys	08-P-WQ-WVR-78-2012-J NPDES Permit Modification	Current permit in force. Hearing deferred.
M/V TOYOTA MARU No. 10	12/10/79	12/12/79	RLH		Hrgs	17-WQ-NWR-79-127 Oil Spill Civil Penalty of \$5,000	Ruling due on requests for partial summary judgment.
LAND RECLAMATION, INC., et al	12/12/79	12/14/79	FWO	05/16/80	Resp	19-P-SW-329-NWR-79 Permit Denial	Permit denial affirmed by Ct. of A. 3/11/82.
MEDFORD CORPORATION	02/25/80	02/29/80		05/16/80	Resp	07-AQ-SWR-80 Request for Declaratory Ruling	Issue appears moot. Resp. to request with- drawal of petition for declaration.
MORRIS, Robert	11/10/80	11/14/80	RLH		Prtys	31-SS-CR-80 Permit revocation	Inquiry on informal resolution progress issued 4/8/82.
HAYWORTH, John W. dba/HAYWORTH FARMS INC.	12/02/80	12/08/80	LMS	04/28/81	Hrgs	33-AQ-WVR-80-187 Field burning civil penalty of \$4,660	Decision due.
HOPPER, Harold	12/09/80	12/09/80	RLH		Resp	36-SS-NWR-80-197 Permit revocation	Dept. filed objections to amended notice 3/4/82.
JENSEN, Carl F. dba/JENSEN SEED & GRAIN INC.	12/19/80	12/24/80	CLR	04/16/81	Resp	37-AQ-WVR-80-181 Field burning civil penalty of \$4,000	Ct. of Appeals review option expires 5/10/82.
CURL, James H., et al	02/09/81	02/12/81			Prtys	07-SS-CR-81 Request for Declaratory Ruling	Deadline for informal resolution established.
OREGON SHORES ASSOCIATES, LTD.	02/11/81	03/09/81	RLH		Hrgs	09-WQ-NWR-81	H.O. Order of Dismissal issued 3/19/82.
MAIN ROCK PRODUCTS, INC	03/11/81	03/16/81	CLR		Prtys	10-WQ-SWR-81-16 Water Quality civil penalty of \$6,000	Settlement effort continues, resolution anticipated shortly.
MEAD, Mel	04/04/81	04/08/81	LMS		Prtys	13-SS-SWR-81-25 14-SS-SWR-81-26 Subsurface sewage permit denial	H.O. Order of Dismissal issued 3/22/82.
PULLEN, Arthur W. dba/Lakes Mobile Home Park	07/15/81	07/15/81	CLR		Hrgs	16-WQ-CR-81-60	To be scheduled.
WESTERN SURFACING, INC.	09/09/81	09/09/81	LMS	5/25/82	Prtys	18-AQ-NWR-81-79	Hearing scheduled 5/25/82.
FRANK, Victor	09/23/81	09/23/81	CLR		Hrgs	19-AQ-FB-81-05 FB civil penalty of \$1,000	To be scheduled.
GATES, Clifford	10/06/81		CLR		Hrgs	21-SS-SWR-81-90	To be scheduled.
LANGDON, George	10/13/81		CLR		Hrgs	22-AQ-FB-81-04	To be scheduled.
SPERLING, Wendell dba/Sperling Farms	11/25/81	11/25/81	CLR		Hrgs	23-AQ-FB-81-15 FB Civil Penalty of \$3,000	To be scheduled.
DeRAEVE, Marvin	12/11/81	12/10/81	LMS		Prtys	25-AQ-FB-81-17 FB Civil Penalty of \$3,000.	To be scheduled.
NOFZIGER, Leo	12/15/81	01/06/82	LMS		Hrgs	26-AQ-FB-81-18 FB Civil Penalty of \$1,500.	To be scheduled.
OLD MILL MARINA		03/04/82	LMS		Hrgs	27-AQOB-NWR-82-01 Open Burning Civil Penalty	To be scheduled.

March 1982

DEQ/EQC Contested Case Log

<u>Pet/Resp Name</u>	<u>Hrng Rqst</u>	<u>Hrng Rfrl</u>	<u>DEQ Atty</u>	<u>Hrng Date</u>	<u>Resp Code</u>	<u>Case Type & No.</u>	<u>Case Status</u>
GREEN, Douglas	09/28/81	10/07/81	LMS	<u>4/13/82</u>	Prtys	20-AQ-FB-81-03 FB Civil Penalty of \$1,000	<u>Hearing scheduled 4/13/82.</u>
<u>PULLEN, Arthur</u>	<u>03/16/82</u>		<u>LMS</u>		<u>Prtys</u>	<u>28-WQ-CR-82-16</u>	<u>Preliminary issues.</u>
<u>ANDERSON, Douglas</u>	<u>04/03/82</u>				<u>Prtys</u>	<u>29-ACOB-NWR-82-23</u>	<u>Request for hearing filed 4/3/82.</u>

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

AQ, WQ, SW Division
(Reporting Unit)

April 1982
(Month and Year)

SUMMARY OF PLAN ACTIONS

	Plans Received		Plans Approved		Plans Disapproved		Plans Pending
	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	<u>Month</u>	<u>FY</u>	
<u>Air</u>							
Direct Sources	6	65	4	83	0	0	28
Small Gasoline Storage Tanks Vapor Controls	0	0	0	0	0	0	0
Total	6	65	4	83	0	0	28
<u>Water</u>							
Municipal	17	225	16	197	0	0	21
Industrial	8	45	3	47	0	0	13
Total	25	270	19	244	0	0	34
<u>Solid Waste</u>							
Gen. Refuse	1	34	0	30	0	1	12
Demolition	1	7	0	7	0	0	3
Industrial	1	4	2	11	0	1	3
Sludge	0	3	0	3	0	0	0
Total	3	48	2	51	0	2	18
<u>Hazardous Wastes</u>							
	0	0	0	0	0	0	0
<u>GRAND TOTAL</u>	34	383	25	378	0	2	80

MAR.2 (1/82) MK940 (2)

DEPARTMENT OF ENVIRONMENTAL QUALITY
 AIR QUALITY DIVISION
 MONTHLY ACTIVITY REPORT
 DIRECT SOURCES
 PLAN ACTIONS COMPLETED

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE OF ACTION	ACTION
JACKSON	227	EARNEST PACKING CO INC	OVERHEAD SPRINKLING SYS	03/31/82	APPROVED
MULTNOMAH	812	UNIVERSITY HOSPITAL NORTH	INCIN SEMI-AUTO FEED SYS.	04/07/82	APPROVED
YAMHILL	813	PUBLISHERS PAPER CO	COOLING VENTURI RECONSTRUCT	03/30/82	APPROVED
Union	815	BOISE CASCADE	FLYASH COLLECTION SYS.	03/05/82	APPROVED
TOTAL NUMBER QUICK LOCK REPORT LINES			4		

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PLAN ACTIONS PENDING

COUNTY	NUMBER	SOURCE	PROCESS DESCRIPTION	DATE	STATUS	ASSIGNED
JACKSON	586	CHEVRON USA INC.	BULK PLANT VOC CONTROL	04/30/79	RECEIVED	PO
JACKSON	593	TEXACO INC.	BULK PLANT VOC CONTROL	05/02/79	RECEIVED	PO
MULTNOMAH	599	POWELL DISTRIBUTING CO.	BULK PLANT VOC CONTROL	05/04/79	RECEIVED	PO
WASHINGTON	534	VALLEY PETROLEUM INC	VAPOR RETURN	12/12/79	RECEIVED	PO
CLACKAMAS	623	OREGON PORTLAND CEMENT	EXTEND KILN 4 STACK 50 FT.	05/30/80	RECEIVED	RO
LANE	535	TREE PRODUCTS HARDWOODS	WELLONS BOILER, NO BY LRAPA	06/13/80	RECEIVED	PO
MULTNOMAH	715	CARSON OIL CO.	VAPOR RECOVERY SYGTEM	07/28/80	RECEIVED	PO
CLACKAMAS	655	CLACKAMAS COUNTY GRANGE	BULK PLNT 2 SERVICE STATION	08/29/80	RECEIVED	PO
JACKSON	660	ENERGY COOPERATION INC	EXP ALCOHOL FUEL PLANT	09/16/80	RECEIVED	PO
MULTNOMAH	687	CONTINENTAL LINE INC	STORAGE/TRANSFER FACILITY	10/27/80	POST AD INFO	RO
JACKSON	713	EARNEST ORCHARDS 3 PACK	OVERTREE SPRINKLER SYSTEM	01/14/81	POST AD INFO	PO
CLACKAMAS	729	CLACKAMAS COUNTY GRANGE	VOC VAPOR RECOVERY SYSTEM	02/05/81	RECEIVED	PO
CLACKAMAS	754	GLOBE UNION-CANBY	DUCTING FOR VENT OF STACKERS	05/11/81	RECEIVED	RO
MULTNOMAH	752	ESCO CORPORATION PLANT 3	BAGHOUSE INSTALLATION	05/11/81	RECEIVED	RO
JACKSON	776	KOGAP MANUFACTURING	EUFLEY SCRUBBER	07/16/81	POST AD INFO	RO
MALHEUR	737	ONTARIO RENDERING CO	EXIST. WATER SCRUBBER INSTAL	08/06/81	POST AD INFO	PO
CLACKAMAS	805	OREGON PORTLAND CEMENT	CLINKER UNLOAD FACILITY	11/25/81	RECEIVED	RO
LANE	802	WEYERHAEUSER CO. PPRPRD M	OPACITY MONITORS	12/18/81	RECEIVED	RO
MULTNOMAH	809	ESCO CORPORATION PLANT 1	ADDTL HOODING 2 CONT. SYS	12/24/81	POST AD INFO	RO
MULTNOMAH	810	PRECISION CAST PARTS	FOUNDRY EXPANSION	01/03/82	RECEIVED	PO
MULTNOMAH	816	CONTINENTAL CAN CO USA	WASTE SOLVENT FLASH VAPOFIZE	02/22/82	RECEIVED	RO
LANE	820	WEYERHAEUSER CO. PPRPRD M	2ND STAGE BLOW HEAT CONDENSER	03/16/82	RECEIVED	RO
LINN	822	TELETYPE WAH CHANG	ELECTROSTATIC PRECIPITATOR	03/16/82	RECEIVED	PO
UMATILLA	821	TRUMBULL ORCHARDS	WIND MACHINE	03/17/82	RECEIVED	PO
JACKSON	823	BOISE CASCADE CORP	REPL EXIST MECH CONVEY SYS	03/25/82	RECEIVED	PO
LANE	825	WESTRIDGE PLYWOOD CO	WET SCRUBBER FOR VENEER DRY	04/01/82	RECEIVED	PO
LINN	824	WILLAMETTE INDUSTRIES	RECIRCULATION CHAMBER	04/07/82	POST AD INFO	RO
PORT. SOURCE	826	WESTERN SURFACING, INC.	SPRAY CHMR, CYC WASH 3 FAN	04/16/82	RECEIVED	RO

TOTAL NUMBER QUICK LOOK REPORT LINES 29

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

April, 1982
(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			
<u>Direct Sources</u>							
New	1	27	0	20	16		
Existing	0	15	0	18	16		
Renewals	2	98	1	82	64		
Modifications	<u>4</u>	<u>19</u>	<u>5</u>	<u>34</u>	<u>11</u>		
Total	7	159	6	154	107	1873	1905
<u>Indirect Sources</u>							
New	1	10	1	10	3		
Existing	0	0	0	0	0		
Renewals	0	0	0	0	0		
Modifications	<u>0</u>	<u>3</u>	<u>0</u>	<u>3</u>	<u>0</u>		
Total	1	13	1	13	3	200	203
<u>GRAND TOTALS</u>	8	172	7	167	110	2073	2108

Number of
Pending Permits

Comments

13	To be drafted by Northwest Region
3	To be drafted by Willamette Valley Region
1	To be drafted by Southwest Region
3	To be drafted by Central Region
1	To be drafted by Eastern Region
22	To be drafted by Program Planning Division
26	To be drafted by Program Operations
18	Awaiting Public Notice
<u>20</u>	Awaiting the end of the 30-day period
107	TOTAL

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

Indirect Source

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action
Washington	Main Street 990 Spaces File NO. 34-8202	04/22/82	Final Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIRECT SOURCES - PERMIT APPLICATIONS PENDING SECTION

STATUS ABBREVIATIONS

APPL SUB - RO - Application Submitted to Regional Office for Permit Drafting.
APPL SUB - PO - Application Submitted to Program Operations for Permit Drafting.
APPL SUB - PP & DA - Application Submitted to Program Planning and Development for Permit Drafting.
PMT DRFTD - NPN - Permit Drafted - Waiting for Next Public Notice Issue.
PUB NOT ISSUED - Proposed Permit on Public Notice and Applicant Review.

TYPE OF APPLICATION ABBREVIATIONS

EXT - Existing Source
NEW - New Source
RNW - Renewal Source
MOD - Modified Source

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
SENTON	OSU VETERINARY DIAG LAB	02	2524	11/25/82	PMT DRFTD-NPN	03/24/82 RNW
CLACKAMAS	SALVAGE SMELTERS	03	2662	01/07/82	PMT DRFTD-NPN	03/24/82 RNW
CLACKAMAS	METROPOLITAN SER. DISTRIC	03	2667	06/08/81	APPL SUB- PP&DA	/ / NEW
COLUMBIA	BOISE CASCADE PAPERS	05	1349	08/27/81	APPL SUB- PP&DA	10/19/81 MOD
COLUMBIA	NIEDERMEYER-MARTIN CO.	05	2579	12/19/80	APPL SUB- RO	/ / NEW
COOS	DAVENPORT CONCRETE	06	0084	02/22/82	PUB NOT ISSUEDP	03/17/82 EXT
COOS	TEPA INC.	06	0100	03/26/82	APPL SUB- RO	/ / RNW
DESCHUTES	WILLAMETTE INDUSTRIES	09	0002	03/03/82	APPL SUB- RO	/ / RNW
HOOD RIVER	CASCADE LOCKS LUMBER CO.	14	0005	01/18/82	APPL SUB- RO	/ / RNW
JACKSON	MEDFORD CORP.	15	0014	09/11/81	APPL SUB- PO	10/15/81 MOD
JACKSON	MINNESOTA MNG & MFG	15	0029	11/16/81	APPL SUB- PP&DA	/ / RNW
JACKSON	REICHOLD CHEMICALS	15	0041	04/11/79	PUB NOT ISSUEDP	08/01/81 RNW
JACKSON	MEDFORD CORP	15	0048	04/09/81	PMT DRFTD-NPN	03/29/82 RNW
JACKSON	GRANGE COOP SUPPLY ASSN.	15	0166	09/22/81	APPL SUB- PO	/ / NEW
JACKSON	HAWK OIL COMPANY	15	0171	09/10/81	APPL SUB- PO	/ / NEW
JOSEPHINE	MILLER REDWOOD CO.	17	0023	01/13/82	PMT DRFTD-NPN	03/30/82 PNW
KLAMATH	WEYERHAEUSER COMPANY	13	0013	06/30/81	APPL SUB- RO	/ / RNW
LAKE	LOUISIANA PACIFIC CORP	19	0002	10/27/81	PMT DRFTD-NPN	02/22/82 RNW
LINN	OREMET	22	0328	04/01/82	PMT DRFTD-NPN	04/12/82 MOD
LINN	R. VEAL & SON	22	1506	11/16/81	APPL SUB- RO	/ / RNW
LINN	WILLAMETTE INDUSTRIES	22	5205	12/08/81	PUB NOT ISSUEDP	04/01/82 RNW
LINN	LYONS VENEER	22	6008	09/11/81	PUB NOT ISSUEDP	10/16/81 NEW
MARION	NATIONAL WOOD INDUSTRIES	24	0023	01/29/82	PMT DRFTD-NPN	03/08/82 RNW
MARION	STAYTON CANNING CO	24	1010	10/22/81	PMT DRFTD-NPN	04/13/82 RNW
MARION	STAYTON CANNING COOP	24	1011	10/22/81	PMT DRFTD-NPN	04/13/82 RNW
MARION	HUMANE SOCIETY	24	2327	10/22/81	PMT DRFTD-NPN	04/05/82 RNW
MARION	SALEM HOSPITAL GENERAL UN	24	2331	12/22/81	PUB NOT ISSUEDP	04/01/82 RNW
MARION	MENNIS OIL CO INC	24	4984	09/29/81	APPL SUB- PO	/ / NEW
MARION	MERRITT TPUAX OIL CO	24	5323	08/14/81	APPL SUB- PO	/ / RNW
MARION	SALEM MEMORIAL HOSPITAL	24	5404	12/22/81	APPL SUB- RO	/ / RNW
MARION	OREGON STATE DEAF SCHOOL	24	5508	06/30/81	PMT DRFTD-NPN	04/13/82 RNW
MARION	OVERHEAD DOOR CORPORATION	24	5821	11/25/81	APPL SUB- RO	/ / RNW
MARION	STAYTON CANNING	24	7067	10/22/81	PUB NOT ISSUEDP	04/01/82 RNW
MULTNOMAH	TIME OIL CO.	26	1686	03/29/82	APPL SUB- RO	/ / NEW
MULTNOMAH	TRUMBULL ASPHALT	26	1815	03/04/82	APPL SUB- RO	/ / PNW
MULTNOMAH	OREGON STEEL MILLS	26	1825	09/29/81	APPL SUB- PP&DA	/ / MOD
MULTNOMAH	OWENS-ILLINOIS	26	1876	06/10/81	PUB NOT ISSUEDP	10/02/81 RNW
MULTNOMAH	SAKRETE OF PACIFIC NW. IN	26	1947	01/22/82	APPL SUB- RO	/ / EXT
MULTNOMAH	KAISER CEMENT CORP	26	1995	02/18/82	PMT DRFTD-NPN	04/02/82 NEW
MULTNOMAH	CARGILL CO INC	26	2009	07/08/81	PUB NOT ISSUEDP	04/01/82 RNW
MULTNOMAH	UNION OIL OF CALIFORNIA	26	2026	02/09/82	PMT DRFTD-NPN	03/01/82 EXT
MULTNOMAH	CHEVRON USA, INC.	26	2027	04/02/82	APPL SUB- PP&DA	/ / MOD
MULTNOMAH	SHELL OIL COMPANY	26	2028	01/27/82	APPL SUB- PP&DA	/ / NEW
MULTNOMAH	MOBIL OIL CORP	26	2029	02/17/81	APPL SUB- PP&DA	01/13/82 NEW
MULTNOMAH	OWENS-CORNING FIBERGLAS	26	2044	03/02/82	APPL SUB- RO	/ / RNW
MULTNOMAH	FREIGHTLINER CORP	26	2197	12/21/81	APPL SUB- PP&DA	/ / MOD
MULTNOMAH	CONTINENTAL CAN CO USA	26	2332	10/19/81	APPL SUB- PP&DA	/ / EXT

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION
MULTNOMAH	PORTLAND WILLAMETTE CO	26	2435 03/03/82	APPL SUB- PP&DA	/ /	MOD
MULTNOMAH	VOLNEY FELT MILLS	26	2472 12/30/81	APPL SUB- RO	/ /	RNW
MULTNOMAH	PORTLAND WIRE & IRON WKS	26	2485 06/01/81	APPL SUB- PP&DA	/ /	EXT
MULTNOMAH	W R SPACE & CO CONSTR DIV	26	2530 11/20/81	PMT DRFTD-NPN	01/18/82	MOD
MULTNOMAH	REIMANN AND MCKENNEY INC	26	2572 09/18/81	APPL SUB- PP&DA	/ /	RNW
MULTNOMAH	BINGHAM-WILLAMETTE CO	26	2749 10/20/81	APPL SUB- PP&DA	/ /	MOD
MULTNOMAH	CROWN ZELLERBACH PKG DIV	26	2777 09/16/81	PMT DRFTD-NPN	04/15/82	MOD
MULTNOMAH	FMC CORP MARINE AND RAIL	26	2944 01/13/82	APPL SUB- PP&DA	/ /	EXT
MULTNOMAH	WILLAMETTE WESTERN CORP	26	2965 04/16/82	APPL SUB- RO	/ /	RNW
MULTNOMAH	PORTLAND TERMINALS, INC.	26	2966 12/21/81	APPL SUB- PP&DA	/ /	RNW
MULTNOMAH	BIRKENWALD SYSTEMS INC	26	3030 09/22/81	APPL SUB- PP&DA	/ /	EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3035 10/27/81	APPL SUB- PP&DA	/ /	EXT
MULTNOMAH	AKCOAT	26	3036 06/29/81	APPL SUB- PP&DA	/ /	EXT
MULTNOMAH	WAGNER MINING EQUIPMENT	26	3039 07/09/81	APPL SUB- RO	/ /	EXT
MULTNOMAH	MARTIN MARIETTA ALUMINUM	26	3067 00/00/00	PUB NOT ISSUEDP	10/02/81	NEW
MULTNOMAH	OLYMPIC PIPE LINE CO.	26	3072 12/21/81	PUB NOT ISSUEDP	03/17/82	NEW
MULTNOMAH	CARSON OIL CO	26	3079 11/18/81	APPL SUB- PO	/ /	EXT
MULTNOMAH	MEYERS DRUM COMPANY	26	3093 10/27/81	APPL SUB- PP&DA	/ /	EXT
POLK	MT FIR LUMBER CO	27	4080 02/28/82	PUB NOT ISSUEDP	04/01/82	RNW
POLK	AGRIPAC INC	27	9009 12/07/81	PUB NOT ISSUEDP	04/01/82	RNW
UNION	PEACOCK LUMBER CO.	31	0005 01/27/82	APPL SUB- RO	/ /	RNW
UNION	HOFF-RONDE VALLEY LUMBER	31	0013 12/14/81	PMT DRFTD-NPN	04/01/82	RNW
WASCO	JH BAXTER & CO	33	0003 01/15/82	PMT DRFTD-NPN	04/01/82	RNW
WASCO	THE DALLES GENERAL HOSPT	33	0021 02/09/82	PUB NOT ISSUEDP	03/17/82	RNW
WASHINGTON	OREGON ROSES, INC	34	2633 11/16/81	APPL SUB- RO	/ /	RNW
WASHINGTON	TEKTRONIX INC	34	2639 03/03/82	APPL SUB- RO	/ /	MOD
WASHINGTON	OREGON ROSES	34	2641 11/06/81	APPL SUB- RO	/ /	RNW
WASHINGTON	J PETERKORP & CO	34	2644 01/13/82	APPL SUB- RO	/ /	RNW
WASHINGTON	COAST VENDING MACHINE CO.	34	2645 03/16/82	APPL SUB- RO	/ /	RNW
WASHINGTON	BRETTHAUER OIL CO. (UNION)	34	2652 12/21/81	APPL SUB- PO	/ /	EXT
WASHINGTON	METRO WEST OIL INC	34	2655 10/22/81	APPL SUB- PO	/ /	NEW
WASHINGTON	WADE MANUFACTURING CO	34	2667 09/18/81	APPL SUB- PP&DA	/ /	EXT
WASHINGTON	LEAR SIEGLER PEEPLESS DIV	34	2670 09/10/81	APPL SUB- PP&DA	/ /	EXT
WASHINGTON	PACIFIC FIREPLACE FURNISH	34	2676 06/05/81	APPL SUB- PP&DA	/ /	EXT
YAMHILL	CRABTREE ROCK CO	36	3001 02/09/82	PUB NOT ISSUEDP	03/17/82	RNW
YAMHILL	C.C. MEISEL CO INC	36	5088 10/07/81	PMT DRFTD-NPN	11/30/81	RNW
PORT.SOURCE	WILDISH MEDFORD CO.	37	0010 03/03/82	APPL SUB- PO	/ /	RNW
PORT.SOURCE	BAKER BEDI-MIX, INC.	37	0020 11/18/81	APPL SUB- PO	/ /	RNW
PORT.SOURCE	DESCHUTES READY MIX'S & G	37	0026 01/13/82	APPL SUB- PO	/ /	RNW
PORT.SOURCE	TILLAMOOK CNTY RD DP	37	0034 10/27/81	APPL SUB- PO	/ /	RNW
PORT.SOURCE	WESTERN SURFACING, INC.	37	0047 12/16/81	PMT DRFTD-NPN	03/15/82	RNW
PORT.SOURCE	TIDEWATER CONTRACTORS INC	37	0053 11/16/81	APPL SUB- PO	/ /	RNW
PORT.SOURCE	AMERICAN ASPHALT PAVING	37	0078 11/16/81	APPL SUB- PO	/ /	RNW
PORT.SOURCE	PETER KIEWIT SON'S CO	37	0095 10/19/81	PUB NOT ISSUEDP	02/15/82	RNW
PORT.SOURCE	OREGON STATE HWY DIVISION	37	0099 10/27/81	APPL SUB- PO	/ /	RNW
PORT.SOURCE	GRANT I SHARP CO	37	0399 12/05/80	APPL SUB- PO	/ /	RNW
PORT.SOURCE	KINCHELOE & SONS INC	37	0146 12/16/81	APPL SUB- PO	/ /	RNW

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MONTHLY ACTIVITY REPORT
DIRECT SOURCES
PERMITS PENDING

COUNTY	SOURCE	PERMIT NUMBER	APPL. RECEIVED	STATUS	DATE ACHIEVED	TYPE OF APPLICATION	
PORT.SOURCE	BAKER COUNTY ROAD DEPT.	37 0152	01/27/82	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	SUPERIOR ASPHALT & CONCRE	37 0166	01/07/82	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	J C COMPTON CO	37 0173	10/19/81	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	REID-WOLF INC	37 0183	11/30/81	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	QUALITY ASPHALT PAVING	37 0195	12/30/81	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	JOHNSON ROCK PRODUCTS INC	37 0201	12/07/81	PUB NOT ISSUEDP	02/15/82	RNW	
PORT.SOURCE	R.L. COATS	37 0207	01/13/82	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	DESCHUTES READY MIX S & G	37 0220	01/13/82	APPL SUB- PO	/ /	RNW	
PORT.SOURCE	WILDISH MEDFORD S & G CO.	37 0250	10/22/81	PUB NOT ISSUEDP	01/04/82	RNW	
PORT.SOURCE	TIDEWATER CONTRACTORS INC	37 0277	02/19/82	PUB NOT ISSUEDP	/ /	RNW	
PORT.SOURCE	SOUTHERN OREGON CONCRETE	37 0284	01/13/82	APPL SUB- PO	/ /	NEW	
PORT.SOURCE	CARSON CRUSHING CO	37 0285	02/22/82	PUB NOT ISSUEDP	03/17/82	NEW	
PORT.SOURCE	AMEADA MINING & CONST CO'S	37 0286	02/17/82	PUB NOT ISSUEDP	03/17/82	NEW	
TOTAL NUMBER QUICK LOOK REPORT LINES			107				

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Air Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS PENDING

* County	* Name of Source/Project	* Date of	* Date of	* Type
* /Site and Type of Same	* Initial	* Completed	* of Action	* Action
* Action	* Action	* Action	* and Status	* Action
* *	* *	* *	* *	* *

Indirect Sources

Marion	Douglas McKay High School, 342 Spaces File No. 24-8001	01/01/78		Additional Information Requested
Multnomah	Columbia Square Office Complex 240 Spaces File No. 26-7018	09/07/77		Additional Information Requested
Marion	Village East Shopping Center 995 Spaces File No. 24-8203	04/01/82	04/20/82	Proposed Permit Issued

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division	April 1982
(Reporting Unit)	(Month and Year)

PLAN ACTIONS COMPLETED 19

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*

INDUSTRIAL WASTE SOURCES 3

Linn	Teledyne Wah Chang Computer to Integrate Waste Treatment Plant Operations	4-14-82	Approved	
Clackamas	Western Surfacing Brightwood, Modifying Settling/Recirculation Pond	4-26-82	Approved	
Wasco	Stadelman Fruit The Dalles, Modifications to Treatment System (Curtains, Neutralization, and Water Recycle)	4-29-82	Approved	

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division

(Reporting Unit)

April, 1982

(Month and Year)

PLAN ACTIONS COMPLETED 19

* County	* Name of Source/Project	* Date of	* Action	*
*	*/Site and Type of Same	* Action	*	*
*	*	*	*	*

MUNICIPAL WASTE SOURCES - 16

Lane	City of Springfield Commercial Park Sanitary Pump Station	4-7-82	PA
Marion	Forest Glen RV Park Septic tank construction and installation plans	4-13-82	PA
Benton	North Monroe Health Hazard Area	4-14-82	PA
Benton	Monroe Sewers Replacement and Lining	4-14-82	PA
Multnomah	Columbia 205 Comm. Parks Pump station plans	4-15-82	PA
Tillamook	Burton's Inn Motel Sisters	4-26-82	Verbal Comments to CRO
Clackamas	Molalla Bypass Pump Sta.	4-26-82	Review Comments to N.W. Region
Benton	Sanitary Sewer Corvallis	4-27-82	PA

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PLAN ACTIONS COMPLETED 19

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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MUNICIPAL WASTE SOURCES (cont'd.)

Crook	Hanne Street San. Sewer Prineville	4-30-82	PA	
Clackamas	City of Lake Oswego LID 204 Chander PL Sanitary Sewer Imp.	4-30-82	PA	
Clackamas	Patrol Street Extension Molalla	4-30-82	PA	
Jackson	Sausage Plant Extension Cave Junction	4-30-82	PA	
Wasco	1982 Street & Sewer Project No. 1 The Dalles	5-03-82	PA	
Wasco	Old Dufer Rd. SS Project The Dalles	5-03-82	PA	
Wasco	Lorenzen St. - Westerly from West 10th The Dalles	5-03-82	PA	
Clackamas	Timberline Rim Connection Hoodland Service District	5-03-82	PA	

PA = Provisional Approval

MAR.3 (5/79) WG1556

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April 1982
(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.			
	* / **	* / **	* / **	* / **	* / **	* / **	* / **
<u>Municipal</u>							
New	0 / 3	1 / 15	0 / 1	4 / 12	0 / 11		
Existing	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0		
Renewals	5 / 0	52 / 21	5 / 2	42 / 17	29 / 6		
Modifications	1 / 0	3 / 0	0 / 0	7 / 1	1 / 0		
Total	6 / 3	56 / 36	5 / 3	53 / 30	30 / 17	238/106	238/117
<u>Industrial</u>							
New	1 / 0	5 / 6	1 / 2	5 / 16	2 / 13		
Existing	0 / 0	0 / 0	0 / 0	0 / 0	0 / 1		
Renewals	1 / 2	56 / 24	1 / 2	27 / 21	41 / 18		
Modifications	4 / 0	14 / 0	3 / 0	15 / 2	2 / 0		
Total	6 / 2	75 / 30	5 / 4	48 / 39	45 / 32	369/177	371/191
<u>Agricultural (Hatcheries, Dairies, etc.)</u>							
New	0 / 0	1 / 0	0 / 0	0 / 0	1 / 0		
Existing	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0		
Renewals	0 / 0	1 / 0	0 / 0	2 / 0	0 / 0		
Modifications	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0		
Total	0 / 0	2 / 0	0 / 0	2 / 0	1 / 0	53/19	54/19
<u>GRAND TOTALS</u>	12 / 5	133 / 66	10 / 7	103 / 69	76 / 49	660/302	663/327

NOTE: 1/ One Ind. NPDES (R) transferred to WPCF.

2/ One Ind. WPCF (N) Issued a General Permit

* NPDES Permits
** State Permits

20 General Permits Issued this April 1982
222 General Permits Issued this Fiscal Year.

MAR.5W (8/79)

WL1599

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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MUNICIPAL AND INDUSTRIAL SOURCES - NPDES PERMITS (7)

Yamhill	Dundee STP	4/28/82	Permit Renewed
Marion	Gervais STP	4/2/82	" "
Lane	Pier Point Inn STP	4/2/82	" "
Umatilla	Union Pacific RR Hinkle	4/2/82	" "
Jackson	Gold Hill STP	4/16/82	" "
Baker	United Nuclear Corp. UNC Mining	4/16/82	Permit Issued
Marion	Woodburn STP	4/16/82	Permit Renewed

MUNICIPAL AND INDUSTRIAL SOURCES - STATE PERMITS (7)

Yamhill	Our Lady of Guadalupe Trappist Abbey, STP Carlton	4/2/82	Permit Renewed
Deschutes	Septic Tanks Bend	4/2/82	" "
Grant	William A. Bowes, Inc. Cougar Mine, Granite	4/16/82	" "
Marion	Donald STP	4/16/82	Permit Issued

MAR.6 (5/79)

WL1599.A

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*

MUNICIPAL AND INDUSTRIAL SOURCES - STATE PERMITS (Continued)

Jackson	Valley View Vineyard Jacksonville	4/16/82	Permit Renewed
Multnomah	Allied Plating, Inc. Portland	4/23/82	Permit Issued
Baker	DEKA, Ltd. Premet Mining Co.	4/23/82	" "

MUNICIPAL AND INDUSTRIAL SOURCES - MODIFICATIONS (3)

Linn	Willamette Industries Foster Division	4/12/82	Schedule B Change by Letter
Linn	Willamette Industries Griggs Division	4/12/82	" "
Linn	Willamette Industries Sweet Home Division	4/12/82	" "

MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (20)

Cooling Water Permit 0100-J, File 32539 (5)

Washington	Tektronix Inc. Beaverton	4/14/82	Issued General Permit
Washington	Tektronix, Inc. Walker Road	4/14/82	" "
Clackamas	Tektronix, Inc. Wilsonville	4/14/82	" "
Linn	Myrlin Deveraux Albany	4/19/82	" "
Coos	Tepa, Inc. Charleston	4/21/82	" "

MAR.6 (5/79)

WL1599.A

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action	*
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MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (Continued)

Filter Backwash Permit No. 0200-J, File No. 32540 (1)

Clackamas	Lake Oswego WTP 2685-J/48480	4/6/82	Transferred to General Permit
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Aquatic Animal Production - Permit No. 0300-J, File No. 32560 (6)

Multnomah	Oregon Dept. of F & W Bonneville 3195-J/64425	4/14/82	Transferred to General Permit
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Benton	Oregon Dept. of F & W Alsea 3208-J/64400	4/21/82	" "
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Jackson	Oregon Dept. of F & W Cole River 3333-J/64445	4/21/82	" "
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Lane	Oregon Dept. of F & W Leaburg 3135-J/64490	4/21/82	Transferred to General Permit
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Linn	Oregon Dept. of F & W Stayton 3201-J/645b5	4/21/82	" "
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Multnomah	Oregon Dept. of F & W Wahkeena 3192-J/64575	4/21/82	" "
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Small Mines - Permit No. 0600, File No. 34580 (3)

Josephine	Eureka Mining Cave Junction 2618/28410	4/6/82	Transferred to General Permit
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MAR.6 (5/79)

WL1599.A

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Water Quality Division
(Reporting Unit)

April, 1982
(Month and Year)

PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project	* Date of	* Action	*
*	* /Site and Type of Same	* Action	*	*
*	*	*	*	*

MUNICIPAL AND INDUSTRIAL SOURCES - GENERAL PERMITS (Continued)

Small Mines - Permit No. 0600, File No. 34580 (Continued)

Josephine	Ordell Ltd., Sucker Creek Cave Junction	4/6/82	Issued General Permit
Josephine	Ray Wolf, Sucker Creek Cave Junction 3137/98666	4/13/82	Transferred to General Permit

Portable Suction Dredges - Permit No. 0700-J, File No. 34547 (1)

Jackson	Larry Gunn Medford 8" Suction Dredge	3/31/82	Issued General Permit
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Seafood Processing - Permit 0900-J, File 32585 (3)

Lincoln	Alaska Packers Assoc. Newport 3177-J/1083	4/5/82	Transferred to General Permit
Lincoln	Oregon Coast Seafoods, Inc. Newport 3446-J/12170	4/7/82	" "
Coos	International Multifoods Bandon 2679-J/42000	4/13/82	" "

Gravel Mining - Permit 1000, File 32565 (1)

Marion	Abiqua Rock Products Co. Mt. Angel	4/12/82	Issued General Permit
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DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

April 1982
(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			
<u>General Refuse</u>							
New	1	19	1	12	4		
Existing	-	2	-	5	-		
Renewals	2	83	-	73	15		
Modifications	1	11	-	24	1		
Total	4	115	1	114	20	166	166
<u>Demolition</u>							
New	-	4	-	8	2		
Existing	-	2	-	-	-		
Renewals	-	5	-	7	-		
Modifications	-	2	-	4	-		
Total	-	13	-	19	2	21	21
<u>Industrial</u>							
New	1	18	-	17	5		
Existing	-	7	-	-	-		
Renewals	1	40	-	47	12		
Modifications	-	4	-	5	-		
Total	2	69	-	69	17	101	101
<u>Sludge Disposal</u>							
New	-	5	-	6	-		
Existing	-	-	-	1	-		
Renewals	-	6	-	5	1		
Modifications	-	1	-	2	-		
Total	-	12	-	14	1	15	15
<u>Hazardous Waste</u>							
New	32	757	32	757	-		
Authorizations	-	-	-	-	-		
Renewals	-	-	-	-	-		
Modifications	-	-	-	-	-		
Total	32	757	32	757	-	1	1
<u>GRAND TOTALS</u>							
	38	966	33	973	40	304	304

SC462.A
MAR.5S (4/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division (Reporting Unit)	April 1982 (Month and Year)
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PERMIT ACTIONS COMPLETED

* County	* Name of Source/Project * /Site and Type of Same	* Date of * Action	* Action
Grant	Dayville New Site	4/7/82	Permit Issued

SC462.D
MAR.6 (5/79)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Solid Waste Division
(Reporting Unit)

April 1982
(Month and Year)

HAZARDOUS WASTE DISPOSAL REQUESTS

CHEM-SECURITY SYSTEMS, INC., GILLIAM CO.

WASTE DESCRIPTION

* Date *	Type	Source	Present	Quantity Future (Annual)
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DISPOSAL REQUESTS GRANTED (32)

OREGON (11)

3/25	Ferrous sulfide sludge	Airplane mfg.	0	2000 cu.yd.
3/30	Mixed ignitable solvents	Electronics	0	30,000 gal.
3/30	PCB capacitors	Utility	0	804 lb.
4/6	Battery acid	Battery reclamation	0	1.5 mil. gal.
4/8	Paint	State agency	0	56 drums
4/8	Caustic liquid	Asphalt mfg.	0	6 drums
4/12	Reactive salts	Metal reductn.	0	750 cu.yd.
4/13	Reactive sludge	Metal reductn.	0	120 tons
4/16	Ignitable solvents	Truck mfg.	0	300 gal.
4/16	Ignitable solvents	Transfrm. mfg.	13 drums	13 drums
4/28	Acid-impregnated wood	Construction debris	30 cu.yd.	0

WASHINGTON (11)

3/30	Toluene diisocyanate	Chemical mfg.	3 drums	0
3/30	Asbestos/paint	Foundry	0	24 drums

SC462.E
MAR.15 (1/82)

* * *	* * *	* * *	* * *	* * *	* * *	* * *
Date	Type	Source	Present	Quantity	Future	(Annual)
3/30	PCB-contam. concrete	Foundry	2 drums	0		
4/7	PCB liquid	Utility	0	1000 gal.		
4/8	Resin solids	Plastic equip. mfg.	0	160 drums		
4/8	Paint sludge	Paint mfg.	0	1800 gal.		
4/8	Still bottoms	Ammonia mfg.	0	50 drums		
4/8	Caustic cleaning solu.	Shipbuilder	0	18,000 gal.		
4/28	Still bottoms	Petrochemical	0	160 drums		
4/28	Misc. chemicals	Shipyards	41 drums	2100 drums		
4/28	PCB capacitors	Electrical contractor	0	600 lb.		
OTHER STATES (10)						
3/25	PCB liquid (ID)	Paper mill	0	500 gal.		
3/30	Arsenic-contaminated materials (ID)	Electronics	0	4 drums		
3/30	PCB-contaminated debris (UT)	Chemical mfg.	0	25 drums		
4/1	PCB equipment and contaminated material (several NW states)	Fed. agency	0	520,000 lb.		
4/1	PCB equipment and contaminated material (ND & SD)	Fed. agency	154,000 lb.	0		
4/7	Gas tank bottoms sludge (AK)	Oil co.	7 drums	0		
4/8	Organochloride solids (UT)	Chemical mfg.	0	200 drums		
4/8	Organochloride liquids (UT)	Chemical mfg.	0	78 drums		
4/16	Hypochlorite cleaning liquid (WY)	Chemical mfg.	12 drums	4 drums		
4/27	Misc. herbicides (Sask)	Plant closure	55 drums	0		

SC462.E
MAR.15 (1/82)

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program (Reporting Unit)	April, 1982 (Month and Year)
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SUMMARY OF NOISE CONTROL ACTIONS

<u>Source Category</u>	New Actions Initiated		Final Actions Completed		Actions Pending	
	<u>Mo</u>	<u>FY</u>	<u>Mo</u>	<u>FY</u>	<u>Mo</u>	<u>Last Mo</u>
	Industrial/ Commercial	8	36	3	13	100	95
Airports	0	0	2	11	1	1
Total	8	36	5	24	101	96

DEPARTMENT OF ENVIRONMENTAL QUALITY

MONTHLY ACTIVITY REPORT

Noise Control Program	April, 1982
(Reporting Unit)	(Month and Year)

FINAL NOISE CONTROL ACTIONS COMPLETED

County	*	Name of Source and Location	*	Date	*	Action
Malheur		Holton Airstrip		04/22/82		Boundary Approved
Klamath		Juniper Hills Airport		05/06/82		Boundary Approved

CIVIL PENALTY ASSESSMENTS
DEPARTMENT OF ENVIRONMENTAL QUALITY
1982

CIVIL PENALTIES ASSESSED DURING MONTH OF APRIL, 1982:

<u>Name and Location of Violation</u>	<u>Case No. & Type of Violation</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Status</u>
McInnis Enterprises, Ltd. dba/Shultz Sanitation Multnomah County	AQOB-NWR-82-24 Open burned commercial waste and prohibited materials.	4-7-82	\$100	Defaulted.

<u>ACTIONS</u>	<u>LAST MONTH</u>	<u>PRESENT</u>
Preliminary Issues	4	3
Discovery	0	0
Settlement Action	4	0
Hearing to be scheduled	8	7
Hearing scheduled	2	3
HO's Decision Due	1	2
Briefing	0	0
Inactive	2	2
SUBTOTAL of Active Files	<u>21</u>	<u>17</u>
HO's Decision Out/Option for EQC Appeal	3	3
Appealed to EQC	0	1
EQC Appeal Complete/Option for Court Review	1	0
Court Review Option Pending or Taken	1	0
Case Closed	0	5
TOTAL Cases	<u>26</u>	<u>26</u>

15-AQ-NWR-76-178 15th Hearing Section case in 1976 involving Air Quality Division violation in Northwest Region jurisdiction in 1976; 178th enforcement action in Northwest Region in 1976.

ACDP Air Contaminant Discharge Permit
AQ Air Quality
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 Enforcement Section requests Hearing Section schedule a hearing
VAK Van Kollias, Enforcement Section
LMS Larry Schurr, Enforcement 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
OSS On-Site Sewage
P Litigation over permit or its conditions
Prtys All parties involved
Rem Order Remedial Action Order
Resp Code Source of next expected activity in case
SW Solid Waste Division
SWR Southwest Region
T Litigation over tax credit matter
Transcr Transcript being made of case
Underlining New status or new case since last month's contested case log
WVR Willamette Valley Region
WQ Water Quality Division

April 1982

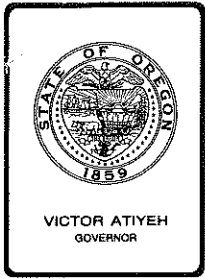
DEQ/BQC Contested Case Log

Pet/Resp Name	Hrng Rqst	Hrng Rfrl	DEQ Atty	Hrng Date	Resp Code	Case Type & No.	Case Status
POWELL, Ronald	11/77	11/77	RLH	01/23/80	Resp	\$10,000 Fld Brn 12-AQ-MWR-77-241	<u>Deadline for filing exceptions & brief for BQC review extended to 6/7/82.</u>
WAH CHANG	04/78	04/78	RLH		Prtys	16-P-WQ-WVR-78-2849-J NPDES Permit Modification	Current permit in force. Hearing deferred.
WAH CHANG	04/78	04/78	RLH		Prtys	08-P-WQ-WVR-78-2012-J NPDES Permit Modification	Current permit in force. Hearing deferred.
M/V TOYOTA MARU No. 10	12/10/79	12/12/79	RLH		Hrgs	17-WQ-NWR-79-127 Oil Spill Civil Penalty of \$5,000	Ruling due on requests for partial summary judgment.
LAND RECLAMATION, INC., et al	12/12/79	12/14/79	FWO	05/16/80	Resp	19-P-SW-329-NWR-79 Permit Denial	Permit denial affirmed by Ct. of A. 3/11/82.
MEDFORD CORPORATION	02/25/80	02/29/80		05/16/80	Resp	07-AQ-SWR-80 Request for Declaratory Ruling	<u>Hearing Officer's order of dismissal issued 4/15/82.</u>
MORRIS, Robert	11/10/80	11/14/80	RLH		Prtys	31-SS-CR-80 Permit revocation	<u>Hearing Officer's order of dismissal issued 4/19/82.</u>
HAYWORTH, John W. dba/HAYWORTH FARMS INC.	12/02/80	12/08/80	LMS	04/28/81	Hrgs	33-AQ-WVR-80-187 Field burning civil penalty of \$4,660	Decision due.
HOPPER, Harold	12/09/80	12/09/80	RLH		Resp	36-SS-NWR-80-197 Permit revocation	Dept. filed objections to amended notice 3/4/82.
JENSEN, Geri F. dba/JENSEN-SEEB & GRAIN INC.	12/19/80	12/24/80	GLR	04/16/81	Resp	37-AQ-WVR-80-181 Field-burning-civil penalty-of-\$4,000	No-court-appeal.--Case closed--5/10/82.
CURL, James H., et al	02/09/81	02/12/81			Prtys	07-SS-CR-81 Request for Declaratory Ruling	<u>Hearing Officer's order of dismissal issued 4/27/82.</u>
OREGON SHORES	02/11/81	03/09/81	RLH		Hrgs	09-WQ-NWR-81	No-appeal.--Case-closed.
MAIN ROCK PRODUCTS, INC	03/11/81	03/16/81	VAK		Prtys	18-WQ-SWR-81-16 Water-Quality-civil penalty-of-\$6,000	Dismissed-by-stipulated order--4/16/82.
MEADY, Mel	04/04/81	04/08/81	LMS		Prtys	13-SS-SWR-81-25 14-SS-SWR-81-26 Subsurface-sewage permit-denial	No-appeal.--Case-closed.
FULLEN, Arthur W. dba/Lakes Mobile Home Park	07/15/81	07/15/81	<u>RLH</u>		Hrgs	16-WQ-CR-81-60	To be scheduled.
WESTERN SURFACING, INC.	09/09/81	09/09/81	LMS	05/25/82	Prtys	18-AQ-NWR-81-79	Hearing scheduled 5/25/82.
FRANK, Victor	09/23/81	09/23/81	<u>LMS</u>	<u>06/08/82</u>	<u>Prtys</u>	19-AQ-FB-81-05 FB civil penalty of \$1,000	<u>Hearing scheduled.</u>
GREEN, Douglas	09/28/81	10/07/81	LMS	04/13/82	<u>Hrgs</u>	20-AQ-FB-81-03 FB Civil Penalty of \$1,000	<u>Post hearing argument 4/23/82.</u>
GATES, Clifford	10/06/81		<u>LMS</u>		Hrgs	21-SS-SWR-81-90	To be scheduled.
LANGDON, George	10/13/81		<u>VAK</u>	<u>06/01/82</u>	<u>Prtys</u>	22-AQ-FB-81-04	<u>Hearing scheduled.</u>
SPERLING, Wendell dba/Sperling Farms	11/25/81	11/25/81	<u>LMS</u>		Hrgs	23-AQ-FB-81-15 FB Civil Penalty of \$3,000	To be scheduled.
DeRAEVE, Marvin	12/11/81	12/10/81	LMS		Prtys	25-AQ-FB-81-17 FB Civil Penalty of \$3,000.	To be scheduled.

April 1982

DEQ/EQC Contested Case Log

<u>Pet/Resp Name</u>	<u>Hrng Rqst</u>	<u>Hrng Rfrri</u>	<u>DEQ Atty</u>	<u>Hrng Date</u>	<u>Resp Code</u>	<u>Case Type & No.</u>	<u>Case Status</u>
NOFZIGER, Leo	12/15/81	01/06/82	LMS		Hrgs	26-AQ-FB-81-18 FB Civil Penalty of \$1,500.	To be scheduled.
OLD MILL MARINA		03/04/82	LMS		Hrgs	27-AQOB-NWR-82-01 Open Burning Civil Penalty	<u>To be scheduled.</u>
FULLEN, Arthur	03/16/82		<u>RLH</u>		Prtys	28-WQ-CR-82-16	Preliminary issues.
ANDERSON, Douglas	04/03/82		<u>VAK</u>		Prtys	29-AQOB-NWR-82-23	<u>To be scheduled.</u>



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, June 11, 1982, EQC Meeting

TAX CREDIT APPLICATIONS

Director's Recommendation

It is recommended the Commission take the following actions:

1. Issue Pollution Control Facility Certificates to:

<u>Appl No.</u>	<u>Applicant</u>	<u>Facility</u>
T-1463	Chembond Corporation	Storage tank manway and associated equipment
T-1474	#1 Boardman Station	Boiler bottom ash handling facility
T-1503	International Paper Co.	Rader SandAir filter and associated equipment
T-1506	Southwest Forest Ind., Inc.	Wet scrubber system
T-1507	Southwest Forest Ind., Inc.	Wet scrubber system
T-1508	Southwest Forest Ind., Inc.	Wet scrubber system
T-1509	Southwest Forest Ind., Inc.	Wet scrubber system
T-1510	Southwest Forest Ind., Inc.	Wet scrubber system
T-1516	Reynolds Metals Company	Oil/water separation facility
T-1526	Weyerhaeuser Company	2 Floating aerators and electrical supply lines

2. Deny Pollution Control Facility Certificates to Time Oil Company, applications T-1142 and T-1172 (see attached review reports).
3. Revoke Pollution Control Facility Certificate T-1317 issued to Columbia Plywood Corporation in the amount of \$1,272,924.72 and reissue in in the amount of \$1,438,037.46 to reflect a change in certified costs (see attached review report).
4. Revoke 27 Pollution Control Facility Certificates issued to Menasha Corporation and reissue them to Weyerhaeuser West Coast Inc. (see attached review report).

Bill

William H. Young



Contains
Recycled
Materials

DEQ-46

CASplettstaszer
229-6484
5/29/82
Attachments

PROPOSED JUNE 1982 TOTALS

Air Quality	\$ 3,038,222
Water Quality	6,981,070
Solid/Hazardous Waste	3,636
Noise	<u>-0-</u>
	\$10,022,928

CALENDAR YEAR TOTALS TO DATE

Air Quality	\$ 2,905,109
Water Quality	35,969,625
Solid/Hazardous Waste	82,049
Noise	<u>40,216</u>
	\$38,996,999

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Chembond Corporation
475 North 28th Street
P.O. Box 270
Springfield, OR 97477

The applicant owns and operates a synthetic resin for plywood and particle board adhesives plant at Springfield, Oregon.

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 storage tank manway, a Mixmor Model HVS-5 agitator and the associated electrical equipment. This installation included a manway into the storage tank.

Request for Preliminary Certification for Tax Credit was made on April 10, 1981, and approved on July 30, 1981.

Construction was initiated on the claimed facility on June 8, 1981, completed on September 24, 1981, and the facility was placed into operation on September 24, 1981.

Facility Cost: \$3,636.81 (Accountant's Certification was provided).

3. Evaluation of Application

The facility consists of an agitator which is used to prevent the formation of a precipitate in the storage tank. This installation eliminated a requirement to landfill approximately 72,000 pounds of solid wastes annually. The solid precipitate is now held in suspension and becomes part of the urea-formaldehyde resin product. The recovered annual income from this facility is \$3,200.00 less \$363.68 annual operating costs. The resultant annual profit before taxes of \$2,836.32 provides a return on investment of 78%.

4. Summation

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

- b. As required by ORS 468.165, the facility was under construction on or after January 1, 1973, and
 - (1) The substantial purpose of the facility is to utilize material that would otherwise be solid waste, by mechanical process; to prevent loss as a precipitate.
 - (2) The end product of the utilization is a usable source of power or other item of real economic value;
 - (3) The end product of the utilization, other than a usable source of power, is competitive with an end product produced in another state; and
 - (4) The Oregon law regulating solid waste imposes standards at least substantially equivalent to the federal law.
- c. In addition, the Commission finds that:
 - (1) the Department has recommended the facility as the most efficient method of solid waste, hazardous waste, used oil control;
 - (2) the Department has recommended the facility as the most environmentally sound method of solid waste, hazardous waste, used oil control.
- d. The facility is necessary to satisfy the intents and purposes of ORS Chapter 459, 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 \$3,636.81 with 100 percent allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1463.

R. L. Brown:o
(503) 229-5157
May 17, 1982
S0958

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Number One Boardman Station
121 S.W. Salmon Street
Portland, OR 97204

The applicant owns and operates a coal-burning steam electric generating facility at Boardman.

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 boiler bottom ash handling facility consisting of two dewatering tanks, a surge tank, a settling tank, sumps, and pumps.

Request for Preliminary Certification for Tax Credit was made November 22, 1976. Construction was initiated on the claimed facility April 1978, completed April 1980, and the facility was placed into operation April 1980. Although the request for preliminary certification was submitted as required, the Department did not act upon it due to an oversight.

Facility Cost: \$6,936,586 (Accountant's Certification was provided).

3. Evaluation of Application

Boiler bottom ash is mixed with water in hoppers and slurried to a sump where it is pumped to one of two dewatering tanks. Water separated from the ash then flows to a settling tank for clarification. The clarified water is stored in a slurry tank where it is metered back to the ash hoppers for slurring. This project not only reduces water consumption, but also minimizes the potential for groundwater contamination by dewatering the ash prior to disposal. None of the equipment necessary to remove bottom ash from the boiler has been claimed in this application. There is no return on investment from this project.

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 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 \$6,936,586 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1474.

CKA:g
(503) 229-5325
WG1133

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

International Paper Company
Gardiner Plant
P.O. Box 43
Gardiner, OR 97441

The applicant owns and operates a plywood manufacturing plant at Gardiner.

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 Rader SandAir filter and associated equipment to reduce particulate air contaminant emissions from three veneer dryers at International Paper Company's Gardiner plant.

Request for Preliminary Certification for Tax Credit was made on February 22, 1979, and approved on April 3, 1979.

Construction was initiated on the claimed facility in April 1979, completed in June 1979, and the facility was placed into operation in June 1979.

Facility Cost: \$403,515.66 (Accountant's Certification was provided).

3. Evaluation of Application

The applicant's Air Contaminant Discharge permit required the source to meet air discharge emission standards for veneer dryers by no later than June 30, 1979.

The utilization of a wet sand filter for controlling particulate emissions from veneer dryers has been demonstrated as one of the effective viable techniques available. The installation has demonstrated compliance with two dryers on line. Because of temporary plant shut-down and required changes on the third dryer, the staff has not had an opportunity to observe the SandAir filter controlling emissions from all three dryers.

The primary purpose of the project is to accomplish air pollution control and there is no significant economic advantage, therefore, 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 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 \$403,515.66 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1503.

F.A. Skirvin:a
AA1990 (1)
(503) 229-6414
March 29, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Southwest Forest Industries, Inc.
Pacific Northwest Division
P.O. Box 82
Medford, OR 97501

The applicant owns and operates a plywood manufacturing facility (South Mill No. 1) at Albany.

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

2. Description of Claimed Facility

The facility described in this application is an ionic wet scrubber (Ceilcote IWS 500) system to control air emissions from veneer dryers.

Request for Preliminary Certification for Tax Credit was made on February 2, 1980 and approved on March 7, 1980.

Construction was initiated on the claimed facility on January 5, 1981, completed on August 15, 1981 and the facility was placed into operation on August 15, 1981.

Facility Cost: \$591,134.30 (Accountant's Certification was provided).

3. Evaluation of Application

Southwest Forest Industries operate two veneer dryers at their South Mill No. 1 plywood manufacturing plant located at Albany.

The dryers are direct wood fire heated. To achieve compliance with the State emission standards, the Company elected to install Ceilcote ionic wet scrubbers (IWS). Pilot testing had demonstrated that these units were capable of controlling both visible and mass emissions to the required standard. Other emission control systems were evaluated by the Company but were not considered as effective as the Ceilcote IWS on wood fired veneer dryers.

The control system (IWS) consists of a prescrubber, an ionizer, a charged particle scrubber, a fan and an exhaust stack. A recirculation tank with a residue skimmer supplies water to the

scrubbers. Metal insulated ducting connects the veneer dryers to the IWS.

The dryers have been source tested and demonstrated compliance with State emission standards.

There are no economic benefits from operation of the emission control system. The primary purpose of the project was to accomplish air pollution control, therefore 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 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 \$591,134.30 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1506.

F.A. Skirvin:a
AA2093 (1)
(503) 229-6414
May 4, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Southwest Forest Industries, Inc.
Pacific Northwest Division
P.O. Box 82
Medford, OR 97501

The applicant owns and operates a plywood manufacturing facility (North Mill No. 2) at Albany.

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

2. Description of Claimed Facility

The facility described in this application is an ionic wet scrubber system (Ceilcote IWS 500) to control air emissions from veneer dryers.

Request for Preliminary Certification for Tax Credit was made on July 3, 1979 and approved on July 13, 1979.

Construction was initiated on the claimed facility on January 5, 1981, completed on June 30, 1981 and was placed into operation on June 30, 1981.

Facility Cost: \$528,546.62 (Accountant's Certification was provided).

3. Evaluation of Application

Southwest Forest Industries operate two veneer dryers at their North Mill No. 2 plywood manufacturing plant located at Albany.

The dryers are direct wood fire heated. To achieve compliance with the State emission standards, the Company elected to install Ceilcote ionic wet scrubbers (IWS). Pilot testing had demonstrated that these units were capable of controlling both visible and mass emissions to the required standard. Other emission control systems were evaluated by the Company but were not considered as effective as the Ceilcote IWS on wood fired veneer dryers.

The control system (IWS) consists of a prescrubber, an ionizer, a charged particle scrubber, a fan and an exhaust stack. A recirculation tank with a residue skimmer supplies water to the

scrubbers. Metal insulated ducting connects the veneer dryers to the IWS.

The dryers have been source tested and demonstrated compliance with State emission standards.

There are no economic benefits from operation of the emission control system. The primary purpose of the project was to accomplish air pollution control, therefore 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 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 \$528,546.62 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1507.

F.A. Skirvin:a
AA2095 (1)
(503) 229-6414
May 6, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Southwest Forest Industries, Inc.
Pacific Northwest Division
P.O. Box 82
Medford, OR 97501

The applicant owns and operates a plywood manufacturing facility (Plant No. 3) at Grants Pass.

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

2. Description of Claimed Facility

The facility described in this application is an ionic wet scrubber system (Ceilcote IWS 500) to control air emissions from veneer dryers.

Request for Preliminary Certification for Tax Credit was made on February 7, 1980 and approved on February 22, 1980.

Construction was initiated on the claimed facility on January 5, 1981, completed on October 2, 1981 and placed into operation on October 2, 1981.

Facility Cost: \$555,966.07 (Accountant's Certification was provided).

3. Evaluation of Application

Southwest Forest Industries operate two veneer dryers at their No 3 plywood manufacturing plant located at Grants Pass.

The dryers are direct wood fire heated. To achieve compliance with the State emission standards, the Company elected to install Ceilcote ionic wet scrubbers (IWS). Pilot testing had demonstrated that these units were capable of controlling both visible and mass emissions to the required standard. Other emission control systems were evaluated by the Company but were not considered as effective as the Ceilcote IWS on wood fired veneer dryers.

The control system (IWS) consists of a prescrubber, an ionizer, a charged particle scrubber, a fan and an exhaust stack. A recirculation tank with a residue skimmer supplies water to the

scrubbers. Metal insulated ducting connects the veneer dryers to the IWS.

The dryers have been source tested and demonstrated compliance with State emission standards.

There are no economic benefits from operation of the emission control system. The primary purpose of the project was to accomplish air pollution control, therefore 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 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 \$555,996.07 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1508.

F.A. Skirvin:a
AA2096 (1)
(503) 229-6414
May 6, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Southwest Forest Industries, Inc.
Pacific Northwest Division
P.O. Box 82
Medford, OR 97501

The applicant owns and operates a plywood manufacturing facility (Plant No. 6) at White City.

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

2. Description of Claimed Facility

The facility described in this application is an ionic wet scrubber system (Ceilcote IWS 500) to control air emissions from veneer dryers.

Request for Preliminary Certification for Tax Credit was made on April 19, 1978 and approved on March 19, 1979.

Construction was initiated on the claimed facility on January 9, 1980, completed on October 15, 1980 and placed into operation on October 15, 1980.

Facility Cost: \$430,577.00 (Accountant's Certification was provided).

3. Evaluation of Application

Southwest Forest Industries operate two veneer dryers at their No. 6 plywood manufacturing plant located at White City.

The dryers are direct wood fire heated. To achieve compliance with the State emission standards, the Company elected to install Ceilcote ionic wet scrubbers (IWS). Pilot testing had demonstrated that these units were capable of controlling both visible and mass emissions to the required standard. Other emission control systems were evaluated by the Company but were not considered as effective as the Ceilcote IWS on wood fired veneer dryers.

The control system (IWS) consists of a prescrubber, an ionizer, a charged particle scrubber, a fan and an exhaust stack. A recirculation tank with a residue skimmer supplies water to the

scrubbers. Metal insulated ducting connects the veneer dryers to the IWS.

The dryers have been source tested and demonstrated compliance with State emission standards.

There are no economic benefits from operation of the emission control system. The primary purpose of the project was to accomplish air pollution control, therefore 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 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 \$430,577.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1509.

F.A. Skirvin:a
AA2097 (1)
(503) 229-6414
May 6, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Southwest Forest Industries, Inc.
Pacific Northwest Division
P.O. Box 82
Medford, OR 97501

The applicant owns and operates a plywood manufacturing facility (Plant No. 5) at White City.

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

2. Description of Claimed Facility

The facility described in this application is an ionic wet scrubber system (Ceilcote IWS 500) to control air emissions from veneer dryers.

Request for Preliminary Certification for Tax Credit was made on April 18, 1978, and approved on March 21, 1979.

Construction was initiated on the claimed facility on January 9, 1980, completed on December 15, 1980 and placed into operation on December 15, 1980.

Facility Cost: \$528,454.00 (Accountant's Certification was provided).

3. Evaluation of Application

Southwest Forest Industries operate three veneer dryers at their No. 5 plywood manufacturing plant located at White City.

The dryers are gas fire heated. To achieve compliance with the State emission standards, the Company elected to install Ceilcote ionic wet scrubbers (IWS). Pilot testing had demonstrated that these units were capable of controlling both visible and mass emissions to the required standard. Other emission control systems were evaluated by the Company but were not considered as effective as the Ceilcote IWS on wood fired veneer dryers. (They anticipated converting the heat source on these dryers to direct wood fired at a future time).

The control system (IWS) consists of a prescrubber, an ionizer, a charged particle scrubber, a fan and an exhaust stack. A recirculation tank with a residue skimmer supplies water to the scrubbers. Metal insulated ducting connects the veneer dryers to the IWS.

The dryers have been source tested and demonstrated compliance with State emission standards.

There are no economic benefits from operation of the emission control system. The primary purpose of the project was to accomplish air pollution control, therefore 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 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 \$528,454.00 with 80% or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1510.

F.A. Skirvin:a
AA2098 (1)
(503) 229-6414
May 6, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Reynolds Metals Company
Troutdale Reduction
6601 West Broad St.
Richmond, VA 23261

The applicant owns and operates an aluminum reduction operation at Troutdale.

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

2. Description of Claimed Facility

The facility described in this application is an oil/water separation facility consisting of:

- a. An aluminum baffle and underflow weir
- b. Concrete foundation
- c. An Oil Mop Model 4EE oil skimmer
- d. An electrical supply line, and
- e. Oil collection drums

Request for Preliminary Certification for Tax Credit was made October 9, 1980, and approved October 17, 1980. Construction was initiated on the claimed facility January 8, 1981, completed June 30, 1981, and the facility was placed into operation June 1981.

Facility Cost: \$14,468.30 (Accountant's Certification was provided).

3. Evaluation of Application

Prior to installation of the claimed facility, Reynolds Metals had no means of retaining oils once they entered the effluent disposal ditch. This ditch drains to the Columbia River. The aluminum baffle and underflow weir directs waste water towards the oil skimmer where oils are removed and conveyed to collection drums. The system does an efficient job of removing floating oils. Waste oils are periodically shipped to a disposal site. There is no return on investment from this project.

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 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 \$14,468.30 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1516.

CKA:1
WL1641
(503) 229-5325
May 12, 1982

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

1. Applicant

Weyerhaeuser Company
Willamette Region - Paperboard Manufacturing
Tacoma, WA 98477

The applicant owns and operates a facility that produces paper, lumber, plywood and particleboard, at Springfield.

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

2. Description of Claimed Facility

The facility described in this application consists of two 75 horsepower floating aerators and the electrical supply lines.

Request for Preliminary Certification for Tax Credit was made February 4, 1977, and approved February 4, 1977. Construction was initiated on the claimed facility February 1977, completed March 1977, and the facility was placed into operation March 1977.

Facility Cost: \$30,016 (Accountant's Certification was provided).

3. Evaluation of Application

Prior to installation of the claimed facility dissolved oxygen levels were found to be low around the inlet of the aerated stabilization basin. One of the aerators was added at this point to increase the available oxygen. The other aerator was purchased as a spare to be available for quick installation whenever an aerator malfunctions. The additional aerators have improved the overall BOD removal efficiency of the basin. There is no return on investment from this facility.

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 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 \$30,016 with 80 percent or more allocated to pollution control, be issued for the facility claimed in Tax Credit Application No. T-1526.

CKA:1
WL1642
(503) 229-5325
May 12, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Time Oil Company
2737 West Commodore Way
Seattle, WA 98199

The applicant owns and operates a bulk petroleum storage terminal at 12005 North Burgard Road, Portland, OR.

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 seven internal floating tank covers for gasoline storage tanks.

Request for Preliminary Certification for Tax Credit was made on April 30, 1976, and approved on June 8, 1976.

Construction was initiated on the claimed facility in March, 1979; completed in July, 1979; and the facility was placed into operation in July, 1979.

Facility Cost: \$199,229 (Accountant's Certification was provided).

3. Evaluation of Application

The claimed facility was installed to bring the gasoline tanks into compliance with the Department's Volatile Organic Compounds (VOC) regulations.

The facility has been inspected by the Department and is operating satisfactorily. It has reduced the VOC emissions by an estimated 400 tons (131,417 gallons) per year.

At the time the decision to install the facility was made gasoline was 34.77 cents per gallon which would have resulted in a 17 percent return on investment. The applicant claimed that a "substantial purpose" of the facility was for air pollution control.

The estimated value of gasoline recovered by the facility during the first year of operation, \$116,646 (131,417 gallons @ 88.76 cents per gallon), provided a pre-tax rate of return on investment of greater than 50 percent. This level of return is considered by the Department to be sufficient incentive for the facility to have been installed solely due to economic reasons. Since the facility is so profitable, the Department believes that tax credit benefits are not warranted.

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. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.
- d. The pre-tax rate of return on investment for the facility during the first year of operation was greater than 50%.
- e. No portion of the facility cost is properly allocable to pollution control.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission issue an order denying a Pollution Control Facility Certificate for the facility claimed in Tax Credit Application No. T-1142.

FASKirvin;a
AA2155 (1)
(503) 229-6414
May 26, 1982

State of Oregon
Department of Environmental Quality

TAX RELIEF APPLICATION REVIEW REPORT

1. Applicant

Time Oil Company
2737 West Commodore Way
Seattle, WA 98199

The applicant owns and operates a bulk petroleum storage terminal at 9400 St. Helens Road, Portland, OR.

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 internal floating tank covers for four new gasoline storage tanks.

Request for Preliminary Certification for Tax Credit was made on January 6, 1979, and approved on February 3, 1979.

Construction was initiated on the claimed facility in March, 1979; completed in September, 1979; and the facility was placed into operation in September, 1979.

Facility Cost: \$163,805 (Accountant's Certification was provided).

3. Evaluation of Application

The claimed facility was installed to assure that the new installed tanks would meet the Department's Volatile Organic Compounds (VOC) regulations.

The facility has been inspected by the Department and is operating satisfactorily. It has reduced the VOC emissions by an estimated 233 tons (75,271 gallons) per year.

At the time the decision to install the facility was made gasoline was 40.26 cents per gallon which would have resulted in a 10 percent return on investment. The applicant claimed that a "substantial purpose" of the facility was for air pollution control.

The estimated value of gasoline recovered by the facility during the first year of operation, \$66,811 (75,271 gallons @ 88.76 cents per gallon), provided a pre-tax rate of return on investment of 38 percent. This level of return is considered by the Department to be sufficient incentive for the facility to have been installed solely due to economic reasons. Since the facility is so profitable, the Department believes that tax credit benefits are not warranted.

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. The facility is necessary to satisfy the intents and purposes of ORS Chapter 468, and the rules adopted under that chapter.
- d. The pre-tax rate of return on investment for the facility during the first year of operation was 38%.
- e. No portion of the facility cost is properly allocable to pollution control.

5. Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission issue an order denying a Pollution Control Facility Certificate for the facility claimed in Tax Credit Application No. T-1172.

FASkirvin;a
AA2156 (1)
(503) 229-6414
May 26, 1982

State of Oregon
Department of Environmental Quality

REISSUANCE OF POLLUTION CONTROL FACILITY CERTIFICATE

1. Certificate Issued to:

Columbia Plywood Corporation
Klamath Plywood Division
2300 Southwest First Avenue
Portland, Oregon 97201

The Certificate was issued for a solid waste control facility.

2. Summation

On December 19, 1980, Pollution Control Facility Certificate No. 1194 was issued to Columbia Plywood Corporation for a wood waste receiving and processing system at their plant south of Klamath Falls, Oregon.

By discussions with Robert Brown of the Department's Solid Waste Division, and letter of February 23, 1982, Columbia Plywood Corporation informed the department that the final costs of the certified project had changed and asked that their Pollution Control Facility Certificate be revised to include additional expenditures of \$165,112.74 (see attached itemized list and accountant's certification).

3. Director's Recommendation

It is recommended that the Commission revoke Pollution Control Facility Certificate No. 1194 issued to Columbia Plywood Corporation in the amount of \$1,272,924.72 and reissue it in the amount of \$1,438,037.46 to reflect a change in certified costs.

CASplettstaszer
229-6484
5/20/82

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Certificate No. 1194
Date of Issue 12/19/80
Application No. T-1317

POLLUTION CONTROL FACILITY CERTIFICATE

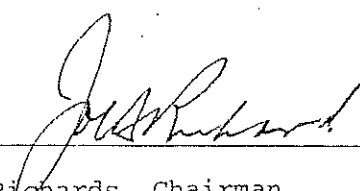
Issued To: Columbia Plywood Corporation Klamath Plywood Division 2300 Southwest First Avenue Portland, Oregon 97201	Location of Pollution Control Facility: Three miles south of Klamath Falls on Highway 97
As: <input type="checkbox"/> Lessee <input checked="" type="checkbox"/> Owner	
Description of Pollution Control Facility: A waste wood receiving and processing system, a pneumatic transfer system, a storage bin and fuel metering system, a wet fuel furnace and ductwork to transport hot gases to the veneer dryers.	
Type of Pollution Control Facility: <input type="checkbox"/> Air <input type="checkbox"/> Noise <input type="checkbox"/> Water <input checked="" type="checkbox"/> Solid Waste <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Used Oil	
Date Pollution Control Facility was completed: <u>July 28, 1980</u> Placed into operation: <u>July 28, 1980</u>	
Actual Cost of Pollution Control Facility: \$ <u>1,272,924.72</u>	
Percent of actual cost properly allocable to pollution control: <p style="text-align: center;">100%</p>	

Based upon the information contained in the application referenced above, the Environmental Quality Commission certifies that the facility described herein was erected, constructed or installed in accordance with the requirements of ORS 468.175 and subsection (1) of ORS 468.165, and is designed for, and is being operated or will operate to a substantial extent for the purpose of preventing, controlling or reducing air, water or noise pollution or solid waste, hazardous wastes or used oil, and that it is necessary to satisfy the intents and purposes of ORS Chapters 454, 459, 467 and 468 and rules adopted 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 the type of pollution as indicated above.
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.

NOTE — The facility described herein is not eligible to receive tax credit certification as an Energy Conservation Facility under the provisions of Chapter 512, Oregon Law 1979, if the person issued the Certificate elects to take the tax credit relief under ORS 316.097 or 317.072.

Signed 
 Title Joe B. Richards, Chairman

Approved by the Environmental Quality Commission on
 the 19th day of December, 1980

**COLUMBIA
PLYWOOD
CORPORATION**



2300 S.W. FIRST AVENUE / PORTLAND, OREGON 97201 / 503 • 224-5300

February 23, 1982

Mr. Robert L. Brown, Supervisor
Department of Environmental Quality
P. O. Box 1760
Portland, Oregon 97207

Dear Mr Brown:

RE: Tax Credit Certificate T 1317
Certificate # 1194

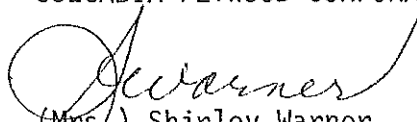
Enclosed is a detailed list of expenditures in connection with our Heat Cell Project along with the accountant's certification of these additional costs.

If you need further detail or information, please advise. Can you give me an indication of the date when approval will be forthcoming? I would like to pass this information on to Arthur Andersen & Co. for their planning in connection with our 1981 tax return.

Thanks.

Very truly yours,

COLUMBIA PLYWOOD CORPORATION


(Mrs.) Shirley Warner
Executive Secretary

SMW
Encl.

Dept. of Environmental Quality
RECEIVED
FEB 25 1982

APPLICATION # T 1317
CERTIFICATE # 1194

COLUMBIA PLYWOOD CORPORATION
2300 S. W. First Avenue
Portland, Oregon 97201

HEAT CELL PROJECT
COLUMBIA PLYWOOD CORPORATION
KLAMATH FALLS, OREGON 97601

HEAT CELL EXPENDITURES CONTEMPLATED BY CERTIFICATE #1194	\$1,272,924.72
ADDITIONAL EXPENDITURES - 1981	<u>165,112.74</u>
TOTAL EXPENDITURES TO DATE	<u>\$1,438,037.46</u>

1981 Expenditures

Columbia Plywood Corporation Labor		\$ 18,842.00
Barron Industires	#20324	5,000.00
Black Clawson		1,500.00
Electrical		1,100.00
Crane Cost		1,412.00
Fan balancing		4,835.00
Fan installation		2,500.00
F. Cook Consulting		2,000.00
J. Kather Consulting		610.00
Advanced Combustion		65,000.00
Advanced Combustion		(115.35)
E. J. Bartells	#21137	6,500.00
Advanced Combustion	#20928	2,544.20
Barron Industries	# 4564	3,500.00
J. Slowey	#21527	720.00
P. Dill	#21607	320.00
R. McBride	#21608	1,040.00
Medford Blower	#21839	17,350.00
Coast Industrial Supply	# 4396	136.80
Angelo Doveri	4403	949.00
Heaton Steel	4687	1,212.84
Angelo Doveri	605	1,768.00
Moore International	618	1,175.00
Cascade Industrial	662	317.02
Barron Industries		17,817.23
Columbia Internal Labor - June		4,046.00
July		<u>3,033.00</u>
		\$ <u>165,112.74</u>

T-1317

COLUMBIA
PLYWOOD
CORPORATION

2300 S.W. FIRST AVENUE / PORTLAND, OREGON 97201 / 503 • 224-5300

January 4, 1981

ARTHUR ANDERSEN & CO.
111 S. W. Columbia
Portland, OR 97201

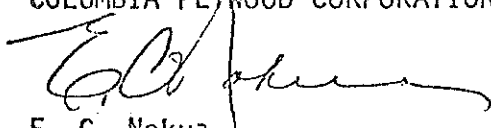
Gentlemen:

The statement of cash disbursements furnished to you in connection with costs incurred in the construction of the Heat Cell Project of Columbia Plywood Corporation has been prepared from the Company's books and records after making all necessary adjustments thereto and it represents the final project costs for the period ended December 31, 1981.

This is to certify that total cost for our project known as the Heat Cell Project located at our facility at Klamath Falls, Oregon, is shown on our general ledger to be \$1,438,037.46 which includes total 1981 additions of \$165,112.74.

Very truly yours,

COLUMBIA PLYWOOD CORPORATION



E. C. Nokua
Vice President

ECN:smw

cc: Klamath Plywood Division

ARTHUR ANDERSEN & Co.
PORTLAND, OREGON

To Columbia Plywood Corporation
a subsidiary of Columbia Forest Products, Inc.

We have examined the costs incurred in the construction of the Heat Cell Project. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

The following recaps total costs incurred in connection with the Heat Cell Project:

Costs incurred through November 25, 1980	\$1,272,924
Costs incurred from November 26, 1980 through December 31, 1981	165,113

Total costs through December 31, 1981	\$1,438,037
	=====

We previously stated our opinion on the costs incurred through November 25, 1980, in our report dated November 25, 1980. In our opinion, total additional costs of \$165,113, incurred from November 26, 1980 through December 31, 1981, present fairly costs incurred by Columbia Plywood Corporation in the construction of such facility.

Portland, Oregon,

January 4, 1982.

Arthur Andersen & Co.

State of Oregon
Department of Environmental Quality

REISSUANCE OF POLLUTION CONTROL FACILITY CERTIFICATES

1. Certificates Issued to:

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

The Certificates were issued for air and water pollution control facilities.

2. Summation

Between March, 1973 and September 1980 the Commission issued 27 Pollution Control Facility Certificates to Menasha Corporation for air and water pollution control facilities at their plant in North Bend, Oregon.

By letters of March 22 and 23, 1982, the Department was informed that the North Bend facility had changed names to Weyerhaeuser West Coast, Inc. This action did not constitute a sale, exchange or other disposition of the facility. See attached letters and summary of acquisition transactions.

3. Director's Recommendation

It is recommended that the following Pollution Control Facility Certificates issued to Menasha Corporation be revoked and reissued in the name of Weyerhaeuser West Coast, Inc.

<u>Certificate No.</u>	<u>Date Issued</u>	<u>Program</u>
354	3/02/73	Water
383	5/29/73	Air
384	5/29/73	Air
400	7/26/73	Air
429	10/22/73	Water
495	6/21/74	Water
559	3/28/75	Water
608	9/26/75	Air
611	9/26/75	Air
644	2/20/76	Water
652	3/12/76	Water
653	3/12/76	Water
654	3/12/76	Water
778	2/25/77	Water
781	4/01/77	Water
886	3/31/78	Water
887	3/31/78	Water
889	3/31/78	Water
924	7/28/78	Water
985	6/29/79	Water
986	6/29/79	Air
1081	6/20/80	Water
1134	9/19/80	Air
1135	9/19/80	Water
1136	9/19/80	Water
1172	12/19/80	Air



Weyerhaeuser Company

Tacoma, Washington 98477
(206) 924-2345

March 23, 1982

Mr. Larry D. Patterson
State of Oregon
Environmental Protection Agency
522 S.W. 5th
Portland, OR 97204

Dear Mr. Patterson:

In my letter of March 22, 1982, regarding the Menasha Corporation transaction with Weyerhaeuser Company, I promised to send you a list of the pollution control certificates for which Menasha has elected the income tax offset. The list is as follows:

<u>Certificate Number</u>	<u>Date</u>	
652	3/12/76	water
889	3/31/78	water
982	6/29/79	water
1134	9/19/80	air
1172	12/19/80	air
1136	9/19/80	water
985	6/29/79	water
986	6/29/79	air
1081	6/20/80	water
1135	9/19/80	water

If you have any questions or need additional information, please contact me.

Sincerely,

Marland L. Larson
Manager, Property
Taxes - Plants

MLL:bh

RECEIVED

MAR 25 1982

Water Quality Division
Dept. of Environmental Quality



Weyerhaeuser Company

Tacoma, Washington 98477
(206) 824-2345

March 22, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAR 24 1982

Mr. Larry D. Patterson
State of Oregon
Environmental Protection Agency
522 SW 5th
Portland, OR 97204

WATER QUALITY CONTROL

Dear Mr. Patterson:

When we discussed the transaction between Menasha Corporation and Weyerhaeuser Company in regard to the North Bend paperboard mill this morning, you asked me to give you a written explanation of the transaction. I have enclosed a copy of such an explanation prepared by one of our company lawyers. The same lawyer reviewed ORS 307.405(4) and has informed me that in his opinion the transaction does not constitute a sale, exchange or other disposition of a facility and, therefore, the pollution control certificates held by Menasha Corporation shouldn't be revoked. I understand that if you agree with our lawyer, you will reissue the certificates in the name of Weyerhaeuser West Coast, Inc.

In our discussion, you also asked me to list the certificates involved and to indicate whether they pertained to air or water pollution control. Following is the list of the certificates for which Menasha has claimed the property tax exemption. As soon as possible, I will send you the list of certificates for which they claimed the income tax offset.

<u>Certificate Number</u>	<u>Date</u>	<u>Amount</u>	
354 Ocean Outfall	3/02/73	\$1,330,422	water
383 Gas Emission Analyzer	5/29/73	3,569	air
384 Stack Gas Testing Equip.	5/29/73	6,823	air
400 Combustion Controls	7/26/73	5,704	air
429 Sewer Sampler	10/22/73	3,925	water
495 Ocean Outfall	6/21/74	249,284	water
559 SLI Plant (Partial)	3/28/75	3,058,849	water
608 Hog Fuel Boiler Fan	9/26/75	41,029	air
611 Hog Fuel Pollution Equip.	9/26/75	7,212	air
644 Secondary Fiber Screening System	2/20/76	6,664	water
653 SLI Plant (Complete)	3/12/76	62,387	water
654 Boiler House Effluent	3/12/76	64,197	water

Mr. Larry D. Patterson

-2-

March 22, 1982

<u>Certificate Number (Cont.)</u>	<u>Date</u>	<u>Amount</u>	
778 Kason Screens	2/25/77	27,294	water
781 Press Washing 1976 Additions	4/01/77	10,824	water
886 Sulphur Line to SLI	3/31/78	21,365	water
887 Spill System SLI Venturi Washing	3/31/78	1,764	water
924 Tertiary Cleaners Reject Disposal System	7/28/78	8,854	water

If you have any questions or need more information, please contact me.

Sincerely,



Marland L. Larson
Marland L. Larson
Manager, Property
Taxes - Plants

MLL:mm

Enclosure

RECEIVED

MAR 24 1982



Weyerhaeuser Company

WATER QUALITY CONTROL

January 29, 1982

Marland Larson - CH 2E29

RECEIVED

JAN 29 1982

TAX DEPT.

Re: Weyerhaeuser West Coast, Inc. -- Summary
of Acquisition Transactions

You have asked that I summarize the various legal entities involved and corporate steps which were undertaken in connection with the Menasha acquisition.

First, some prior history. Menasha Wooden Ware Company was incorporated prior to the turn of the century and operated various businesses. In 1926 Menasha Wooden Ware Company set up a subsidiary called "Menasha Wooden Ware Corporation" and transferred to the subsidiary all of its operations. After that date Menasha Wooden Ware Company became a holding company. In 1962 Menasha Wooden Ware Corporation changed its name to "Menasha Corporation." On September 30, 1980 Menasha Wooden Ware Company, the holding company, merged into its subsidiary, Menasha Corporation, with Menasha Corporation being the surviving legal entity.

In the fall of 1980, Menasha Corporation established a new subsidiary called "Menasha 1980 Corporation." Each of Menasha Corporation and Menasha 1980 Corporation were Wisconsin corporations. Weyerhaeuser Company also established a subsidiary called "Weybuy, Inc.," also a Wisconsin corporation. On March 25, 1981 two major transactions took place:

1. Menasha Corporation transferred to Menasha 1980 Corporation approximately two-thirds of its assets, being all of the assets that we did not wish to obtain control of. These assets were transferred in exchange for stock of Menasha 1980 Corporation which stock was then distributed to the shareholders of Menasha Corporation. This transaction is referred to as the "spin-off."

2. Weybuy, Inc. merged with and into Menasha Corporation with Menasha Corporation, the corporation incorporated in 1926, being the surviving legal entity. Pursuant to the terms of the merger, each share of Menasha Corporation held by its approximately 90 shareholders, most of them located in Wisconsin, was converted into either common or preference shares of Weyerhaeuser Company. Each share of Weybuy, Inc. was converted into a share of Menasha Corporation. This transaction is referred to as the "Reorganization."

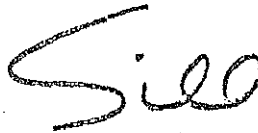
Marland Larson
January 29, 1982
Page 2

The Reorganization qualified as a tax-free reorganization under § 368(a)(2)(E) of the Internal Revenue Code. As a result of the Reorganization, the former Menasha shareholders became shareholders of Weyerhaeuser Company and Weyerhaeuser Company became the sole shareholder of Menasha Corporation.

To further confuse matters, as I mentioned to you today, there were also two name changes which took place coincident with or soon after the Reorganization. First, Menasha Corporation, once again, still the corporation incorporated in Wisconsin in 1926, changed its name to Weyerhaeuser West Coast, Inc. Menasha 1980 Corporation, the new Wisconsin corporation incorporated in 1980, changed its name to "Menasha Corporation."

You also asked as to the status of Valley Crate Corporation, a California corporation. Menasha Corporation, the corporation incorporated in Wisconsin in 1926, now known as Weyerhaeuser West Coast, Inc., owned slightly over 50% of the stock of Valley Crate Corporation. It continues to own the exact same shares that it owned prior to the Reorganization.

Please let me know if I can further clarify any of the aspects of this transaction.



Peter Lewis Sill
bf



STATE OF OREGON

INTEROFFICE MEMO

TO: FAS

DATE: June 10, 1982

FROM: EJW 

SUBJECT: AQ - Time Oil Tax Credits T-1142 and T-1172

Nick Weber, Time Oil Company Seattle (Phone: (206) 285-2400), called me June 10, 1982 at 2 p.m. to tell me he had just learned of our decision to recommend against certifying their projects for tax credit.

It appears the letter of proposed denial was sent to Abendroth and he has been out of the area the last few weeks. In any event, they can't get down here tomorrow to appeal their case before the EQC.

He said they aren't about to drop their application after working on it 2-1/2 years with Clinton, Potts, and Skirvin. He has a real horror story to tell about how the Department has handled this matter.

In any event, I had Carol revise the tax credit report to the EQC to postpone consideration of T-1142 and T-1172 until the July 16 EQC meeting.

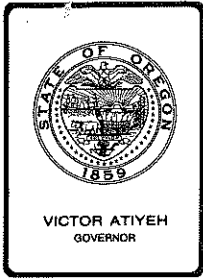
I told Mike Weber we would give him timely notice of the re-schedule details. Please follow up on this.

ahe

cc: CASplettstaszer

HMP

Contains
Recycled
Materials



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, June 11, 1982, EQC Meeting

Request for Authorization to Conduct a Public Hearing on:

(a) Amending OAR 340-71-460(6);

(b) Proposed Clatsop Plains Aquifer Geographic Rule, OAR 340-71-400(5); and

(c) Adoption of the Clatsop Plains Groundwater Protection Plan as a revision to the Statewide Water Quality Management Plan for the North Coast-Lower Columbia Basin.

Background and Problem Statement

In April of 1970, the Commission resolved to discourage installation of subsurface sewage disposal systems serving more than 5 families or 50 people resulting from future high-density development within the so-called "Clatsop Plains" region. This resolution was based upon two factors. First, a groundwater investigation conducted by F. J. Frank of the U. S. Geological Survey (USGS) identified areas on the Plains where substantial amounts of groundwater could be developed for domestic use. Second, it was believed that development at urban level densities utilizing septic tank disposal field systems may contribute to the water quality degradation of the aquifer.

Since the Department did not administer the subsurface program at this time, the resolution requested that the State Board of Health and Clatsop County not approve subsurface sewage disposal systems serving more than 5 families or 50 people.

The Department, subsequent to the work conducted by the USGS, established and carried out a water quality monitoring program of both groundwater and selected surface sites in Clatsop Plains from 1969 to 1976. The data showed that a few wells exceeded the U. S. Public

Health Service drinking water allowable maximum concentration of 10 mg/l, nitrate-nitrogen (NO₃-N). It also showed a trend toward increased NO₃-N as housing densities dependent upon septic tank disposal systems increased.

Based upon the water quality data collected by the Department from 1969 to 1976 and the lack of progress by local jurisdictions to develop a solution to the problem, the Commission, on April 1, 1977 adopted OAR 340-71-020(7), the Clatsop Plains Moratorium. (In a subsequent housekeeping action by the Commission this rule has been renumbered OAR 340-71-460(6)(e)). The rule prohibits the issuance of construction permits for new subsurface sewage disposal systems or favorable reports of site suitability in unconsolidated sands or unconsolidated loamy sands in the Clatsop Plains.

The Commission also adopted at this April meeting an Intergovernmental Directive. This directive identified the information a local unit of government would have to provide for the Commission to modify or repeal the moratorium in a particular area.

Once the moratorium and directive were in place, Clatsop County hired a private consultant to develop a report containing the information identified in the intergovernmental directive. Their intent was to provide the necessary technical material to remove Clatsop Plains from Moratorium.

The Consultant's final report entitled "Carrying Capacity of the Clatsop Plains Sand-Dune Aquifer" recommended that;

- (a) Septic tank drainfield densities be limited to not more than one per 1.2 acres; and
- (b) A prime aquifer reserve of 1.6 sq. miles be set aside for future domestic water supplies, preferably made up of several separate areas.

It should be noted that the report covered only the unincorporated areas under Clatsop County jurisdiction and not the area within incorporated city limits (Gearhart, Warrenton, Hammond). The county utilized the report to request that the Commission modify the moratorium. The county request:

- (a) Identified three prime aquifer areas to be reserved for long-term groundwater supply development;
- (b) Identified five areas which would continue under moratorium until such time as the county developed a program to handle septic tank wastes;
- (c) Requested that the moratorium be modified to allow one single family flow equivalent per acre.

On October 21, 1977 the Commission modified the moratorium to reflect the County's request. The moratorium remained in effect for the three incorporated areas of Gearhart, Hammond, and Warrenton.

The County, in the fall of 1978, submitted an application to the Department requesting Section 208 planning grant funds to conduct an intensive groundwater investigation on six areas still under moratorium. This included the five areas remaining under moratorium mentioned above and the City of Gearhart. The cities of Warrenton and Hammond were by this time solving their problem through the construction of sewers. The County grant application received funding in the spring of 1979 and by November 1979 the Department and the County entered into an agreement calling for the execution of the groundwater study. The goals of the study were to identify existing and potential problems and to develop a groundwater protection plan for Clatsop Plains. The County subcontracted the study to a private consulting firm in February 1980 and it was completed in March 1982.

The final report entitled "Clatsop Plains Groundwater Protection Plan" finds that:

- (a) The Warrenton Landfill leachate is causing high nitrogen levels in the aquifer, as well as other pollution problems.
- (b) The Camp Rilea wastewater effluent spray field was improperly constructed, and because no plant growth is available to remove nitrogen, it is contributing to the nitrate-nitrogen contamination of the aquifer.
- (c) Based on current zoning densities and the Department guidelines for wastewater disposal in rapidly draining soils, the projected average nitrate nitrogen concentrations will exceed the Department's planning limit of 5 mg/l in several areas of Gearhart in the future.
- (d) Based on the projected Year 2000 maximum development, current zoning densities, and the Department's wastewater disposal guidelines, the projected areawide average nitrate-nitrogen concentrations will remain below the 5 mg/l planning limit in the unincorporated areas of Clatsop Plains.
- (e) Based on the projected Year 2000 maximum development densities in seven sensitive areas, current zoning densities, and the Department's wastewater disposal guidelines, the projected areawide average nitrate-nitrogen concentration will exceed the 5 mg/l planning limit in several of the sensitive areas.
- (f) The aquifer should be protected through the full implementation of a groundwater protection plan and specifically through the formal establishment of aquifer reserve areas.

- (g) The surface water bodies do not appear to be significantly impacted by nitrate-nitrogen concentrations in the groundwater given their advanced state of biological productivity.
- (h) Fecal coliform contamination does not appear to be a major concern in the majority of Clatsop Plains.
- (i) The trace organics laboratory analysis did not indicate a significant problem.
- (j) The sands of the Clatsop Plains exhibit very rapid draining characteristics, and thus would easily transmit to the aquifer pollutants other than those specifically mentioned in this report. Therefore, care should be taken when handling any potentially environmentally hazardous material over the aquifer. In addition, it is important to be certain that on-site sewage disposal systems remain free of unusual wastes or chemical additives.

Based upon the findings of the study the consultant made the following recommendations:

- (a) The groundwater protection strategy of this study should promote the maximum present and future beneficial uses of the Clatsop Plains aquifer. On-site wastewater disposal has been shown to be a significant beneficial use of the aquifer and, thus, the moratoriums should be lifted in all areas of the Clatsop Plains study area.
- (b) The Camp Rilea wastewater spray irrigation field should be rehabilitated with a cover material that is conducive to plant growth. A suitable crop management plan should be developed so that the selected crop can be periodically harvested to remove the nutrients. The crop should be planted during March-April 1982, so that the spray irrigation field will be operable during the heavy summer use period.
- (c) The Warrenton Landfill should be closed through an approved closure plan as directed by DEQ. The closure plan should provide for prohibition of further leachate contamination of the aquifer and the necessary gas removal facilities.
- (d) The wastewater disposal recommendations for the unincorporated Clatsop Plains are as follows:
 - (1) Continue with current zoning requiring a minimum of 1-acre lot size and permit the use of a standard septic tank and disposal field.

- (2) For lots of record between 1/2 acre and 1 acre, a septic tank with a low pressure disposal field and/or sand filter should be used.
 - (3) For lots of record between 10,000 square feet and 1/2 acre, septic tank systems should use a sand filter with a low pressure disposal field, if DEQ's regulations on house size, setbacks, and system redundancy can be accommodated.
 - (4) Allow no septic systems on lot sizes smaller than 10,000 square feet.
- (e) All future development in Gearhart, in accordance with the current Comprehensive Plan, should be required to use low pressure disposal fields and/or sand filters to maximize nitrogen removal in the system prior to disposal in the soil. DEQ should be requested to adopt a special geographic rule exempting the DEQ house size regulations in Gearhart.
- (f) Wastewater disposal recommendations for the seven sensitive areas are:
- (1) Install low pressure distribution and/or sand filter systems for all new wastewater sources (including the aggregate of one development) under 5,000 gallons per day.
 - (2) For all new wastewater sources exceeding 5,000 gallons per day, construction of sewers and wastewater treatment facilities using land disposal or other disposal techniques acceptable to DEQ should be required.
 - (3) Present uses of the aquifer for wastewater disposal should not be prohibited.
- (g) No action should be taken on surface water conditions at this time.
- (h) Aquifer reserve areas should be maintained to protect the aquifer as a possible future drinking water source through the following measures:
- (1) A minimum of 2.5 square miles of aquifer should be set aside for water supply development, including an area set aside by the City of Warrenton, the area within the boundaries of Camp Rilea, and the 40 acres of County-owned land at Del Rey Beach.
 - (2) The County should preserve the necessary recharge areas within Camp Rilea by developing an agreement with the Oregon Department of Military within 6 months.

- (3) Additional areas for aquifer protection should be sought through land use planning, and open space requirements.
- (4) Land use in the reserve areas should be controlled so that the potential for groundwater contamination from nitrogen and other possible pollutants is kept to a minimum.
- (i) The groundwater monitoring program should be continued as part of the DEQ Statewide monitoring program for the wells identified in Section VII of the report with samples taken on a semi-annual basis.

The County subsequently adopted the report in its entirety (County Resolution #82-3-94) setting it forth as their policy with regard to management of the Clatsop Plains Groundwater. The County submitted the report to the Commission in April with a request that the present moratorium be removed and that the report and its recommendations be utilized to develop the appropriate geographic rule for the Clatsop Plains area.

Staff has reviewed the final Clatsop Plains Groundwater Protection Plan and supporting technical reports. They believe the reports contain the information needed to remove areas from moratorium identified in the intergovernmental directive.

Staff has developed a proposed rule amendment (Attachment A) which takes the findings and recommendations of the County study and casts them in appropriate rule language.

In reviewing the Groundwater Protection Plan staff also believe that the plan represents a detailed refinement of the Department's existing Statewide Water Quality Management Plan for the North Coast-Lower Columbia River Basin. It describes in detail how groundwater quality will be protected in the Clatsop Plains Area. Therefore staff believe it should be adopted as an expanded component of the present Water Quality Management Plan for the Basin.

Alternatives and Evaluation

1. Deny request to remove moratorium and maintain present moratorium.
2. Rescind present moratorium rule and implement a subsurface program utilizing the Department's existing rules.
3. Rescind present moratorium rule and adopt County Groundwater Protection Plan and proposed rule amendments as identified in Attachment A.

4. Rescind present moratorium rule and adopt County groundwater Protection Plan as amended by County in the May 7, 1982 correspondence.

The first alternative calls for the Commission to deny the County's request to remove the moratorium. In taking this action the Commission would be stating that insufficient data and information has been submitted in order to remove the moratorium. Staff do not recommend this alternative. The County's Groundwater Protection Plan and supporting technical reports provide the information identified within the intergovernmental directive needed to remove areas from moratoriums.

The second alternative calls for rescinding the present moratorium and the issuing of subsurface permits in accordance with the Department's existing subsurface rules. Staff do not recommend this alternative. For some areas it would require more stringent septic systems and minimum lot sizes than are shown to be necessary by the data to protect the groundwater. This would present an undue constraint and hardship on some individuals who own land in these areas.

The third alternative rescinds the present moratorium and adopts the County's Groundwater Protection Plan and the proposed rule amendment identified in Attachment A. Staff is in favor of this recommendation because it removes the present moratorium and provides the Department with a comprehensive approach for protecting the groundwater. Staff believes this alternative will allow issuance of subsurface permits for lot sizes presently restricted for development while still protecting the groundwater quality.

The fourth alternative would rescind the moratorium rule and adopt the County Groundwater Protection Plan as amended by the County's letter to the Department of May 7, 1982 (Attachment G). Staff do not recommend this alternative. Two of the three changes requested by the county in the May 7th correspondence are of housekeeping nature and have been included in the proposed geographic rule shown in Attachment A. The third requested change is directed towards the subsurface sewage system requirements for planned developments or clustered-lot subdivisions. Staff believes the technical reports and final plan (Alternative 3) expressly establish a minimum lot size necessary to protect the aquifer. The County request to average lot sizes for planned unit developments would result in cluster developments where individual lot sizes are below the minimums identified in the report. It is staff understanding that the minimum lot sizes were established in order to distribute the NO₃-N loading that each system discharges to the aquifer over that minimum area. This would provide sufficient NO₃-N load attenuation to protect the aquifer. The cluster developments on individual systems do not provide the same distribution and attenuation. Therefore the aquifer downgradient of such a development would be adversely affected.

Summation

1. ORS 454.685 provides for subsurface sewage system construction moratorium to be adopted by rule of the Commission.
2. The Commission adopted on April 1, 1977, OAR 340-71-020(7), which established a moratorium in a portion of Clatsop County known as Clatsop Plains.
3. The Commission adopted an Interagency Directive identifying the necessary material needed to remove an area from moratorium.
4. Clatsop County applied for and received Section 208 Water Quality Management Planning Grant funds to complete an intensive groundwater investigation of the areas remaining under moratorium.
5. Clatsop County completed the study and developed a groundwater protection plan. The plan has been adopted through County Resolution #82-3-94.
6. Clatsop County has formally requested that the Commission lift the Clatsop Plains Moratorium Rule and that the findings and recommendations of their groundwater protection plan and technical reports be used to develop a geographic rule.
7. Department staff reviewed the Clatsop Plains Groundwater Protection Plan and supporting technical reports and find that they contain the necessary material to remove all remaining areas from moratorium.
8. Department staff have also determined that the Clatsop Plains Groundwater Protection Plan represents a refinement of the existing water quality management plan for the North Coast - Lower Columbia Basin.
9. Staff have developed a proposed rule amendment (Attachment A) which reflects the County Plan recommendations in the appropriate rule language.

Director's Recommendation

Based upon the summation it is recommended that the Commission authorize a public hearing to be held in Gearhart, to take testimony on the question of amending the moratorium areas rule (OAR 340-71-460) by deleting subsection (6)(e) and Appendix 1 (the Clatsop Plains moratorium area); amending the Geographic Area Special Consideration Rule, (OAR 340-71-400) by adding a new subsection (5), (Clatsop Plains

EQC Agenda Item No. E
June 11, 1982
Page 9

Aquifer, Clatsop County), as presented in Attachment "A"; the adoption of the "Clatsop Plains Groundwater Protection Plan" as a revision to the Statewide Water Quality Management Plan.

Bill

William H. Young

TG1152
Attachments:

- "A" Proposed Rule Amendment
- "B" Draft Hearing Notice
- "C" Land Use Consistency Statement
- "D" Statement of Need
- "E" Economic and Fiscal Impact
- "F" County's April Letter
- "G" County's May 7th Letter

Neil J. Mullane
229-6065
May 6, 1982

ATTACHMENT "A"

Amend OAR 340-71-400 by adding a new section as follows:

(5) Clatsop Plains Aquifer, Clatsop County.

(a) By not later than January 1, 1983, pursuant to the Clatsop Plains Ground Water Protection Plan prepared by R. W. Beck and Associates, Clatsop County shall identify and set aside aquifer reserve areas for future water supply development containing a minimum of two and one half (2-1/2) square miles. The reserve areas shall be controlled so that the potential for groundwater contamination from nitrogen and other possible pollutants is kept to a minimum.

(b) Except as prohibited by paragraph (D) of this subsection, the Agent may issue construction installation permits for new on-site sewage disposal systems or favorable reports of site evaluation to construct on-site systems, within the area generally known as the Clatsop Plains, which is bounded by the Columbia River to the North; the Pacific Ocean to the west; the Necanicum River, Neawanna Creek, and County Road 157 on the south; and the Carnahan Ditch-Skipanon River and

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

the foothills of the Coast Range to the east; excluding the areas described in subsections (5)(d) and (5)(e) of this rule, under any of the following circumstances:

(A) For a lot or parcel one (1) acre or larger in size, the lot or parcel complies with all rules in effect at the time the permit or favorable report is issued.

(B) For a lot or parcel at least one half (1/2) acre in size but less than one (1) acre:

(i) The lot or parcel complies with all rules in effect at the time the permit or favorable report is issued; and

(ii) The on-site system is either a sand filter system or a pressurized distribution system.

(C) For a lot or parcel of record prior to July 16, 1982, being at least ten thousand (10,000) square feet in size but less than one half (1/2) acre, the use of a sand filter system may be allowed if:

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

(i) The lot or parcel complies with all rules in effect at the time the permit or favorable report is issued; or

(ii) The lot or parcel complies with all rules in effect at the time the permit or favorable report is issued except the projected maximum sewage loading rate would exceed the ratio of four hundred fifty (450) gallons per one half (1/2) acre per day. In this situation the projected maximum sewage flow shall be limited to not more than three hundred (300) gallons per day.

(D) For lots or parcels smaller than ten thousand (10,000) square feet in area, the Agent shall not issue either favorable reports of site evaluation or construction installation permits for new on-site sewage disposal systems.

(c) Within the area described in subsections (5)(d) and (5)(e) of this rule, the Agent may issue construction installation permits for new sand filter systems, new pressurized distribution systems, or favorable reports of site

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

evaluation to construct sand filter or pressurized distribution systems, providing one of the following can be met:

(A) The lot complies with all the rules in effect at the time the permit or favorable report is issued; or

(B) For lots of record prior to July 16, 1982, the lot complies with all rules in effect at the time the permit or favorable report is issued, except that the projected maximum sewage loading rate would exceed the ratio of four hundred fifty (450) gallons per one half (1/2) acre per day. In this situation the projected maximum sewage flows shall be limited to not more than four hundred fifty (450) gallons per day.

(d) Subsection (5)(c) of this rule shall apply to all areas north of the Necanicum River, Neawanna Creek, and County Road 157, that are:

(A) Within the city limits of Gearhart; or

(B) Within the Urban Growth Boundary of the City of Gearhart; or

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

(C) Within the Urban Growth Boundary of the City of Seaside.

(e) The following areas are subject to the restrictions set forth in Subsection (5)(c) of this rule:

(A) Surf Pines Area. That portion of Sections 16, 21 and 28, Township 7 North, Range 10 West, Willamette Meridian, described as follows:

Beginning at the northwest corner of the Philo Callender DLC 39; thence north 89° 39' east a distance of 280.6 feet more or less; thence south 6° 12' east 3730 feet more or less; thence south 89° 35' 10" west to the mean lower low water line of the Pacific Ocean, the true point of beginning. Thence north 89° 35' 10" east to the east line of Surf Pines Road right-of-way to a point formed by the Upper Surf Pines Road right-of-way east line, and a line extending south 89° 54' west from the northwest corner of the John Thomas DLC 41; thence west to the southeast corner of lot 7, Strawberry Hill subdivision a distance of 95 feet more or less; thence north 07° 12' 49" west 440.09 feet;

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

thence north 89° 42' 51" west 398.96 feet; thence south
00° 04' 51" east, a distance of 439.39 feet; thence
west to the mean lower low water line of the Pacific
Ocean; thence southerly along the mean lower low water
line to the true point of beginning.

(B) Sunset Beach West. That portion of Sections 9 and 16
of Township 7 North, Range 10 West, Willamette
Meridian, described as follows:

Beginning at the northwest corner of the Cyrus Olney
DLC 42; thence south 00° 02' west 2479.8 feet; thence
north 89° 58' east 400 feet; thence north 00° 02' east
389.7 feet; thence south 89° 02' east 718.4 feet more
or less to the center line of Neacoxie Lake; thence
northerly along the center line of Neacoxie Lake to a
point formed by the center line of Neacoxie Lake and
the north line of the James Taylor DLC #43; thence west
along the north line of the James Taylor DLC #43 to the
center line of Ocean View Avenue, Sunset Beach
subdivision; thence southeast along the center line of
Taylor Street to the center line of Lakeview Avenue;

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

thence south along the center line of Lakeview Avenue to the south line of the James Taylor DLC #43; thence west along the south line of the James Taylor DLC #43 to the point of beginning.

(C) Sunset Lake East. That portion of Sections 9, 10, 15 and 16 of Township 7 North, Range 10 West, Willamette Meridian, described as follows:

Beginning at the northeast corner of the Cyrus Olney DLC #42; thence north 00° 01' 48" west, a distance of 1007.3 feet more or less, to the true point of beginning.
Thence south 11° 19' east, a distance of 430.2 feet;
thence south 84° 16' west a distance of 393 feet;
thence north 81° 33' west, a distance of 331.3 feet;
thence south 89° 02' west, a distance of 320.3 feet more or less; thence south 07° 34' east, a distance of 572.2 feet; thence south 41° 24' west, a distance of 875.6 feet; thence north 83° 22' west, a distance of 197.9 feet; thence south 89° 26' west, to the center line of Neacoxie Lake; thence northerly following the center line of Neacoxie Lake to a point formed by its intersection with the center line of Taylor Street.

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

Sunset Beach subdivision; thence easterly along the center line of Taylor Street to a point formed by its intersection with the center line of Sunset Beach Road, thence easterly along the center line of Sunset Beach Road to its intersection with a northerly extension of the east line of lot 1, Country Club Estates; thence south 11° 13' 43" east 1382.74 feet more or less to the north line of the Cyrus Olney DLC #42; thence to point of beginning.

(D) Smith Lake east and west. That portion of Sections 28 and 33 of Township 8 North, Range 10 West, Willamette Meridian, described as follows:

Beginning at the northwest corner of the Solomon Smith DLC #40; thence east along the north line of the Smith DLC #40 to the center line of Old Oregon Coast Highway 101, thence southerly along the center line of Old Oregon Coast Highway 101 to a point formed by the intersection of the center line of Columbia Beach Road; thence westerly along the center line of Columbia Beach Road to a point formed by the intersection of the center line of Lake Drive; thence northerly along the

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

center line of Lake Drive to a point formed by the intersection of the Davidson DLC #39; thence westerly along the Davidson DLC #39 north line to a point formed by the intersection of the center line of Fort Stevens-Camp Clatsop Road; thence north along the center line of Fort Stevens-Camp Clatsop Road to a point formed by the intersection of the north right-of-way line of Ocean Avenue, Lake Park subdivision; thence east along the north right-of-way line of Ocean Avenue continuing to the west shoreline of Smith Lake; thence to point of beginning.

(E) Glenwood Mobile Home Park. That portion of Section 10, Township 7 North, Range 10 West, Willamette Meridian, described as follows:

Beginning at the northeast corner of the Hobson DLC #44; thence south 89° 48' 45" east, to the east right-of-way line of the Burlington Northern (formerly SP&S and others) right-of-way (now abandoned) to the true point of beginning. Thence southeast a distance of 1460 feet more or less along the easterly line of the Burlington Northern right-of-way; thence north 89 ° 36' 35" east, a distance of 1500 feet more or less;

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

thence northwesterly a distance of 505 feet more or less; thence north 89° 48' 45" west, a distance of 270 feet; thence north 0° 11' 15" east, a distance of 190 feet; thence south 89° 48' 45" east to the true point of beginning.

Amend OAR 340-71-460(6) as follows:

(6) Specific Moratorium Areas. Pursuant to ORS 454.685, the Agent shall not issue sewage system construction installation permits or approved site evaluation reports within the boundaries of the following areas of the state:

- (a) Benton County -- Kingston Heights Subdivision;
- (b) Benton County -- Kingston Heights Subdivision, First Addition;
- (c) Benton County -- Princeton Heights Subdivision;
- (d) Benton County -- Princeton Heights Subdivision, First Addition;
- [(e) Clatsop County -- Clatsop Plains, as set forth in Appendix 1;]

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

[(f)] (e) Lane County -- Community of Dexter, as follows: the area generally known as Dexter, and defined by the Boundary submitted by the Board of County Commissioners for Lane, which is bounded on the Northeast by Willamette Highway No. 58, and contains those properties Southwesterly of Highway No. 58 in the following tax assessment maps of Lane County: T 19 S, R 1 W, Section 16.2, T 19 S, R 1 W, Section 16.32, T 19 S, R 1 W, Section 16.31, T 19 S, R 1 W, Section 16.42, and T 19 S, R 1 W, Section 16 and index located totally within Lane County.

NOTE: Underlined _____ material is new.
Bracketed [] material is deleted.

by deleting the entire appendix as follows:

[CLATSOP PLAINS MORATORIUM AREA]

[340-71-460(6)(e)]

[Pursuant to ORS 454.685, neither the Director nor his authorized representative shall issue either construction permits for new subsurface sewage disposal systems or favorable reports of evaluation of site suitability within the boundaries of the following geographic areas of Clatsop County:

(A) That area bounded on the South by the North line at that certain right-of-way reserved by Frank L. Hurlburt, et al, in a deed to Charles V. Brown as recorded in Book 65, Page 527, Clatsop County Record of Deeds; Bounded on the West by the high tide line of the Pacific Ocean; Bounded on the North and East by a line extending from the Pacific Ocean Easterly to the Southwest corner of that certain tract conveyed to the State of Oregon as recorded in Book 230, Page 485, Clatsop County Record of Deeds; thence Easterly and Southerly along the South line of said tract to the Southeast corner thereof; thence running Easterly to the Westerly right-of-way line of the Fort Stevens — Camp Clatsop Highway, commonly referred to as "Ridge Road," said point being the Easterly terminus of the North boundary of tract herein described; thence Southerly along the Westerly right-of-way line of said Ridge Road to its intersection with the South line of the Hobson D.L.C.; thence West along the South line of said Hobson D.L.C. to the Northwest corner of that certain tract conveyed to Stanley I. and Elvira M. Guild as recorded in Book 260, Page 161, Clatsop County Record of Deeds; thence Southerly along the West boundary line of the said Guild tract and the extension thereof to the South right-of-way line of County Road #34, commonly known as DeLaura Beach Road; thence East along the Southerly right-of-way line of said County Road a distance of 2275' more or less to the Easterly right-of-way line of Clark Boulevard as platted in DeLaura Subdivision as platted in Section 29, Township 8 North, Range 10 West, Willamette Meridian; thence Southeasterly along the Easterly right-of-way line of said Clark Boulevard to its intersection with the East bank of the West branch of Neacoxie Creek; thence Southerly along the East bank of the said West branch of Neacoxie Creek to an intersection with the South line of Neacoxie Subdivision as platted in Section 33, Township 8 North, Range 10 West, Willamette Meridian; thence East along the South line of said Neacoxie Subdivision to the Westerly right-of-way line of aforesaid Ridge Road; thence South and East along the Westerly right-of-way line of said Ridge Road to its intersection with the West bank of the East branch of Neacoxie Creek; thence Southerly along the West bank of the East branch of said Neacoxie Creek to the Northeast corner of that certain tract conveyed to Ben D. and Muriel Hayes by deed recorded

Bracketed [] material is deleted.

in Book 213, Page 446, Clatsop County Record of Deeds; thence West along the North line of said Hayes property to the Northwest corner thereof; thence South-easterly along the Westerly line of the said Hayes property to the Southwest corner thereof, said point being the Northwest corner of property conveyed to Donald R. and Helen A. Falleur by deed recorded in Book 364, Page 282-83, Clatsop County Record of Deeds; thence continuing Southeasterly along the Westerly line of said Falleur property to the North Boundary line of the Platted Ivyloo Subdivision in Section 9, Township 7 North, Range 10 West, Willamette Meridian; thence West along the North line of said Ivyloo Subdivision to the Northwest corner thereof; thence South 13° 32' East along the Westerly line of said Ivyloo Subdivision and the extension thereof to the North line of that certain right-of-way reserved by Frank L. Hurlburt as aforesaid.

(B) The Del Rey Beach Subdivision located in Section 33, Township 7 North, Range 10 West, Willamette Meridian, as shown on Plate 7-10-33A, Clatsop County, Oregon.

(C) That area beginning at the intersection of Clark Boulevard with County Road #34 in DeLaura Beach Subdivision as platted in Section 29, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, State of Oregon; thence Southerly along the center line of Clark Boulevard to the South right-of-way line of College Avenue; thence West along the South right-of-way line of said College Avenue to the East bank of the West branch of Neacoxie Creek; thence Southerly along the East bank of said creek to the South line of Neacoxie Subdivision as platted in Section 33, Township 8 North, Range 10 West, Willamette Meridian; thence East along the South line of said Neacoxie Subdivision and the extension thereof to the West line of Ridge Road; thence Southerly along the West line of said Ridge Road and East along the Southerly right-of-way line of Columbia Beach Road to its intersection with the East right-of-way line of Oregon Coast Highway 101; thence South along the East right-of-way of said Hwy 101 to its intersection with the North right-of-way line of Perkins Road; thence East along the North right-of-way line of said Perkins Road to its intersection with the West right-of-way line of Rodney Acres Road; thence Northerly along the West line of Rodney Acres Road to the center line of Skipanon Creek; thence Northwesterly along the needle of Skipanon Creek to the South line of Warrenton City limits; thence following the Warrenton City limits boundary in a Northwesterly direction to the point of beginning.

(D) That area beginning at a point where the North line of that certain tract conveyed to Michael Palmer by deed recorded in Book 400, Page 576-587, Clatsop County Record of Deeds, intersects the East right-of-way line of the Burlington Northern Railroad in Section 9, Township 7 North, Range 10 West, Willamette Meridian, Clatsop County, State of Oregon; thence East along the North line of the said Palmer tract to the Northeast corner thereof; thence South along the East boundary of said tract to the Southeast corner thereof; thence West along the south boundary of said tract to its intersection with the East line of the Burlington Northern Railroad right-of-way as aforesaid; thence North along the East line of said right-of-way to the point of beginning. Said parcel being located in Sections 9 and 10, Township 7 North, Range 10 West, Willamette Meridian.

(E) That area beginning at the Southwest corner of Ivyloo Acres Subdivision as platted in Section 9, Township 7 North, Range 10 West, Willamette Meridian, Clatsop County, State of Oregon; thence South 13° 32' East a distance of 370' more or less to the North line of that certain right-of-way reserved by Frank L. Hurlburt in his conveyance to Charles V. Brown as recorded in Book 65, Page 527, said point being the true point of beginning of parcel herein described; thence continuing South 13° 32' East a distance of more or less to its intersection

with the South line of the John Hobson D.L.C.; thence West along the South line of said Hobson D.L.C. to the East bank of Neacoxie Creek; thence Southerly along the East bank of said Neacoxie Creek to the South right-of-way line of Sunset Beach Road; thence East along the Southerly right-of-way line of said Sunset Beach Road to the Northeast corner of Sunset Terrace Subdivision as platted in Section 9, Township 7 North, Range 10 West, Willamette Meridian; thence Southeasterly along the Easterly line of said Sunset Terrace and its extension thereof to the North line of Loch Haven Highlands Subdivision as platted in Section 16, Township 7 North, Range 10 West, Willamette Meridian; thence East along the North line of said Loch Haven Highlands Subdivision to the Northeast corner thereof; thence Southeastly to the Southeast corner thereof; thence following the Loch Haven Highlands Subdivision boundaries as platted Westerly, Southerly, Southwesterly, and Westerly to where the South line of Loch Haven Highlands Subdivision intersects the East bank of Neacoxie Lake; thence Southerly along the East bank of said Neacoxie Lake to a point East of the Southeast corner of that tract conveyed to Anthony M. and Alberta M. Stramiello by deed recorded in Book 333, Page 523; thence West to the Southeast corner of said Stramiello tract; thence West along the South line of said tract and the extension thereof a distance of 718.8' to a point; thence South 389.7' to a point; thence West 400' to a point; thence North 00° 02' West to the Northwest corner of D.L.C. #42, said point being in the South line of the Sunset Beach Subdivision, as platted in Section 9, Township 7 North, thence West along the South line of said subdivision to the Westerly right-of-way line of Columbia Boulevard in said subdivision; thence Northerly along the Westerly right-of-way line of said Columbia Boulevard to the North line of said Sunset Beach Subdivision; thence West along the North line of said subdivision to the Pacific Ocean; thence North along the Pacific Ocean to its intersection with the North line of that certain right-of-way reserved by Frank L. Hurlburt as aforesaid; thence East along the North line of said right-of-way to the point of beginning. Excepting therefrom, however, the following described parcel. Beginning at the Southwest corner of Ivyloo Subdivision as platted in Section 9, Township 7 North, Range 10 West, Willamette Meridian; thence South 19° 32' East a distance of 375' more or less to the Northerly line of that certain 60' strip reserved as a right-of-way by Frank L. Hurlburt in his conveyance to Charles V. Brown and recorded in Book 65, Page 527, Clatsop County Record of Deeds; said point being the true point of beginning of tract herein described; thence West along the North line of said right-of-way to the Pacific Ocean; thence Southerly along the high tide line of the Pacific Ocean to an intersection with the South boundary line of the John Hobson D.L.C. extended; thence East along the South boundary line of the said Hobson D.L.C. to a point 339.1' East of the East bank of Neacoxie Lake; thence North 19° 32' West a distance of 1290' more or less to the point of beginning.

(F) That area bounded on the North by the North line of the Gearhart Donation Land Claim; bounded on the East by Burlington Northern Railroad; bounded on the South by the North boundary of the Gearhart City limits; bounded on the West by the Pacific Ocean. Excepting therefrom, however, the following described parcel. Beginning at the intersection of the North line of the Gearhart City limits with the Westerly right-of-way line of Marion Avenue; thence North and East along the said Westerly right-of-way to its intersection with the East Boundary of the platted Gearhart Green Subdivision; thence North along the East line of said subdivision and the extension thereof to the North boundary of the Gearhart Donation Land Claim; thence East along the North line of said Donation Land Claim to the center line of Neacoxie Creek; thence Southerly along the needle of said creek to the North line of the Gearhart City limits; thence West along the North

line of said city limits to the point of beginning. All above described property being in Sections 3 and 4, Township 6 North, Range 10 West, Willamette Meridian, Clatsop County, State of Oregon.

(G) That area bounded on the West and North by the South boundary of the Gearhart City limits; on the East by Burlington Northern Railroad and on the South by Seaside City limits.

(H) The Cities of Gearhart, Hammond, and Warrenton except as described in subsection (g).

(I) Fort Stevens State Park.

(b) Pursuant to ORS 454.635, within the areas set forth in subsection (c) below, neither the Director nor his authorized representative shall issue either construction permits for new subsurface sewage disposal systems or favorable reports of evaluation of site suitability, except to construct systems to be used under the following circumstances:

(A) The system complies with all rules in effect at the time the permit is issued; and

(B) The system is not to be installed within any of the areas subject to the prohibition set forth in subsection (a) above; and

(C) The system is to be installed on an undivided parcel of one acre or more in size upon which the dwellings or buildings to be served by the system are located and which is owned fully or fully subject to a contract of purchase by the same person or persons who own or are contract purchasers of the dwellings or buildings to be served by the system; except that, in a single planned unit development or single subdivision tract having enclosed boundaries and with open space land owned in common by all land owners, permits may be issued where the lot area upon which a dwelling is to be constructed is less than one acre but where each owner holds an undivided interest, in common with all other owners, in open space land of sufficient acreage within the boundaries of the development so that the density of the entire parcel shall not exceed one dwelling per acre when considered as a whole and where the requirements of subdivisions (A), (B), and (C) of this subsection are met; and

(D) The dwellings or buildings to be constructed or existing on the land parcel when fully occupied or used allow for no more than the equivalent of sewage flow for one single family per acre of the land parcel; and

No construction permit shall be issued under this subsection for any parcel of land where the parcel is created out of an existing parcel or parcels and where the creation of the new parcel results in a reduction of size of the original parcel or parcels to less than one acre and where the original parcel or parcels so reduced serve or are occupied by a dwelling unit or by dwelling units or by any other subsurface sewage generating facility or thing.

(c) The minimum parcel size requirement of subsection (b) above shall apply to all of the following areas (which are not subject to the complete prohibition set forth in subsection (a) above) of Clatsop County where there are unconsolidated loamy sands:

(A) All areas located south of the Columbia River, west of the Skipanon River (or Skipanon Waterway), and north of the southernmost part of Cullaby Lake;

(B) All areas within the Shoreline Estates Sanitary District; and

(C) All areas south of the southernmost part of Cullaby Lake and north of the northernmost part of Neawanna Creek at its confluence with the Necanicum River, save and except those lands more than one-half mile due East of U.S. Highway 101.

(d) The restrictions set forth in this rule are subject to modification or repeal 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 in accordance with single family unit equivalent densities specified in the local land use plan for the area 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.

(e) The restrictions set forth in paragraphs (B) through (D) of subsection (b) and in subsection (c) above shall not apply to prohibit permits for systems to serve one single family dwelling per parcel of land of less than one acre if such parcel's legal description was on file in the deed records of Clatsop County prior to October 28, 1977, either as a result of conveyance or as part of a platted subdivision.

(f) The restrictions set forth in subsections (a), (b), and (c) 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 section (7).

(g) Pursuant to ORS 454.695, the Director and his authorized representative shall issue construction permits for new subsurface sewage disposal systems or favorable reports of evaluation of site suitability, in accordance with Oregon Administrative Rules, Chapter 340, Division 7 under the following conditions: In the City of Gearhart a maximum of 57 single family equivalent units shall be permitted on subsurface sewage disposal systems. The subsurface sewage disposal permits or reports shall be issued in accordance with procedures developed by the City of Gearhart and the Department of Environmental Quality.]

Bracketed [] material is deleted.

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of Amending	)	Notice of Proposed
OAR 340-71-400 and	)	Adoption of Amendment
OAR 340-71-460	)	to OAR 340-71-400 and
On-Site Sewage Disposal	)	OAR 340-71-460
	)	On-Site Sewage Disposal

1. A public hearing will be held at the location and date shown below to consider the adoption of amendment to OAR 340-71-400 and OAR 340-71-460, On-Site Sewage Disposal as it relates to the Clatsop Plains.

Gearhart

Gearhart City Hall
698 Pacific Way

10 a.m., June 21, 1982

2. The proposal is to adopt rule amendments to the present Clatsop Plains Moratorium Area Rule and adopt a geographic area rule which establishes the specific subsurface sewage disposal system requirements for the Clatsop Plains Area.
3. The issue to be considered is the question of whether a moratorium should be removed and a geographic rule amendment adopted.
4. Interested persons may present testimony orally or in writing at the hearing and/or in writing to the Department of Environmental Quality, Attention Mr. Sherman Olson, P.O. Box 1760, Portland, Oregon 97207, not later than June 21, 1982.
5. Citation of statutory authority, statement of need, principal documents relied upon, statement of fiscal impact and land use consistency are filed with the Secretary of State.
6. A Department of Environmental Quality staff member or an Environmental Quality Commission hearing officer will be named to preside over and conduct the hearing.
7. Copies of the proposed rule amendment can be obtained by writing the Department of Environmental Quality, 522 S.W. 5th Ave., P.O. Box 1760, Portland, Oregon 97207, Attention Mr. Sherman Olson.

Dated: May 20, 1982
William H. Young, Director
Department of Environmental Quality

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of	)	Land Use
Amending	)	Consistency
OAR 340-71-400 and)	
OAR 340-71-460)	
On-Site Sewage Disposal)	

The proposals described herein appear to be consistent with statewide planning goals. These proposals appear to conform with Goal Number 6 (Air, Water and Land Resources Quality). The proposals do not relate to Goal Number 11 (Public Facilities and Services). There is apparently no conflict with other goals.

With regard to Goal 6, the proposals provide for standards for construction and installation of subsurface sewage disposal systems consistent with public health and safety and protection of the waters of the state, within Clatsop Plains area of Clatsop County.

Public comment on these proposals is invited.

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.

Dated: May 20, 1982
William H. Young, Director
Department of Environmental Quality

TL1654.A

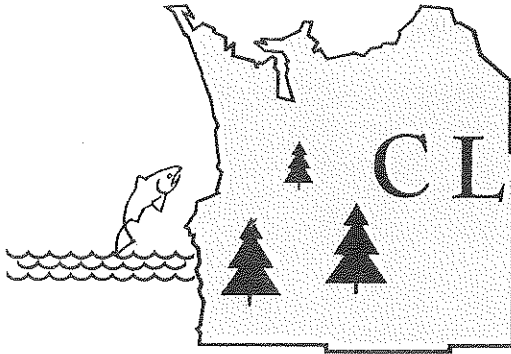
BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of Amending	)	Statutory Authority,
OAR 340-71-400 and	)	Statement of Need,
OAR 340-71-460	)	Principal Documents Relied Upon
On-Site Sewage Disposal)	

1. Citation of Statutory Authority: ORS 454.625, which requires the Environmental Quality Commission to adopt rules pertaining to subsurface and alternative sewage disposal.
2. Need for Rule: The present moratorium rule prohibits the issuance of subsurface system construction permits for several areas on Clatsop Plains. Recent technical data and information shows that the rule is unnecessarily restrictive to protect the groundwater aquifer. The intent of the rule amendment is to rescind the present rule and amend it with a geographic rule.
3. Documents relied upon in proposal of the rule:
 - a. Request from Clatsop County Commission dated April 2, 1982
 - b. Request from Clatsop County Commission dated May 2, 1982
 - c. Clatsop Plains Groundwater Protection Plan Summary Report and Environmental Assessment
 - d. Clatsop Plains Groundwater Protection Plan Groundwater Evaluation Report

Dated: May 20, 1982
William H. Young, Director
Department of Environmental Quality

TL1654.B



CLATSOP COUNTY

Courthouse Astoria, Oregon 97103
March 25, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
MAR 29 1982

WATER QUALITY CONTROL

Mr. Neil Mullane
Water Quality Division
Department of Environmental Quality
P.O. Box 1760
Portland, Oregon 97207

Re: Clatsop Plains Groundwater Protection Plan

Dear Mr. Mullane:

Enclosed is Resolution 82-3-94 adopting the Clatsop Plains Groundwater Protection Plan together with the three (3) volumes of the study.

Clatsop County hereby requests that the Environmental Quality Commission lift the Clatsop Plains Moratorium Rule on the Clatsop Plains and that the findings and recommendations of the above study be used to develop a geographic rule or other appropriate measure to be applied to the Clatsop Plains area as soon as possible.

If you have any questions regarding this matter please contact Curt Schneider 325-8611.

Sincerely,

Bob Westerberg, Chairman
Board of County Commissioners

Enclosures
CJS:ta

- cc: Curt Schneider, Planning Director
- City of Warrenton
- City of Gearhart
- Town of Hammond
- Lee Fortier, R.W. Beck w/o attachments
- Randy Sweet, Sweet, Edwards & Associates w/o attachments
- Public Involvement Committee members w/o attachments

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR CLATSOP COUNTY, OREGON

3 IN THE MATTER OF ADOPTION OF) RESOLUTION & ORDER
4 THE CLATSOP PLAINS GROUNDWATER)
5 PROTECTION PLAN) NO. 82-3- 94

6 NOW, BEFORE THE BOARD OF COUNTY COMMISSIONERS sitting for the trans-
7 action of county business on the 24 day of March, 1982, is the matter of the
8 adoption of the Clatsop Plains Groundwater Protection Plan; and

9 IT APPEARING to the Board that they have previously commissioned a
10 study concerning the supply and quality of groundwater in the Clatsop Plains area,
11 and that said study, to wit: Clatsop Plains Groundwater Protection Plan Summary
12 and Environmental Assessment, Clatsop Plains Groundwater Protection Plan Monitoring
13 Data Base, and Clatsop Plains Groundwater Protection Plan and Groundwater Evaluation
14 Report, have been completed and reviewed by the Clatsop County Planning Staff and the
15 Planning Staff has advised the Board.

16 IT IS HEREBY RESOLVED AND ORDERED that the above study comprised
17 of the following documents:

18 Clatsop Plains Groundwater Protection Plan Summary Report and Environ-
19 mental Assessment, Clatsop Plains Groundwater Protection Plan Monitoring Data Base
20 and Clatsop Plains Groundwater Protection Plan Groundwater Evaluation Report; and
21 their findings and recommendations are hereby adopted in their entirety, setting forth
22 our policy with regard to management of the Clatsop Plains Groundwater.

23 Dated this 24 day of March, 1982.

24 BOARD OF COUNTY COMMISSIONERS
25 FOR CLATSOP COUNTY, OREGON

26 By [Signature]
Bob Westerberg, Chairman

By [Signature]
Roger A. Berg, Commissioner

By [Signature]
Don R. Church, Commissioner

CLATSOP COUNTY COUNSEL
COURTHOUSE ASTORIA, OREGON 97103
TELEPHONE 325-8615

10/1/82

8/27/82

8/16/82

7/15/82

7/1/82

6/20/82

June 1st

May 20th - report

June 30th Hold hearing

June 15th see state

June 11th

July 1st

- 1 Bob P
- 1 Tom B
- 1 Charlie
- 1 Tom T

WATER QUALITY CONTROL

CLATSOP COUNTY

Courthouse Astoria, Oregon 97103
May 7, 1982

William Young, Director
Department of Environmental Quality
P.O. Box 1760
Portland, Oregon 97207

Joe Richards, Chairman
Environmental Quality Commission
P.O. Box 1760
Portland, Oregon 97207

Re: Clatsop Plains Groundwater Protection Plan

Dear Sir:

On April 2, 1982, we requested that the Environmental Quality Commission (EQC) lift the Clatsop Plains Moratorium Rule on the Clatsop Plains and that the findings and recommendations of the Clatsop Plains Groundwater Protection Plan be used to develop a geographic rule or other appropriate measure to be applied to the Clatsop Plains. We request that you consider the following changes to that request.

On pages II-1 and II-2 under Recommendations we have noted two errors that we wish to make corrections to. They are:

Recommendation d. (page II-2) reads: The wastewater disposal recommendations for the unincorporated Clatsop Plains are as follows: It should read: The wastewater disposal recommendations for the unincorporated Clatsop Plains, except for that area within the Seaside-Gearhart Urban Growth Boundaries (UGB's) are as follows:. Attached is a map showing the Gearhart UGB.

Recommendation e. (page II-3) reads: All future development in Gearhart in accordance with the current Comprehensive Plan... It should read: All future development in Gearhart, including the unincorporated areas within the Seaside and Gearhart Urban Growth Boundaries (UGB's), in accordance with...

We have also noted, following discussion with your staff a concern has been raised as to which type of subsurface sewage system would be required for a planned development or clustered-lot subdivision where the density of the development is the equivalent of one acre lots (e.g. 40 one acres lots vs. 40 one-half acre lots and one 20 acre undevelopable lot in common ownership) but the actual lots would be less than the one-acre lot specified in Recommendation d(1) on page II-2. Based on a literal reading of our recommendation (vs. our intent) the system(s) specified in d(2) d(3) would be required even though the density of the entire development would remain at one dwelling unit per acre. We ask that the wording that exists in the present

moratorium rule (OAR 340-71-460(6)(e)(b)(c)) regarding planned developments be retained. It is as follows:

"...in a single planned unit development or single subdivision tract having enclosed boundaries and with open space land owned in common by all land owners, permits may be issued where the whole lot area upon which a dwelling is to be constructed is less than one acre but where each owner hold and undivided interest, in common with all other owners, in open space land of sufficient acreage within the boundaries of the development so that the density of the entire parcel shall not exceed one dwelling per acre when considered as a whole..."

and suggest that it be added to recommendation d, e and f on pages II-2 and II-3.

We thank you for your consideration of these requests and hope that they do not delay the overall request to lift the moratorium.

If you have any questions on this matter please contact Curt Schneider at 325-8611.

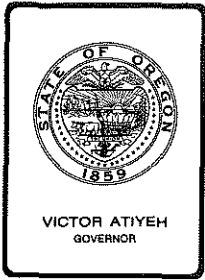
Sincerely,

ON BEHALF OF THE CLATSOP COUNTY
BOARD OF COMMISSIONERS



:CJS:ta
Attachment

cc: Neil Mullane, Water Quality
John Smits, Sanitarian



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, June 11, 1982, EQC Meeting

Request for a variance from OAR 340-25-315(2), particulate matter emissions, from Weyerhaeuser Company, North Bend plywood mill.

Background

Weyerhaeuser Company owns and operates a plywood manufacturing plant at North Bend. In 1979-80 Weyerhaeuser initiated a change in finished product line which resulted in an increase in emissions as more of the plant-produced plywood was sanded. Based on particulate source tests conducted in February 1980, the mill is not in compliance with OAR 340-25-315(2) which limits particulate matter from veneer and plywood mill sources (other than veneer dryers, fuel burning equipment and refuse burning equipment) to one pound per 1000 square feet of plywood or veneer production on a 3/8 inch basis.

A compliance attainment strategy which involves controlling emissions from two plywood sanderdust cyclones was approved by the Department on August 13, 1980. The Air Contaminant Discharge Permit has a four step schedule which requires final compliance demonstration by no later than July 15, 1982.

Weyerhaeuser Company has requested a variance from OAR 340-25-315(2) for a period of one year beyond the compliance schedule in the Air Contaminant Discharge Permit. They cite the company's efforts to reduce capital expenditures during 1982 to an absolute minimum because of the extremely depressed market conditions as the reason to delay installing emission control devices to comply with the regulation. Losses at the North Bend plywood plant for 1982 are expected to equal or exceed the 2 million dollar losses reported for 1981.

The Commission is authorized by ORS 468.345 to grant a specific variance if it finds that strict compliance with the rule or standard is inappropriate because, among other reasons:

Conditions exist that are beyond the control of the persons granted such variance.

Alternatives and Evaluations

In 1980 Weyerhaeuser implemented a change in finished product line which required running about 70% of plant produced plywood through the surface sanding operation. In recent prior years only about 10% was sanded. This resulted in a significant emission increase and the primary reason for non-compliance. Based on the source test conducted in February 1980, mass emissions rate exceeded the allowable of 40 lbs. per hour 60% of the time. During one operating period (consisting of 10% of the total time) emissions exceeded the allowable emissions by 40% (56 lbs per hour). However, the cyclones which are to be controlled are in compliance with the concentration (grain loading) and opacity standards.

Pursuant to the Department's April 10, 1980 request for a proposed control strategy and schedule, a final compliance demonstration date of December 31, 1981 was set forth in the Air Contaminant Discharge Permit. The submitted strategy indicated a proposal to control particulate emissions from the two sanderdust cyclones by means of a scrubber. This was determined as the only feasible method of reducing emissions to the required level. Subsequently, at the company's request, the Department extended the compliance demonstration six months (to July 15, 1982) to allow the company time to evaluate another type of cyclone exhaust emission control device.

After review of the alternative control hardware, Weyerhaeuser Company confirmed their intent to proceed with the installation of the original planned equipment, a Burley wet scrubber system. A purchase order was issued for the scrubbers by the incremental deadline of November 1, 1981. The purchase order was subsequently placed "on hold".

The cost of the proposed emission control project is estimated at \$250,000. The company indicated that they are not in a favorable cash flow condition and have therefore reduced capital expenditures to an absolute minimum. They reported a loss of more than 2 million dollars in calendar year 1981 and are projecting similar or greater losses during 1982. The existing economic conditions are considered to be beyond the control of Weyerhaeuser.

No significant adverse impact on the community or the airshed from the two sanderdust cyclones has been identified.

Most plywood facilities in Oregon have controlled sanderdust cyclones with proven emission collection devices.

Two primary options are available:

1. The company could immediately reinstate their purchase order for the Burley scrubber control system and initiate construction. By maintaining the existing increments of progress, compliance would be achieved by February 15, 1983. To proceed at this time would result in a capital investment during a period of negative plant profitability.
2. Extend the compliance demonstration schedule for one year as requested by the company. This additional time could result in an improved cash flow position. The risk remains, however, that the wood products industry will not recover within that time frame.

Summation

1. As a result of increasing the volume of plywood sanded after the year 1979, particulate emissions from Weyerhaeuser's North Bend plywood manufacturing facility exceed the allowable mass emission rate based on plywood or veneer production (OAR 340-25-315(2)). As independent operating units, the cyclones to be controlled, are in compliance with grain loading and opacity standards.
2. Schedule of compliance in the current Air Contaminant Discharge Permit (ACDP) requires compliance demonstration by July 15, 1982.
3. The Department has approved a strategy to install wet scrubbers on two sanderdust cyclones to achieve emission compliance. The estimated cost of the project is \$250,000.
4. Weyerhaeuser has requested a variance to OAR 340-25-315(2), process mass emission rate limits, for a period of one year beyond the compliance schedule in the ACDP (to July 15, 1983).
5. Weyerhaeuser cites the depressed wood products market, necessitating a reduction of capital expenditures, as justification for the delay in installing emission control equipment to achieve compliance. The company projects that the North Bend plywood facility losses will be greater than 2 million dollars in 1982. The existing adverse economic conditions are considered to be beyond the control of Weyerhaeuser.
6. No immediate significant adverse air quality in the local community or the airshed has been specifically attributed to the cyclone emission points to be controlled.
7. The Commission is authorized by ORS 468.345 to grant a specific variance if it finds that strict compliance with the rule or standard is inappropriate because, among other reasons:

Conditions exist that are beyond the control of the persons granted such variance.

8. Primary options are:

- a) Require immediate resumption of the schedule to install control equipment with minimum delay. This would necessitate Weyerhaeuser to make a capital expenditure during a period of negative plant profitability.
- b) Grant the variance to OAR 340-25-315(2) for a period of one year beyond the current ACDP compliance schedule. The company's cash flow position will continue to be dependent on the wood products industry market.

Director's Recommendations

Based upon the findings in the Summation, it is recommended that the Commission grant Weyerhaeuser a variance to OAR 340-25-315(2) extending the compliance one year with a compliance demonstration schedule as follows:

1. By no later than November 2, 1982, the permittee shall issue purchase orders for the major components of emission control equipment and/or for process modification work.
2. By no later than January 15, 1983, the permittee shall initiate the installation of emission control equipment.
3. By no later than May 15, 1983, the permittee shall complete the installation of emission control equipment.
4. By no later than July 15, 1983, the permittee shall demonstrate compliance with OAR 340-25-315(2).

Bill

William H. Young

Attachments: Attachment I Letter from Weyerhaeuser dated 12/04/81
Attachment II Letter from Weyerhaeuser dated 4/21/82
Attachment III Letter from Weyerhaeuser dated 5/18/82

F.A. Skirvin: a
AA2130 (1)
(503) 229-6414
May 18, 1982



Weyerhaeuser Company

P.O. Box 275
 Springfield, Oregon 97477
 A/C 503-746-2511

December 4, 1981

Mr. F. A. Skirvin
 Department of Environmental Quality
 522 S.W. 5th Avenue
 Portland, Oregon 97204

Dear Mr. Skirvin:

This will confirm my recent discussions with both you and Gary Grimes concerning Weyerhaeuser Company's compliance schedule for the North Bend plywood plant. As you know, the current schedule requires that equipment purchase orders were to have been issued by November 1, 1981, and the project to be completed by May 15, 1982.

Purchase orders were issued for the Burley wet scrubber system by the November 1 deadline. However, following our discussions in early November, a hold was placed on those orders.

As you know, extremely depressed market conditions continue to exist for the wood products industry. Because of this, Weyerhaeuser Company has reduced capital expenditures to an absolute minimum. Even projects that have a significant return on investment have been delayed until market conditions improve.

The cost for the plywood plant emission compliance project is approximately \$250,000. This is a major capital investment for our North Bend facility, particularly under the current unfavorable economic conditions. We are, therefore, requesting a one-year extension in the time schedule to achieve compliance with the emission limits. Both the current schedule and the revised dates that we are requesting are shown below.


	<u>Current Date</u>	<u>Revised Date</u>
1. Issue Purchase Orders	Nov. 01, 1981	Nov. 02, 1982
2. Initiate Construction	Jan. 15, 1982	Jan. 15, 1983
3. Complete Construction	May 15, 1982	May 15, 1983
4. Demonstrate Compliance	July 15, 1982	July 15, 1983

Mr. F. A. Skirvin
December 4, 1981
Page 2

It is our full intent to meet the environmental requirements for this facility. For the reasons described above, however, your favorable consideration of our request for a one-year extension will be sincerely appreciated.

Please contact me should you have any questions or need additional information on this matter.

Sincerely,



R. Jerry Bollen
Oregon Public Affairs Manager

RJB:bh

cc: Mr. Gary Grimes
Department of Environmental Quality
201 West Main Street
Medford, OR 97501

Mr. Bruce Hammon
Department of Environmental Quality
490 N. Second Street
Coos Bay, OR 97420

Mr. Dan Weybright
Weyerhaeuser Company
P.O. Box 389
North Bend, OR 97459



Weyerhaeuser Company

P.O. Box 275
Springfield, Oregon 97477
A/C 503 • 748-2511

April 21, 1982

Mr. F. A. Skirvin
Department of Environmental Quality
522 S.W. 5th Avenue
Portland, Oregon 97204

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
APR 23 1982
AIR QUALITY CONTROL

Dear Mr. Skirvin:

This will confirm our recent telephone discussion concerning Weyerhaeuser Company's compliance status for the North Bend plywood plant.

As you know, this facility currently exceeds the allowable mass emission limit. Because of this, we are currently under a compliance schedule to install emission controls on cyclone sources P2 and P3. This schedule calls for project completion by May 15, 1982, and compliance demonstration by July 15, 1982.

Our letter dated December 4, 1981, requested a one-year extension of the compliance schedule. This request was based on the extremely depressed market conditions that continue to exist for the wood products industry. Because of this, Weyerhaeuser Company has reduced capital expenditures during 1982 to an absolute minimum.

A copy of the December 4 letter is enclosed for your reference.

During our recent discussion, you indicated that approval of a compliance extension must be based on a formal variance request. Therefore, the purpose of this letter is to request a one-year variance from the air contamination rules in accordance with ORS 468.345.

The cost for the plywood plant emission compliance project is approximately \$250,000. This is a significant capital investment for our North Bend facility, particularly under the current unfavorable economic conditions. We are therefore asking that a one-year variance be granted and the following amended compliance schedule be approved:

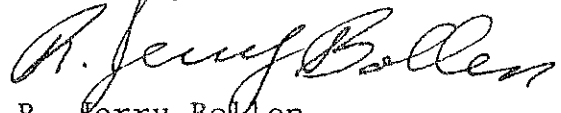
Mr. F. A. Skirvin
April 21, 1982
Page 2

1. Issue Purchase Orders ---- Nov. 2, 1982
2. Initiate Construction ---- Jan. 15, 1983
3. Complete Construction ---- May 15, 1983
4. Demonstrate Compliance ---- July 15, 1983

We fully intend to meet the environmental requirements for this facility. For the reasons expressed above, however, favorable action on our request will be appreciated.

Please contact me should you need additional information on this matter.

Sincerely,



R. Jerry Bollen
Oregon Public Affairs Manager

RJB:bh
Enclosure

cc: Mr. Gary Grimes
Department of Environmental Quality
201 West Main Street
Medford, OR 97501

Mr. Bruce Hammon
Department of Environmental Quality
490 N. Second Street
Coos Bay, OR 97420

Mr. Dan Weybright
Weyerhaeuser Company
P.O. Box 389
North Bend, OR 97459

RECEIVED
MAY 21 1982



Weyerhaeuser Company

AIR QUALITY CONTROL

P.O. Box 275
Springfield, Oregon 97477
A/C 503 • 746-2511

May 18, 1982

Mr. F. A. Skirvin
Department of Environmental Quality
522, S.W. 5th Avenue
Portland, Oregon 97204

Dear Mr. Skirvin:

Our letter of April 21 requested a one-year variance on the compliance schedule for Weyerhaeuser Company's plywood plant at North Bend, Oregon. This request was made in accordance with ORS 468.345, and was based on the unfavorable economic conditions that currently exist.

The purpose of this letter is to provide additional information in support of our request.

ORS 468.345 (a) is the basis of our request for a variance. This provision specifies that the Environmental Quality Commission may grant a variance if it finds that strict compliance with the rule or standard is inappropriate because "conditions exist that are beyond the control of the persons granted such variance."

As you know, the wood products industry has been severely depressed the past couple of years. Our plywood plant at North Bend lost more than \$2 million in 1981. Midyear projections that were made in 1981 had indicated that market conditions might begin improving in 1982. To date, however, this has not occurred. In fact, our situation during the first four months of this year deteriorated as compared to 1981. If this trend continues, the economic loss that will be realized from the continued operation of our plywood plant at North Bend will substantially exceed that which was experienced for 1981.

Because of the poor economic situation and the depressed market conditions, we need the time extension to achieve emission compliance and ask your favorable action on our variance request.

Yours very truly,

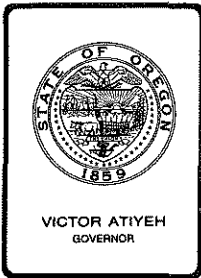
R. J. Bollen
Oregon Public Affairs Manager

RJB:bh

Mr. F. A. Skirvin
May 18, 1982
Page 2

cc: Mr. Don Neff
Department of Environmental Quality
522 S.W. 5th Avenue
Portland, Oregon 97204

Mr. Dan Weybright
Weyerhaeuser Company
P.O. Box 389
North Bend, Oregon 97459



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 , June 11, 1982 EQC Meeting

Request by Lake County for Extension of Variances from
Rules Prohibiting Open Burning Dumps, OAR 340-61-040(2)

Background

A series of variances have been granted to disposal sites in Lake County to allow continued operation of open burning dumps at Adel, Christmas Valley, Fort Rock, Plush, Silver Lake and Summer Lake. The most recent variance was granted in June 1980 (Attachment I). At that time, extensions were granted to Adel and Plush until July 1, 1985, but the variances for Christmas Valley, Fort Rock, Silver Lake and Summer Lake were limited to July 1, 1982. It was hoped that these sites could be upgraded and that open burning would not be necessary after July 1, 1982. The county has not been able to set aside the necessary funds for this project. The county is, therefore, now requesting that the variances for Christmas Valley, Fort Rock, Silver Lake and Summer Lake also be extended until July 1, 1985. The Commission may grant such variances in accordance with ORS 459.225(3).

Alternatives and Evaluation

The staff believes there are three alternatives which should be considered:

1. Deny the request.
2. Extend the variances as requested.
3. Extend the variances with some limitations.

To deny the variances would cause the sites to close. The county has stated (Attachment II) that it cannot afford the estimated \$227,375 capital costs and \$84,080 annual operating costs required to bring the sites into strict compliance with the regulations. There are no alternative landfills available. The staff believes that the county probably could obtain adequate used equipment for significantly less money (perhaps 30% less); however, this is still a substantial amount of money. Significant expenditure of resources by the county or the Department does not appear warranted at this time.

The staff will continue to meet with the county periodically during the variance period and keep informed of any developments which could affect the county's ability to comply with the Department's regulations.

Summation

1. Variances granted in June 1980 to Lake County disposal sites at Christmas Valley, Fort Rock, Silver Lake and Summer Lake expire July 1, 1982.
2. Lake County continues to cite high capital and operational costs as the primary reason for not complying with the Department's rules prohibiting open burning of garbage.
3. Lake County has requested an extension of the variances until July 1, 1985.
4. The Department finds that the applicant's request meets the requirements of ORS 459.225(3) by which the Commission may grant a variance as follows:
 - a. Conditions exist that are beyond the control of the applicants.
 - b. Special conditions exist that render strict compliance unreasonable, burdensome, or impractical.
 - c. Strict compliance would result in substantial curtailment or closing of the disposal sites and no alternative facility or alternative method of solid waste management is available at this time.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant an extension of variances to OAR 340-61-040(2), until July 1, 1985, for Lake County disposal sites at Christmas Valley, Fort Rock, Silver Lake and Summer Lake.

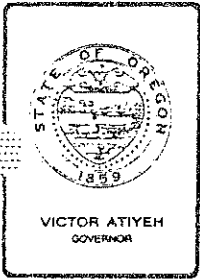
Bill

William H. Young

Attachments

- I - Agenda Item No. M, June 20, 1980 EQC Meeting
- II - Letter dated April 28, 1982, from Louis V. Lamb

W. H. Dana:c
SC473
229-6266
May 18, 1982



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, June 20, 1980, EQC Meeting

Request by Lake County for Continuation of Variances from
Rules Prohibiting Open Burning Dumps (OAR 340-61-040(2)(c))

Background

On three occasions the EQC has granted variances to Lake County to continue open burning at seven rural solid waste disposal sites. Agenda Item No. J(2), April 27, 1979; ~~Agenda Item No. H(1), June 29, 1979;~~ and ~~Agenda Item No. H, September 21, 1979,~~ are attached for reference.

Discussion

Department staff met with the Lake County Commission on March 5, 1980, to discuss the issues involved with continued open burning at the rural sites. At that time the Lake County Commission asked that the City of Paisley site be considered separately because the city owns and operates the site independent of county control.

As a result of the meeting, Lake County has submitted a letter (copy attached) requesting continuation of the variances on Plush and Adel for five years and Summer Lake, Silver Lake, Fort Rock, and Christmas Valley for two years. County rationale for requesting the two-year variance on the four sites is based on prohibitive costs, (\$199,000 capital and \$67,000 operational vs. present \$23,000), rural location of the sites, and lack of citizen concerns over the present program. No projections for upgrading the sites at the end of the two-year period were provided.

Alternatives and Evaluation

Alternatives were discussed in the April 27, 1979, staff report. Basically, they are: 1) deny the variance requests; and 2) approve the variance requests for an indefinite period. An additional alternative



would be to approve the present request with a requirement that during the two-year period plans for upgrading would be developed by the county.

With the past history of negotiations with Lake County, it is staff opinion that should the two-year variance be granted without conditions, Lake County would return with a request for variance extension at the end of that time without having planned for any significant site upgrading.

In any case, if variances are granted, all the sites would be placed on the RCRA open dump list with a maximum of five years to close or upgrade.

This compliance schedule could be altered to require upgrading of the four sites at the end of the two-year variance. The schedule would become part of the State Plan submitted to EPA as a RCRA requirement. Progress reports outlining efforts toward upgrading could be required at the end of the first year and quarterly during the second year to assure efforts toward compliance. As was noted in the previous staff reports, strict compliance at this time would result in probable closure of the disposal sites with no alternative facility or method of solid waste disposal available.

Staff concurs with the request for a five-year variance on Plush and Adel.

Summation

1. As the variance request indicates, staff has been unable to negotiate a schedule for upgrading the existing open burning dumps. Lake County continues to cite high costs, rural location, and public support of the present system.
2. The county has requested a five-year variance for Plush and Adel and a two-year variance for Silver Lake, Summer Lake, Fort Rock, and Christmas Valley.
3. No solution for upgrading the sites has been submitted. If a variance is granted, the county should be required to submit progress reports leading to submission of a plan for upgrading the sites.
4. All open burning dumps must be placed on the RCRA open dump list with a negotiated compliance schedule not to exceed five years.
5. Strict compliance at this time would result in probable closure of the disposal sites with no alternative facility or method of solid waste disposal available.

Directors Recommendation

Based upon the findings in the summation, it is recommended that the Environmental Quality Commission grant an extension of variances to OAR

EQC Agenda Item No. M

June 20, 1980

Page 3

340-61-040(2)(c) until July 1, 1985, for Plush and Adel, and until July 1, 1982, for Silver Lake, Summer Lake, Fort Rock, and Christmas Valley subject to the following:

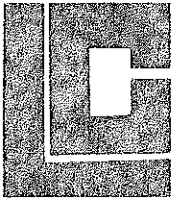
1. Progress reports toward upgrading of Silver Lake, Summer Lake, Fort Rock, and Christmas Valley be submitted by July 1, October 1, and December 1, 1981, and February 1 and April 1, 1982.
2. The six sites be listed on the RCRA open dump list with compliance dates consistent with expiration of the variances.



WILLIAM H. YOUNG

Attachments: 1. Agenda Item H
 2. Agenda Item J(2)
 3. Agenda Item H(1)
 4. Letter from Lake County Counsel

Bob Brown:np
229-5157
June 4, 1980
SN2 (1)



LAKE COUNTY COURTHOUSE LAKEVIEW, OREGON 97630

Soil
Dept. of Environ.
County
RECEIVED
APR 30 1982

April 28, 1982

Robert C. Brown
Department of Environmental Quality
P.O. Box 1760
Portland, Oregon 97207

RE: LAKE COUNTY RURAL SOLID WASTE SITES-OPEN BURNING VARIANCES

Dear Mr. Brown:

The purpose of this letter is to request an extension of the following permits:

SW Permit No. 9 - Christmas Valley
SW Permit No. 276 - Fort Rock
SW Permit No. 184 - Silver Lake
SW Permit No. 183 - Summer Lake

We are requesting extending the date of authorized open burning from July 1, 1982 to July 1, 1985 on the above listed sites.

We have in the past cited high costs, rural locations and public support of our present system. We should include the down turn of the economy in North Lake County area. We have not had the growth as expected at the time of the original application and the use of the dump sites is less than anticipated.

Due to budget priorities and our financial situation, Lake County is unable to upgrade the listed sites at this time. Due to uncertainties in funding, inflation of cost on present programs and losses of revenues, our request is to extend the variances to 1985.

We believe the cost to change to the modified landfill would be approximately \$311,455 for the first year. That would include \$227,375 for capital expenditures and approximately \$84,080 annual cost.

Our present cost is approximately \$26,450 per year.

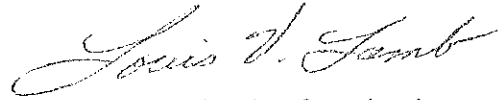
FIXED COST:	Pickup	\$ 6,325
	Low Boy	77,050
	D6D Crawler & Ripper	144,000
	Total	<u>\$227,375</u>

VARIABLE COST:

Labor	\$ 42,435
Fuel	13,225
Overhead	5,900
Equip./Depreciation	14,220
Repairs	2,300
Insurance	6,000
TOTAL	\$ 84,080

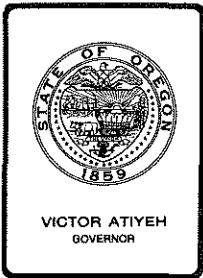
Sincerely,

LAKE COUNTY BOARD OF COMMISSIONERS



Louis V. Lamb, Commissioner

LVL:jlr
cc: Commission
Bill Hanlon



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. H , June 11, 1982, EQC Meeting

Request by the City of Paisley for Extension of Variance
from Rules Prohibiting Open Burning Dumps, OAR 340-61-040(2).

Background and Problem Statement

A series of variances have been granted to the City of Paisley to allow continued operation of its solid waste disposal site with open burning. The most recent variance was issued in June 1980 (copy of staff report attached). At that time it was hoped that the site could be upgraded and that open burning would not be necessary after July 1, 1982. The City has not been able to set aside the necessary funds for this project and is requesting another extension of its variance (see attached letter). The Commission may grant such variances in accordance with ORS 459.225(3).

Alternatives and Evaluation

The staff believes there are three alternatives which should be considered:

1. Deny the request.
2. Extend the variance as requested.
3. Extend the variance with some limitations.

To deny the variance would cause the disposal site to close. There is limited space at the site and it would rapidly be filled if wastes were not burned. No alternative disposal sites are currently available.

Given the current state of the economy, it is probably unrealistic to expect that the City's financial situation will significantly improve in the near future. Significant expenditure of resources by the City or the Department does not appear warranted at this time.

The City has not proposed a specific time period for the variance extension. The staff recommends that the variance be extended until July 1, 1985. This is about as long as we can currently authorize open

burning and still be in accord with federal landfill standards. Also, this is the date when similar variances for several other disposal sites in Lake County will expire. There is no compelling reason to treat Paisley different from the other similar disposal sites in Lake County.

Summation

1. A variance granted in June 1980 to allow open burning at the Paisley Disposal Site in Lake County expires July 1, 1982.
2. The City of Paisley continues to cite high costs and lack of suitable landfill space as reasons for not being able to comply with the Department's rules.
3. The City of Paisley requests that its variance be extended. Similar disposal sites in Lake County have also requested extension to July 1, 1985.
4. The Department finds that the applicant's request meets the requirements of ORS 459.225(3), by which the Commission may grant a variance, as follows:
 - a. Conditions exist that are beyond the control of the applicants.
 - b. Special conditions exist that render strict compliance unreasonable, burdensome, or impractical.
 - c. Strict compliance would result in substantial curtailment or closing of the disposal sites and no alternative facility or alternative method of solid waste management is available at this time.

Director's Recommendation

Based upon the findings in the Summation, it is recommended that the Commission grant an extension of the variance to OAR 340-61-040(2), until July 1, 1985 for the City of Paisley's solid waste disposal site.



William H. Young

- Attachments: 1. Agenda Item N, June 20, 1980 EQC Meeting
2. Letter dated May 7, 1982 from Calvin E. Young

W. H. Dana:o
229-6266
May 19, 1982
S0969



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, June 20, 1980, EQC Meeting

Request by the City of Paisley for Continuation of Variances from Rules Prohibiting Open Burning Dumps (OAR 340-61-040(2)(c))

Background

On three occasions the EQC has granted variances to Paisley to continue open burning at their city's solid waste disposal site. Agenda items covering these variances are attached to Item M, today's meeting.

Discussion

Department staff has contacted the mayor of Paisley to discuss continued open burning at the site. The mayor indicated he would again request a continuation of the variance for Paisley. The city's rationale was based on prohibitive costs and lack of concern about the need to change the current operation. As a result of the meeting the city has requested a variance extension of two years. No projection for upgrading the site was provided.

Alternatives and Evaluation

1. Deny the variance request.
2. Approve the variance request for an indefinite period.
3. Approve the variance request for a specified period of time with the stipulation that during that period plans for upgrading would be developed by the city.
4. Approve the variance for a specified period with no conditions.

With the past history of negotiations with the City of Paisley, it is staff opinion that a specified period without conditions for future upgrading would result in Paisley returning for another variance without significant plans for site upgrading. Plans for upgrading during a specific length variance should be required. Progress reports could be required during the variance period.



contains
recycled
materials

If a variance is approved, the site would be placed on the R.C.R.A. open dump list with a maximum of five years to close or upgrade.

As was noted in previous staff reports, strict compliance at this time would probably result in closure of the site with no alternative facility or method of solid waste disposal available.

Summation

1. As the variance request indicates, staff has been unable to negotiate a schedule for upgrading the existing open burning dump. Paisley still cites high cost, rural location, and local support of the present system.
2. The city has asked for a continued variance.
3. No solution for upgrading the site has been submitted. Progress reports leading to submission of plans for upgrading should be required.
4. All open burning dumps will be placed on the R.C.R.A. open dump list with a maximum of five years for closure or upgrading.
5. Strict compliance at this time would result in probable closure of the disposal site with no alternative facility for solid waste available.

Director's Recommendation

Based upon the findings in the summation, it is recommended that the EQC grant a variance extension to OAR 340-61-040(2)(c) until July 1, 1982 for Paisley subject to the following conditions:

1. Progress reports toward upgrading of Paisley be submitted on July 1, 1981, December 1, 1981, and April 1, 1982.
2. The site will be listed on the R.C.R.A. open dump list with compliance dates consistent with expiration of the variance.



William H. Young

Attachment: Letter - City of Paisley

Gil Hargreaves:be
884-2747
June 5, 1980

SB15

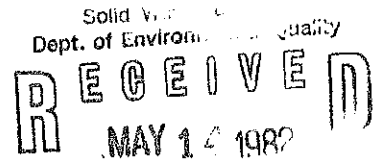
CITY OF PAISLEY

P. O. Box 100
PAISLEY, OREGON 97636

Attachment 2
Agenda Item No. H
6/11/82 EQC Meeting

MAY 12 1982

May 7, 1982



Department of Environmental Quality
Central Region
Klamath Falls Branch
P.O. Box L
Gilbert Hargreaves, R.S.
Environmental Supervisor

RE: Paisley Open Burning
Variance

Dear Mr. Hargreaves:

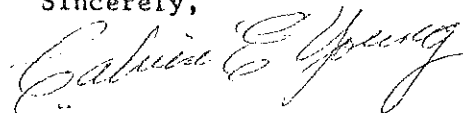
In response to your letter of March 30, 1982, Open Burning Variance,
We are again asking for an extended variance.

We have not been able to obtain the equipment or finances for a
landfill project. We only have 80 acres and no further acreage is
available for a landfill site.

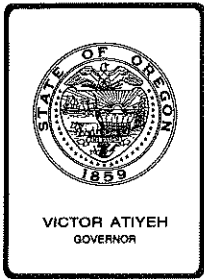
However, we have been able to hire extra help to keep wire, car bodies
and other unburnable junk separated from tree trimmings and brush.
Thus keeping a more managable site.

Burning is still our only recourse. We will need a new pit in the
near future. A pit lasts about a year when kept burned out, This is
the only way we can make the best use of our land.

Sincerely,



Calvin E. Young,
Mayor, City of Paisley



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. I, June 11, 1982, EQC Meeting

Mr. & Mrs. Leonard Silverwood - Appeal of a Variance Officer's Decision to Grant a Hardship Variance from the On-Site Sewage Disposal Rules, with a Condition That Limits the Number of Permanent Residents Using the Sewage Disposal System

Background

The pertinent legal authorities are summarized in Attachment "A".

Mr. & Mrs. Silverwood reside at 8635 S.W. Leahy Road, in Portland. Their home is located on 1.26 acres of land within the bounds of the Unified Sewerage Agency in Washington County. On February 26, 1982, Mr. Silverwood submitted an application to Washington County for a permit to repair his failing drainfield. Mr. Thomas McNerthney, a Sanitarian with the Washington County Health Department, visited the property the same day to determine the feasibility for making a repair. He found a repair could reasonably be made on a sloping bench (slope of eighteen (18) percent) below the house and above Leahy Road. The repair would need to be kept as far upslope from the road cut as the bench would allow. Other areas of the property were found unsuitable because of excess slope or high groundwater. Mr. McNerthney indicated the repair system should contain as close to four hundred fifty (450) linear feet of disposal trench as could be installed. However, Mr. McNerthney was obligated to deny the permit because a sewerage system was both physically and legally available to provide service to the property. A report to this effect was prepared on March 4, 1982.

On March 12, 1982, an application for variance from the on-site sewage disposal rules was received by the Department, found to be complete, and was assigned to Mr. Sherman Olson, Variance Officer. On April 13, 1982, Mr. Olson examined the proposed site and held a public information type hearing. The property is within the Unified Sewerage Agency (USA) boundaries. A sewer manhole in Leahy Road is approximately one hundred fifty (150) feet from the southeast corner of the Silverwood property. Their home is about one hundred thirty (130) feet into the property. U.S.A. expressed both a willingness and an obligation to allow connection to their facilities. Mr. Olson determined that the sewerage system is not under a Department connection permit moratorium, and that there are no topographic limitations that would make a

connection physically impractical. The cost of installing a sewer pipe from the manhole to the home was estimated at about ten thousand dollars (\$10,000). The Silverwoods provided written testimony (Attachment "B") that they are both retired and have health problems. The cost of connecting to U.S.A. would pose severe financial hardship on them as they are unable to work to earn money to pay for the connection. They are the only occupants of their small one-bedroom home. Mr. Silverwood also provided a statement from his physician, Dr. Frank Fric, attesting to his current health (Attachment "C").

As an alternative to connection to the U.S.A. system, Mr. & Mrs. Silverwood proposed to install a new septic tank and a new drainfield. The drainfield would be placed on the bench located by Mr. McNerthney. In maintaining a ten (10) foot separation to the northwest property line, and a forty (40) foot setback from the road cut, the drainfield could not be sized larger than about two hundred thirty-five (235) linear feet. The soil texture was found to be silty clay loam over silty clay. Mottling, an indicator used to predict seasonal water levels, was observed at twenty-four (24) inches below ground surface.

After closing the hearing Mr. Olson evaluated the variance record. He found that a sewerage system (U.S.A.) was both physically and legally available to serve the home. The Department's rule (OAR 340-71-060(5)(f)) requires a permit be denied if a sewerage system is both physically and legally available. Information was not provided to allow a finding that strict compliance with the rule to be inappropriate, or that the property possessed special physical conditions to render strict compliance unreasonable or impractical. Mr. Olson determined hardship provisions allowed by ORS 454.647(2) could be applied in this situation. Variances may be granted from the rules in cases of extreme hardship. The record documents the poor health of Mr. and Mrs. Silverwood. They are the only permanent residents in their one-bedroom home. Their daily water usage within the home is expected to be lower than a more active household. Even though the drainfield proposed to be installed would not have the capacity for a typical one or two-bedroom dwelling, Mr. Olson believed it would be adequate for the Silverwoods. Allowing the failing system to be repaired with an on-site system instead of requiring connection to the sewerage system would have no adverse environmental impact. Mr. Olson granted a variance to allow the issuance of a permit to repair the system, with conditions. The number of permanent residents was limited to two people because of the drainfield size, and because the home contained only one bedroom. An increase in permanent occupancy would result in a larger sewage flow, and would increase the possibility of system failure. The home would be required to connect to the U.S.A. system if the drainfield fails. Mr. Olson discussed the conditions with Mr. Silverwood before the decision letter was mailed. Mr. Silverwood was informed that if the conditions were not agreeable, the decision letter prepared by Mr. Olson would not be mailed. Instead, Mr. Olson would prepare a staff report, with a recommendation, to be presented to the Environmental Quality Commission as an agenda item for the June 11, 1982 meeting. Mr. Silverwood stated he would accept the conditions. A variance approval letter, dated April 13, 1982, was mailed to Mr. Silverwood (Attachment "D").

On April 30, 1982, the Department received a letter from Mr. and Mrs. Silverwood appealing the condition in the variance approval letter limiting the number of permanent residents using the system (Attachment "E"). He states this limitation places an unjustified burden upon himself and his family because it would be difficult to sell or negotiate a loan on the home. Also, he and his wife may be called upon to provide care and shelter for their aged parents. The Silverwoods also point out that increases in projected sewage flows above the design capacity are allowed by Department rule, providing the applicable requirements are met. They contend their repair system is designed for a two hundred thirty gallon per day flow, and that potentially the flow could be increased to three hundred forty-five (345) gallons per day and still comply with Department rules. They also provided information from the Oregon State Extension Service that the national daily average water use for a family of four (4) persons is two hundred fifty-five (255) gallons. They feel this should justify allowing up to five (5) permanent residents in their home. If the system were to fail, then it would be reasonable to require connection to the public sewerage system.

The Department provided notice to all concerned parties that an appeal had been received, and indicated the matter would be brought before the Commission on June 11, 1982.

Alternatives and Evaluation

The Commission appears to have the following alternatives:

1. Let the Variance Officer's decision stand without modification.
2. Modify the Variance Officer's decision by allowing more than two (2) permanent residents to use the system.
3. Reverse the Variance Officer's decision by denying the variance request.

Mr. Olson examined Mr. Silverwood's property with respect to whether the failing sewage disposal system could be corrected by requiring connection to the public sewerage system in the street or repaired with a replacement on-site sewer disposal system. He conducted a public information gathering hearing on the variance request. After closing the hearing, Mr. Olson evaluated the record. He determined that variance from the Department's rule could not be granted on technical merits, but could be granted on the basis of extreme hardship. Hardship variances allowed the imposition of specific conditions, such as limiting the number of permanent residents using the system. In granting variance from the Department's rule because of hardship, Mr. Olson considered the current health of both Mr. and Mrs. Silverwood, the economic hardship they would suffer if forced to connect to the public system, that they are retired and unable to work, and that the environmental impact in granting the variance would be insignificant. Because of the limited area available to install a replacement on-site system he imposed a condition that would insure a low sewage flow, the condition limiting the

number of permanent residents to two (2). As a public sewerage system is both physically and legally available, expansion of the home (increasing the number of residents) or further development of the property could reasonably be accomplished by using the public sewerage system. Staff supports Alternative 1.

The Silverwoods contend their replacement system could accommodate up to five (5) permanent occupants, based on a national average daily water usage of two hundred fifty-five (255) gallons for a family of four (4). Individual on-site systems are not designed for average daily flows, they are designed for maximum projected daily sewage flows. An Environmental Protection Agency study reports maximum flows within a single home have typically been found to be three (3) times the average flow for the same home, with an occasional flow of up to nine (9) times that average. It also says that water usage between households varies considerably. The Silverwood system will have a higher risk of failure if the number of permanent residents is increased. The possibility of system failure may also be greater with two (2) more active people.

It is staff's opinion that Alternative 3 should be rejected because of the severe hardship it would impose on Mr. and Mrs. Silverwood.

Summation

1. The pertinent legal authorities are summarized in Attachment "A".
2. Mr. Silverwood submitted an application for a permit to repair his failing on-site sewage disposal system to Washington County on February 26, 1982.
3. Washington County staff reviewed the property and determined that a repair to the system was feasible, but because a public sewerage system was both legally and physically available, a repair permit could not be issued. Correction of the failure could be accomplished by connection to the public sewerage system. Mr. Silverwood was informed of this in a report prepared on March 4, 1982.
4. On March 23, 1982, the Department received a variance application from Mr. Silverwood. It was assigned to Mr. Olson for hearing.
5. Mr. Olson visited the property and conducted a public information gathering hearing on April 13, 1982. After closing the hearing Mr. Olson evaluated the variance record. He determined that a variance from the Department's rule could not be granted on technical merits, but was able to make a finding of extreme hardship. Variance was granted from OAR 340-71-160(5)(c) on the basis of hardship, with conditions. Washington County was authorized to issue a repair permit, subject to those conditions, by letter dated April 13, 1982.

6. Mr. and Mrs. Silverwood submitted a letter appealing the condition limiting the number of permanent residents using the system. They requested the Commission amend the decision by allowing up to five (5) permanent residents.
7. The Department provided notice to all parties that an appeal had been received and would be considered by the Commission on June 11, 1982.

Director's Recommendation

Based upon the summation, it is recommended the Commission adopt the findings of the variance officer as the Commission's findings, and affirm his decision to approve the variance with such conditions as specified in the April 13, 1982 approval letter.



William H. Young

Attachments: 5

- "A" Pertinent Legal Authorities
- "B" Testimony of Hardship
- "C" Documentation of Hardship
- "D" Variance Approval Letter
- "E" Letter of Appeal

S00:1
XL1647
229-6443
5/17/82

1. Administrative rules governing subsurface sewage disposal are provided for by Statute: ORS 454.625.
2. The Environmental Quality Commission has been given statutory authority to grant variances from the particular requirements of any rule or standard pertaining to subsurface sewage disposal systems if after hearing, it finds that strict compliance with the rule or standard is inappropriate for cause or because special physical conditions render strict compliance unreasonable, burdensome or impractical: ORS 454.657.
3. The Commission may grant variances from the rules or standards pertaining to subsurface sewage disposal systems in cases of extreme and unusual hardship. Consideration may be given to bad health of the applicant, relative insignificance of the environmental impact of granting a variance, and the need to care for aged, incapacitated or disabled relatives. Variances granted due to hardship may contain conditions such as limiting the number of permanent residents using the subsurface system: ORS 454.657.
4. The Commission has been given statutory authority to delegate the power to grant variances to special variance officers appointed by the Director of the Department of Environmental Quality: ORS 454.660.
5. Mr. Olson was appointed as a variance officer pursuant to the Oregon Administrative Rules: OAR 340-71-425.
6. Decisions of the variance officers to grant variances may be appealed to the Commission: ORS 454.660.
6. The issuance of a permit is prohibited if a community or area-wide sewerage system is available which will satisfactorily accommodate the proposed sewage discharge: ORS 454.655(4).
7. After receipt of a complete application the Agent is directed to deny the permit if a sewerage system which can serve the proposed sewage flow is both legally and physically available. A sewerage system is deemed physically available if its nearest connection point from the property to be served is within three hundred (300) feet. It is deemed legally available if the system is not under a Department moratorium, and the sewerage system owner is willing or obligated to provide sewer service: OAR 340-71-160(5).

ITEM 9

ATTACHMENT "B"
State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAR 23 1982

SINCE BOTH MY WIFE & I ARE ^{WATER QUALITY CONTROL} RETIRED ON SOCIAL SECURITY & HAVE DISABILITIES (HEART & CIRCULATION PROBLEMS); I HAD THREE WAY BYPASS SURGERY IN JANUARY 1981 & MY WIFE A DEFECTIVE HEART VALVE. WE MUST CONSERVE OUR FUNDS FOR MANY REASONS. I WILL BE 65 YRS OLD IN 1 1/2 YRS AND ^{HAD TO TAKE EARLY RETIREMENT DUE TO THE ABOVE REASONS}

① HEALTH CARE COSTS

② MOST HOUSE REPAIRS HAVE TO BE DONE BY HIRED HELP. CURRENTLY WE NEED A NEW ROOF PLUS PAINTING INSIDE & OUT. THE RAINGUTTERS NEED REPAIR (BADLY)

③ WE MUST MEET OUR ANNUAL PROPERTY TAX ASSESSMENT

④ WE ARE NOT IN A POSITION TO EARN EXTRA MONEY

⑤ WE HAVE ELDERLY PARENTS WHO DEPEND ON US FOR CHORES MEALS ETC & EXTRA CAR EXPENSE

⑥ IN 1 1/2 YEARS WHEN I REACH 65 YRS, WE WILL GET APPROX \$350.00 LESS PER MONTH

⑦ ABOUT 3 YRS AGO THE SEWER WAS PUT IN OUR STREET AND WHEN IT CAME FROM THE EAST TO ABOUT

~~284~~ 284 FT TO THE CENTER OF OUR PROPERTY, IT TOOK OFF IN ANOTHER DIRECTION. WE WERE NOT GIVEN THE OPPORTUNITY TO HOOK UP AT THAT TIME. ALSO I WAS WORKING FULL TIME THEN. THE COST NOW WOULD BE EXTREMELY EXCESSIVE. AS IT IS WE ARE ON A LOW BUDGET

(over)

OUR HOUSE IS SMALL WITH ONE BEDROOM PLUS
ATTIC SLEEP ROOM (FOR COMPANY).

MY WIFE & I ARE THE ONLY OCCUPANTS
THE EXISTING SEPTIC TANK IS APPROX. 34 YRS OLD
AND ACTS UP AT TIMES.

WE WOULD APPRECIATE YOUR UTMOST
CONSIDERATION OF THIS VARIANCE AS IT IS VITAL
TO OUR NEEDS AT THIS TIME.

Sincerely
Leonard Silverwood

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

MAR 27 1982

WATER QUALITY CONTROL

Tektronix, Inc.
Retirement Programs Office
P.O. Box 500 Y6-600
Beaverton, Or. 97077

STATEMENT OF ATTENDING PHYSICIAN

Employee's Name

Leonard Silverwood, 81361

1. HISTORY

- a. When did present illness begin, or injury occur?
- b. Date employee was obliged to cease work?

Hospitalized at St. Vincent's Hosp, Jan. 8, 1981 for chest pain. The diagnostic studies showed coronary Atherosclerosis with multiple stenotic areas of the coronary arteries. Triple coronary bypass was performed during this hospitalization. Patient also has diabetes.

2. PRESENT CONDITION

- a. Subjective symptoms
- b. Objective findings:
Give report of X-rays, EKG's, etc.
- c. Is employee:
 - Ambulatory
 - Bed confined
 - House confined
 - Hospital confined

a. Chest pain on exertions and dizziness on minor exertions such as walking distance of a block or 1/2 mile.
b. Coronary Atherosclerosis, Atheromatous Disease in the Intracranial Vasculature (by arteriogram).

3. DIAGNOSIS

Coronary Atherosclerosis,
Hypertensive Cardiovascular disease,
History of Transient Cerebral Ischemic Attacks,
Diabetes.

4. TREATMENT

- a. Date of first visit
- 1. Date of last visit
- 2. Frequency of visits
- b. When did you last examine employee?

see above
a. Mo. ___ Day ___ Year ___
1. MO. 10 Day 12 Year 81
2. monthly
b. Mo. 10 Day 12 Year 81

5. PROGRESS:

- Recovered
- Improved
- Unimproved
- Retrogressed

6. DEGREE OF DISABILITY

- a. Has employee been able to work? Yes ___ No
If yes, from what date?
- b. If not, when do you think he he will be able to work?
 - Approx. Date
 - Indefinite ___
 - Never *

At Regular Job?	At Other Work?
Mo ___ Day ___ Yr ___	Mo ___ Day ___ Yr ___
Mo ___ Day ___ Yr ___	Mo ___ Day ___ Yr ___

*All of Mr. Silverwood's illnesses are progressive in nature. His symptoms will certainly increase with the time and an improvement is therefore not expected.

Date: 10/14/81

Signed/Attending Physician

Frank Eric M.D.
FRANK ERIC, M. D.

Address 10220 SW Parkway Portland, Oregon 97225

PHYSICIAN & SURGEON
10220 S. W. PARKWAY
PORTLAND, OREGON 97225



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

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

April 13, 1982

CERTIFIED MAIL

- Mr. and Mrs. Leonard Silverwood
8635 S.W. Leahy Road
Portland, OR 97225

Re: WQ-SSS-Variance Approval
T. L. 100; Sec. 2;
T. 1 S.; R. 1 W., W.M.;
Washington County

Dear Mr. and Mrs. Silverwood:

This correspondence will serve to verify that your requested variance hearing, as provided for in Oregon Administrative Rules, Chapter 340, Rule 71-430 was held beginning at 10:20 am on April 13, 1982, at your home.

The property currently has a home served by an existing on-site sewage disposal system. The property is also served by public water. The Washington County Department of Public Health has determined that a permit to repair the malfunctioning sewage disposal system cannot be issued because a sewerage system (Unified Sewerage Agency) is both legally and physically available. The nearest connection point is located approximately 150 feet from the property, and the property is within the boundaries of the Unified Sewerage Agency. Soils at the proposed repair site are marginal (mottled at twenty four inches and limited usable area between the house and Leahy Road). The variance record does not contain sufficient information to allow a finding that strict compliance with the rule pertaining to availability of sewer is inappropriate for cause. Further, the property does not exhibit special physical conditions to render strict compliance unreasonable or impractical. However, the record contains documentation of extreme hardship. The applicant is in poor health and unable to work. Also, allowing the failing system to be repaired is very unlikely to have an environmental impact with the low sewage flows expected from the home. Therefore, pursuant to ORS 454.657(2), variance from OAR 340-71-160(5)(f) is hereby granted, providing the following:

1. The system is installed in accordance with the conditions within Schedule A.
2. The number of permanent residents using the system is limited to two people.

Mr. and Mrs. Leonard Silverwood
April 15, 1982
Page 2

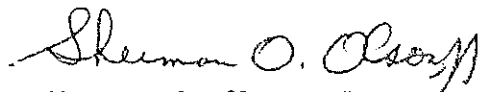
3. If and when the repair system fails, the dwelling shall be connected to the Unified Sewerage Agency sewage system.

Pursuant to OAR 340-71-440, my decision to approve your variance request with such conditions may be appealed to the Environmental Quality Commission. Requests for appeal must be made by letter, stating the grounds for appeal, and addressed to the Environmental Quality Commission in care of Mr. William H. Young, Director, Department of Environmental Quality, Box 1760, Portland, Oregon 97207, within twenty (20) days of the date of the certified mailing of this letter.

The Washington County Department of Public Health is authorized to issue a permit to repair your failing sewage disposal system, subject to all of the above conditions, upon their receipt of a complete application, including the appropriate application fee. The permit may be issued by that office after the twenty (20) day time span allowed for appeal has passed.

Please feel free to contact me at 229-6443 if you have questions regarding this decision.

Sincerely,



Sherman O. Olson, Jr.
Assistant Supervisor
On-Site Sewage Systems Section
Water Quality Division

SOO:g
XG1104
Enclosures

cc: Northwest Regional Office, DEQ
Washington County

SCHEDULE A

1. All work done on this on-site sewage disposal system shall be done by a person or business licensed through the Department of Environmental Quality (hereafter referred to as "Department") in accordance to Oregon Revised Statutes, Chapter 454.695.
2. Before starting with the actual construction of this on-site system, the septic tank installer shall, through written statement to the Washington County Department of Public Health, acknowledge that he has thoroughly reviewed the conditions of this variance approval with personnel from that office and that he understands and will comply with all conditions associated with this permit authorization.
3. The installation of this on-site system shall be completed within fourteen (14) days after construction has begun, unless otherwise authorized by Washington County.
4. The system authorized by this approval shall require the installation of all the following major components and associated materials:
 - a. A new 1,000 gallon septic tank.
 - b. A soil absorption system.
5. Washington County staff shall inspect the installation of this system at those stages of construction they identify as appropriate to insure proper installation.
6. Approximately 230 lineal feet of disposal trench shall be installed within the area indicated in Schedule B. Each disposal trench shall be dug to a depth of approximately twenty-four (24) inches into the natural soil profile.
7. Following the pre-cover inspection, the trenches shall be backfilled and the fill shall be graded so as to prevent the accumulation of surface water.
8. Unless otherwise authorized, all requirements of the Oregon Administrative Rules, Chapter 340, 71-100 through 71-600 shall be met.

XG1104.A

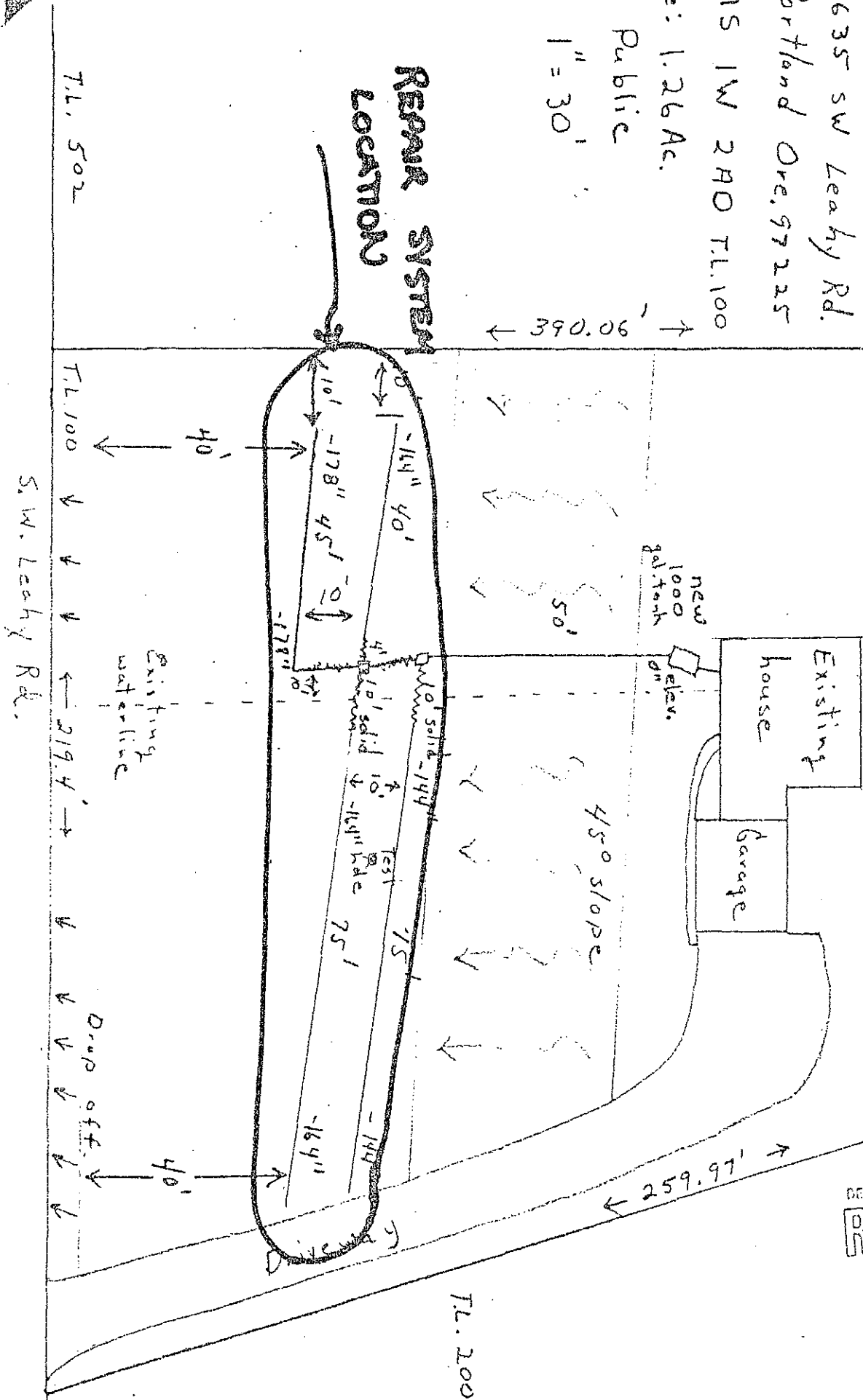
Leonard Silverwood
 8635 SW Leahy Rd.
 Portland Ore. 97225

Legal: 15 1W 2ND T.L.100
 Parcel size: 1.26 Ac.

Water: Public
 Scale 1" = 30'



REPAIR SYSTEM LOCATION



← 390.06 →

← 259.97' →

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
 MAR 23 1982
 WATER QUALITY CONTROL

8 P.L. SW
 EMS

T.L. 502

T.L. 100

S.W. Leahy Rd.

← 219.4' →

T.L. 200

April 28, 1982

Mr. William H. Young, Director,
Department of Environmental Quality
Box 1700
Portland, Oregon, 97207

Re: WQ-SSS-Variance Approval
T. L. 100; Sec. 2;
T. I S.; R. 1 W., W.M.;
Washington County

Dear Mr. Young:

This letter is a request for an appeal of the conditions that were attached to the approval of my variance at the above referenced address.

The condition of the approval that I would like to appeal is Item 2: "The number of permanent residents using the system is limited to two people." I feel that this places an unjustified burden on myself and my family for the following reasons:

1. This home is our major source of investment. If, in the event of a medical emergency or the need to relocate arises-
 - (a) House would be very difficult to sell under such restriction. The number of interested buyers would be minimal.
 - (b) Lending institutions would be hesitant in negotiating a loan with such an encumbrance on the property.
2. Since we both have aged parents, we may be called upon for their care and shelter.
 - (a) We have had to take care of them from time to time in our home when they have been ill.

I would like to bring to your attention that in the current D.E. Q. rules, O.A.R. 340-71-205-(5) allows for changes in the use of a system where the projected daily sewage flow would be increased by not more than three hundred (300) gallons beyond the design capacity or by not more than fifty (50) percent of the design capacity for the system, an authorization can be issued provided requirements (a) through (d) are met. It is my contention that the septic system design capacity, as designed according to schedule B is 230 gallons per day. Also, if the septic system does fail, it will be necessary for me or future owners of the dwelling to connect up to public sewer that is both legally and physically available. In principle, it would be reasonable and justified to accept the public sewer line as being an adequate "repair" should the system fail.

RECEIVED

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
APR 29 1982

(2)

Again, in reference back to O.A.R. 340-71-205 - (5), it would be possible to allow the increase in sewage flow provided those requirements are met. While I do realize that this case is unique to the above, in the respect that the repair of my subsurface sewage disposal system was based on the approval of a variance and not on general D.E.Q. rules. My appeal to you is that provided my septic system were approved under non-variance rules and the sewer line was accepted in lieu of the required alternate repair area O.A.R. 340-71-205-(5) would allow for the increase in sewage flow to a maximum of 345 gal. per day.

Mr. Young, we submit that a system with a potential authorization of to 345 gal. is more than adequate to handle only two persons. I am attaching information that documents that a family of 4 uses only 255 gallons per day (please see attached). In light of the above, we hope that you could see fit to allow a total usage of the dwelling to exceed two (2) people. We feel that a reasonable figure would be up to five (5) individuals to occupy the dwelling. Provided you do grant us approval to allow five (5) individuals to occupy this dwelling, and, if under the circumstance the septic system does fail, we would be required by law, to correct the health hazard by hooking up to public sewer.

Sincerely, Leonard Silverwood
Leonard Silverwood
Edith M. Silverwood
Edith M. Silverwood

Address: 8635 S. W. Leahy Rd.
Portland, Oregon, 97225

cc: Sherman O. Olson, Jr., D.E.Q.
Tom P. McNerthney, Washington County Health Dept.

Incls: EM/77:9 form
O.A.R. 340-71-205 (5) form

From OAR 340-71-205 -

- (4) If condition (a) or (b) of Section (3) of this rule cannot be met, an Authorization Notice shall be withheld until such time as the necessary alterations and/or repairs to the system are made.
- (5) For changes in the use of a system where projected daily sewage flow would be increased by not more than three hundred (300) gallons beyond the design capacity or by not more than fifty (50) percent of the design capacity for the system, whichever is less; an Authorization Notice shall be issued if:
 - (a) The existing system is shown not to be failing; and
 - (b) All set-backs from the existing system can be maintained; and
 - (c) Sufficient area exists so that a complete replacement area meeting all requirements of these rules (except those portions relating to soil conditions and groundwater) is available; and
 - (d) In the opinion of the Agent the proposed increase would not create a public health hazard or water pollution.
- (6) Only one (1) Authorization Notice for an increase up to three hundred (300) gallons beyond the design capacity, or increased by not more than fifty (50) percent of the design capacity, whichever is less, will be allowed per system.
- (7) For changes in the use of a system where projected daily sewage flows would be increased by more than three hundred (300) gallons beyond the design capacity, or increased by more than fifty (50) percent of the design capacity of the system, whichever is less, an Alteration Permit shall be obtained. Such permit may be issued only if the proposed installation will be in full compliance with these rules.
- (8) Personal Hardship.
 - (a) The Agent may allow a mobile home to use an existing system serving another dwelling, in order to provide housing for a family member suffering hardship, by issuing an Authorization Notice, if:
 - (A) The Agent receives satisfactory evidence which indicates that the family member is suffering physical or mental impairment, infirmity, or is otherwise disabled (a hardship approval issued under local planning ordinances shall be accepted as satisfactory evidence); and

date of revision.

Conserving Water in the home

Average Water Use

National averages show that a typical household of four persons uses water as follows:

<u>Use</u>	<u>Gallons per day</u>
Dishwashing	15
Cooking, drinking	12
Laundry	35
Bathing	80
Bathroom sink	8
Toilet	100
Utility sink	5
Total family use	255 gallons or 34.09 cubic feet

How to Reduce Water Use

Changing household practices can reduce water use without posing a threat to family health or comfort. Reduce the number of toilet flushes each day or install water displacement devices in the toilet tank; brush teeth dry or use water only to rinse the brush; keep a covered container of drinking water in the refrigerator rather than running the tap until water is cold.

Bathing

A major source of excess water use is in the shower: People are inclined to shower more frequently than necessary and to use the shower as a place to relax. Showering saves water only when you limit the time. Two minutes or less is sufficient to get clean. A water saving way to shower is to get wet, turn off the water, lather up, and wash, then turn the water back on to rinse. This could also be used for shampooing your hair. As a general rule, only certain body parts, the axillary region-underarms, pubic areas, feet, hands, and face require daily washing.

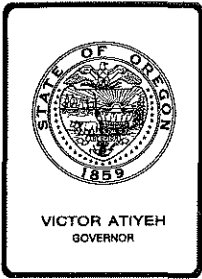
A shower can use from 5 to 15 gallons of water per minute. You can reduce this to 3 gallons by installing a low-flow shower head or shower insert. If the shower is in the tub, close the drain so all the water stays in the tub. This water can be used to flush the toilet. A bathtub holds 25 to 30 gallons when full. Use as little as possible.

We don't need to bathe as often as most people do--2 or 3 times a week is adequate; maintain personal cleanliness with soap and water washing; families can



OREGON STATE UNIVERSITY
**EXTENSION
SERVICE**

Extension Service, Oregon State University, Corvallis, Henry A. Wadsworth, director. This publication was produced and distributed in fulfillment of the Acts of Congress of May 8 and June 26, 1914. Extension work is a cooperative program of Oregon State University, the U. S. Department of Agriculture, and Oregon counties. Extension invites participation in its programs and offers them equally to all people, without discrimination.



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. J , June 11, 1982, EQC Meeting

Certification of Plans for Sewerage Systems as Adequate to Alleviate Health Hazard, ORS 222.898 - Certain Territory Contiguous to City of Tillamook

Background

Pursuant to ORS 222.850-915, the Administrator of the State Health Division, on April 15, 1982, certified an area along Highway 101 north of the City of Tillamook, to be a health hazard because of failing septic tanks. The certification orders the area to be annexed to Tillamook. The area requiring annexation to correct the health hazard is known as Highway 101 North Sanitary District. A copy of the annexation order was sent to the City of Tillamook. (Attachment 1)

The area was surveyed during April 7, 8 and 9, 1981. This area consists of 26 properties. Twenty four properties had inadequate sewage disposal,

The City has 90 days after receipt of a certified copy of the order to prepare preliminary plans and specifications, together with a time schedule for removing or alleviating the health hazard.

The Environmental Quality Commission has 60 days from time of receipt of preliminary plans and other documents to determine them either adequate or inadequate to remove or alleviate the dangerous conditions and to certify same to the City.

Upon receipt of EQC certification, the City must adopt an ordinance in accordance with ORS 222.900 which includes annexation of the territory. The City is then required to cause the necessary facilities to be constructed.

By letter received May 18, 1982, the City of Tillamook submitted to DEQ a schedule for construction of sewers in the proposed annexation area. (Attachment 2) Preliminary plans and specifications were received on May 20, 1982.

Evaluation

The schedule proposed by the City calls for annexation of the territory immediately following certification of plans, specifications and time schedule by the EQC. A local improvement district would be formed, construction bids called for, and all construction work completed by early fall, 1982.

The preliminary plans and specifications require construction of low pressure sewers and individual septic tank effluent pumping (STEP) systems on each lot. This work will be an extension of existing STEP systems now performing quite adequately immediately south of the proposed annexation territory.

Treatment of collected sewage will be at the City's treatment plant which has adequate capacity to do so.

The staff concludes from the Health Division findings and conclusions that the health hazard in the area is a result of sewage at or on the surface of the ground and disposal systems constructed within high groundwater areas. Installation of a sewage collection system will prevent the discharge of inadequately treated sewage to the ground surface and groundwater.

Thus, the staff concludes that installation of sewers in the area will remove the health hazard.

Summation

1. Pursuant to the provisions of ORS 222.850 to 222.915, the State Health Division issued an order adopting findings and conclusions and certified a copy to the City of Tillamook.
2. The City has submitted a preliminary plan and standard specifications, together with a time schedule to the DEQ for review.
3. ORS 222.898(1) requires the Commission to review the preliminary plans and other documents submitted to the City within 60 days of receipt.
4. ORS 222.898(2) requires the Commission to certify to the City its approval if it considers the proposed facilities and time schedule adequate to remove or alleviate the dangerous conditions.

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June 11, 1982
Page 3

5. The pressure sewer system proposed by plans and specifications will remove the conditions dangerous to public health within the area to be annexed. The proposed time schedule is very good.

Director's Recommendation

Based upon our findings in the summation, it is recommended that the Commission approve the proposal of the City of Tillamook and certify said approval to the City.

Bill

William H. Young

Attachments:

1. Health Division Rulings, Findings, Conclusions of Law and Order
2. Time Schedule
3. Location Map

James L. Van Domelen:g
229-5310
May 20, 1982
WG1172

CERTIFICATE

I, Kristine Gebbie, Assistant Director for Health, Department of Human Resources, Administrator of the State Health Division and legal custodian of the records and files of said Division, DO HEREBY CERTIFY:

That the attached copy of the RULINGS, FINDINGS, CONCLUSIONS OF LAW AND ORDER in the matter of the Annexation of Certain Territory commonly known as Highway 101 North Sanitary District to the City of Tillamook, has been compared by me with the original thereof and said copy is a true, full and correct transcript from and of the whole of said original as the same appears in the records of the State Health Division in my custody.

In Testimony Whereof, I have hereunto set my hand this 15th day of April, 1982.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
APR 16 1982

WATER QUALITY CONTROL

May Baderman for Kristine M. Gebbie
Kristine M. Gebbie
Assistant Director, Human Resources
Administrator, State Health Division

BEFORE THE HEALTH DIVISION OF THE DEPARTMENT OF
HUMAN RESOURCES OF THE STATE OF OREGON

In the Matter of the Annexation of)	
Certain Territory Commonly Known)	ASSISTANT DIRECTOR'S
as Highway 101 North Sanitary)	EVIDENTIARY AND PROCEDURAL
District Area to the City of)	RULINGS, FINDINGS OF FACT,
Tillamook, Tillamook County,)	ULTIMATE FINDINGS OF FACT,
Oregon, pursuant to the provisions)	CONCLUSIONS OF LAW, AND
of ORS 222.850 to 222.915 due to)	ORDER
Conditions Causing a Danger to)	
Public Health.)	

A hearing on the question of the existence of a danger to public health in the territory proposed for annexation was held before the appointed hearings officer of the Division on August 4, 1981 in the council chambers of the Tillamook City Hall, Tillamook County, Oregon, a place near the area proposed to be annexed. After having considered the evidence presented on behalf of the State Health Division and affected persons, the hearings officer made his EVIDENTIARY RULINGS, FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, AND RECOMMENDATION. Opportunity for arguments and for petitioning for exclusion of property was thereafter given by publication of notice as prescribed by rules of the Division. No arguments were presented on the initial findings but one PETITION FOR EXCLUSION OF TERRITORY was presented. A hearing was held December 10, 1981 at the Tillamook City Hall; and after considering the evidence of the petitioner, the Division and the City of Tillamook, FINDINGS OF FACT AND RECOMMENDATIONS were made to the undersigned by the hearings officer. The petitioner filed objections to such recommendation, and the City of Tillamook filed a response to those objections. Lastly,

1 - ASSISTANT DIRECTOR'S EVIDENTIARY AND PROCEDURAL RULINGS,
FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

a copy of a SUPPLEMENTAL RESOLUTION of the Tillamook County Board of Commissioners, "In the Matter of Resetting the Boundary for the Area to be Annexed to the City of Tillamook because a Danger to Public Health Exists," adopted March 17, 1982, was received by the Division on March 23, 1982. The Resolution recites that ORS 222.855 now requires that health annexations take place "within the urban growth boundary of a city," and that the County Ordinance No. 30 adopting the City of Tillamook Urban Growth Boundary has been amended by County Ordinance No. 30-A to delete certain described property set forth in the Resolution from the urban growth boundary. The Supplemental Resolution requests that as a result, the State Health Division consider only the newly-amended area in this annexation proceeding, deleting the property described in Ordinance No. 30-A.

The Administrator, having considered the record, now makes the following disposition of this matter.

EVIDENTIARY AND PROCEDURAL RULINGS

At the August 4, 1981 hearing, objections were made by Diane Spies, attorney representing Highway 101 Sanitary District, to the presentation by a representative of the LCDC, in which was offered as evidence a copy of the LCDC determination dated September 22, 1980 pertaining to a ruling against the City of Tillamook in its annexation of the area known as the Highway 101 North Sanitary District. The purpose of the Health Division hearing is to determine whether a danger to the public health exists due to conditions in the subject territory, pursuant to

provisions of Oregon Revised Statutes 222.850 to 222.915. The contention was made that the LCDC document showed that the LCDC considered health hazards in its decision to not allow annexation of the area known as Highway 101 North Sanitary District to the City of Tillamook. Westside Sanitary District v. LCDC, 289 Or 393 (1980) is controlling to the effect that land planning goals are not pertinent to a decision by the Health Division in a health hazard annexation proceeding. The offered evidence is not relevant and the objection is sustained.

At the December 10, 1981 hearing, objection was made by Diane Spies, attorney representing the City of Tillamook, to the presentation of the LUBA and LCDC determination in the above-mentioned matter. The objection is overruled inasmuch as the question of land use goals is relevant to decisions on a petition for exclusion, OAR 333-12-045(2)(d). Exhibit 10 is accepted in evidence.

Objection was made at the December 10, 1981 hearing to the question of the dye test being negative. The results of the dye tests were spoken to in previous testimony at length. The question is redundant; the objection is sustained.

Objection was made at the December 10, 1981 hearing to the inclusion of the city's testimony regarding an area within the city and west of the southside of the Trask River Road. While the area testified to does not pertain to the matter at hand, the city's testimony puts forth a policy as to the extension of services and the establishment of a logical boundary for such ser-

vices which would be analogous to the matter under discussion. The testimony is relevant and will be allowed to stand.

The Assistant Director, after notice and opportunity to object to the City of Tillamook, the Highway 101 Sanitary District and the petitioners for exclusion herein, through their attorneys, rules that disposition of these proceedings herein will proceed on the basis of the territory described in the Amended Resolution of the Tillamook County Board of Commissioners dated August 22, 1980, as amended by the Supplemental Resolution of the Board of County Commissioners dated March 17, 1982.

FINDINGS OF FACT

I

By the order of the State Health Division dated July 24, 1981, a hearing was ordered in the within matter for the purpose of determining whether or not a danger to public health exists due to conditions existing in the territory proposed to be annexed and being more particularly described in an amended Resolution of the Tillamook County Board of Commissioners dated August 22, 1980, a certified copy of which was received by the Division.

II

Notice of the said order and resolutions of the Tillamook Board of Commissioners in their capacity as the Tillamook County Board of Health, dated July 16, 1980 and August 22, 1980, requesting the annexation proceeding was thereupon immediately given by the Division by publishing them once a week for two successive weeks in the Highlight-Herald, a newspaper of general

circulation within the City of Tillamook and the territory proposed to be annexed, and by posting copies of said order and resolution in each of four public places within the territory proposed to be annexed.

III

The residences and buildings in the territory are served by individual subsurface sewage disposal facilities, as opposed to a community collection system. There are 26 developed properties within the area, all dependent upon this means of waste disposal. On those properties, there are 24 inadequate sewage disposal facilities serving residences and commercial establishments. Specifically, the following conditions existed on properties within the area during the course of a survey conducted April 7, 8 and 9 of 1981, and without evidence to the contrary, except as stated regarding the property at Tax Lot No. 1200, Tax Map No. 1S1024D, identified as 1920 Highway 101 North, such conditions are presumed to continue to exist:

1. At Tax Lot No. 1800 on Tax Map 1S1024D, also identified as 1500 Highway 101 North, occupied by a residence, inadequately treated sewage was discharging down the bank into a slough. A wastewater (gray water) line was discharging above the slough.
2. At Tax Lot No. 1700 on Tax Map 1S1024D, also identified as 1550 Highway 101 North, occupied by a residence, inadequately treated sewage was discharging into a slough.
3. On Tax Lot No. 1600 on Tax Map 1S1024D, also identified as

1580 Highway 101 North, occupied by a duplex, the septic tank had a plywood lid allowing access to the sewage by insects and other vectors or rodents. The septic tank was allowing a direct flow through of sewage with the result of improper treatment by the system and failure of the drainfield. Lush green grass on portions of the drainfield was present, indicative of sewage effluent rising to the surface of the ground.

4. At Tax Lot No. 1501 on Tax Map 1S1024D, also identified as 1610 Highway 101 North, occupied by a residence, lush green grass was present in the drainfield area, indicative of sewage effluent rising to the surface of the ground.
5. At Tax Lot No. 1500 on Tax Map 1S1024D, also identified as 1640 Highway 101 North, occupied by a market, the drainfield was located in an area subject to high water table.
6. At Tax Lot No. 1300 on Tax Map 1S1024D, also identified as 1680 Highway 101 North, occupied by a residence, spongy ground and lush green grass in the drainfield area was present, indicative of sewage effluent rising to the surface of the ground.
7. At Tax Lot No. 1200 on Tax Map 1S1024D, also identified as 1920 Highway 101 North, occupied by a commercial building, inadequately treated sewage was discharged to the surface of the ground. This system has since been repaired, but the system is installed in an area of high water table.
8. At Tax Lot No. 1000 on Tax Map 1S1024D, also identified as 1810 Highway 101 North, occupied by a 24-unit motel, inade-

quately treated sewage was discharging to the ground surface in several locations.

9. At Tax Lot 900 on Tax Map 1S1024D, also identified as 1910 Highway 101 North, two systems are present - one serving 11 units of a motel; the other serving 7 units of the motel and a restaurant. Both systems were discharging inadequately treated sewage to the surface of the ground. The area was swampy with water at ground surface.
 10. At Tax Lots No. 400 and No. 401 on Tax Map 1S1024D, also identified as 2020 Goodspeed Road, occupied by a residence, inadequately treated sewage was discharging to the surface of the ground. Lush green grass was present over the septic tank system, indicative of sewage effluent rising to the surface of the ground. A plywood lid was over the septic tank allowing access to sewage by vectors and rodents.
 11. On Tax Lot No. 600 on Tax Map 1S1024D, also identified as 1830 Goodspeed Road, occupied by a residence, inadequately treated sewage was discharged to the surface of the ground. There was a heavy growth of lush green grass in the area of the septic system, indicative of sewage effluent rising to the surface of the ground.
 12. At Tax Lot No. 300 on Tax Map 1S1024D, also known as 2060 Highway 101 North, occupied by a residence, inadequately treated sewage was surfacing in the backyard. The system was in an area subject to high ground water table.
 13. At Tax Lot No. 200 on Tax Map 1S1024D, also identified as
- 7 - ASSISTANT DIRECTOR'S EVIDENTIARY AND PROCEDURAL RULINGS, FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

2100 Highway 101 North, occupied by a residence, inadequately treated sewage was surfacing in the backyard.

14. At Tax Lot No. 100 on Tax Map 1S1024D, also identified as 2150 Highway 101 North, occupied by a residence, inadequately treated sewage was surfacing in the rear yard. Lush green grass was present over the drain line, indicative of sewage effluent rising to the surface of the ground. The system is also subject to water at the ground surface.
15. At Tax Lot No. 300 on Tax Map 1S1024D, also identified as 2340 Highway 101 North, occupied by a residence, inadequately treated sewage was discharged to the surface of the ground. Lush green grass in the area of the septic tank and drainfield was present, indicative of sewage effluent rising to the surface of the ground. The area was also subject to a water table at the ground surface.
16. At Tax Lot No. 700 on Tax Map 1S919B, occupied by a commercial building, the drainfield is located in an area with ground water to ground surface year round. Water ran very slowly through the sewage system or not at all, indicative of an improperly functioning sewage system.
17. At Tax Lot No. 100 on Tax Map 1S919C, also known as 1875 Highway 101 North, occupied by a commercial building, the sewage system was not working properly.
18. At Tax Lot No. 100 on Tax Map 1S919C, also known as 1885 Highway 101 North, occupied by a commercial building, the sewage system was located under the driveway and was not

working properly.

19. At Tax Lot No. 300 on Tax Map 1S919C, also known as 2100 Larson Road, occupied by a residence, the drainfield system is subject to periods of high water due to the existence of high ground water table in the area.
20. At Tax Lot No. 400 on Tax Map 1S919C, also known as 2180 Larson Road, occupied by a residence, the drainfield system is located less than 50 feet from the bank of a slough and is subject to periods of high water.
21. At Tax Lot No. 700 on Tax Map 1S919C, also known as 1565 Highway 101 North, occupied by a residence, the drainfield system is located less than 24 feet from the bank of a slough and is subject to periods of high water. The fixtures drain very slowly during periods of high water, indicative of an improperly functioning sewage system.
22. At Tax Lot No. 800 on Tax Map 1S919C, also known as 1415 Highway 101 North, occupied by a residence, the drainfield system is located in an area of high ground water table.
23. At Tax Lot No. 900 on Tax Map 1S919C, also known as 1405 Highway 101 North, occupied by a residence, water ponding was observed in the area of the drainfield. The system is located in an area where there is a high ground water table.
24. At Tax Lot No. 901 on Tax Map 1S919C, also known as 2001 Blue Heron Drive (The Blue Heron Cheese Factory), the drainfield system is located in an area where there is a high ground water table.

Official notice is taken that "gray water" referred to in the above items is sewage originating at any plumbing fixture other than the toilet in a household, i.e., waste water from a kitchen sink, laundry, or similar fixture.

The soggy and spongy soil and/or lush green growth of grass over septic drainfields, as described above, the undersigned finds was caused by sewage effluent rising to the surface of the ground.

Sewage discharged into subsurface sewage facilities to be adequately treated microbiologically and rendered non-septic must be retained in the soil. The treatment depends upon oxygen and bacterial presence in the soil. Sewage effluent rising or discharging to the ground surface from subsurface sewage disposal facilities is inadequately treated and essentially raw. If soil and septic tank drainfield areas are flooded or saturated with water, there is no oxygen present to treat the sewage effluent discharged to the area.

The sewage and sewage effluent which is discharging to sloughs is carried through and beyond the area proposed for annexation.

IV

Soils in the area consist of Nehalem silt loam and Nestucca silt loam. The Nestucca silt loam consists of somewhat poorly drained soil. Permeability is relatively slow and is classified for septic tank absorption fields as having severe restrictions for the acceptance of septic tank effluent. This soil covers

most of the area west of Highway 101.

The Nehalem silt loam consists of well to moderately well drained soils. Permeability is moderate. For use as septic tank absorption fields, the rating is slight to moderate-severe for absorption of effluent.

The soils in this area are subject to periodic flooding. When drainfields are flooded, oxygen is cut off and ground water rises to the surface carrying septic tank effluent with it. In each case, adequate treatment of the septic tank effluent cannot be accomplished. Some lateral movement of ground water may occur during flooding, allowing the sewage to enter into sloughs or rivers.

V

Raw or inadequately treated sewage may contain communicable or contagious disease, producing organisms which cause physical suffering or illness. When sewage containing such organisms is permitted to discharge to the surface of the ground or to surface water, there is possibility of transmission of disease to humans, either by direct contact of the sewage or through the intervening contact of the sewage by vectors, with the subsequent ingestion of disease-producing organisms. The recipient's unsanitary hand-washing practices can lead to further disease transmissions to others ingesting the indiscriminately spread organisms.

VI

In the subject area, the possibility of transmission of disease through direct or indirect contact with raw or inade-

quately treated sewage as aforementioned occurs due to: (1) The normal day-to-day activities being carried on in and around the resident living areas; (2) Children playing in the area; (3) Domestic animals, such as dogs and cats, found in the subject area are possible vectors of disease organisms to within and outside the area; (4) Persons from outside, as well as inside, the area are exposed due to Highway 101 passing through the area where there are located a restaurant, two motels, a small retail store, and other business facilities serving the general public - residents of the area must frequent shopping facilities, restaurants, and public schools located outside the area within the City of Tillamook; (5) Insects such as flies and mosquitoes are found in areas where standing water and sewage is present on the surface of the ground. Insects are possible vectors for transmission of disease organisms to within and outside the area.

The presence of pathogens in the raw or inadequately treated sewage to which the public is exposed in the area may be contributed to by the incidence of travelers into the area.

VII

By order of the State Health Division dated November 12, 1981, a hearing was ordered in the within territory for the purpose of considering the petition of Herbert Louie and Viola Marjorie Christensen for exclusion of territory from the area proposed for annexation as outlined under ORS 222.880(3) and (4), and OAR 333-12-045(1), (2) and (3). The property is located at 3005 Highway 101 North, Tillamook, Oregon, referred to as Tax Lot 12 - ASSISTANT DIRECTOR'S EVIDENTIARY AND PROCEDURAL RULINGS, FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

No. 400 on Tax Map 1S919B of the Tillamook County Assessor, more particularly described as follows:

Beginning at a point where the East boundary line of the State Highway 101, intersects the centerline of the Wilson River, in the Northwest quarter of the Northwest quarter of Section 19, Township 1 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence Southerly, along the East boundary line of Highway 101, a distance of 495 feet; thence Easterly, at right angles to said East boundary line of Highway 101, to the center of the Wilson River; thence in a Northwesterly direction, along the center of said Wilson River, to the point of beginning.

VIII

Notice of the said order was published November 18, 1981 in the Headlight Herald, a newspaper of general circulation within the City of Tillamook, Oregon and the territory proposed to be annexed.

IX

The property petitioned for exclusion is located on the northerly corner of the territory proposed to be annexed to the city and is at a higher elevation than properties remaining to be annexed. It adjoins the territory remaining to be annexed on only two sides, the remaining sides being adjacent to the Wilson River. The properties adjacent in the territory remaining to be annexed are constituted of vacant parcels (except for the presence of Highway 101 separating the subject property and the remaining property to the west). There is a single family residence and a duplex on the subject property.

X

Sewage disposal and treatment within the property petitioned for exclusion is by two individual septic tank and drainfield

systems. One of the systems serves the duplex and the other serves the single family residence.

The single residence system, constructed in 1944, consists of a septic tank (1000 gallons) and a seepage bed of approximately 12 square feet. The seepage bed is less than 50 feet from the Wilson River. The drainfield rock starts at 15 inches below ground surface. The septic tank is an average 16.5 inches below ground surface. The bottom of the drain pipe from the septic tank is 26 inches below ground surface.

The soil in the drainfield area of the single residence is silt loam - 0 to 6 inches from ground surface, 6 to 64.66 inches sandy loam. Soil in the area of the duplex system is 0.24 inches old fill and 24 to 66 inches sandy loam, which is very permeable and rapid draining. These soils' characteristics are suitable to operation of subsurface sewage disposal systems.

XI

The water table in the property petitioned for exclusion varies with the level of the water surface of the Wilson River. On a survey of December 6, 1981 when the river surface level was a 13.2 feet, the water table was 16 inches below the surface of the ground, subjecting the drainfield area to saturation. Periods of high river water of 13+ feet are occasional and not longstanding. On November 20, 1981 and on December 10, 1981, the water table was below 64 inches. In 1977, 1979 and 1980, river water in excess of 13 feet occurred on 14 occasions. That the periods of high water are not of a long-standing nature is evi-

denced by the lack of mottling of the soils in the drainfield area. This is confirmed by the river levels in 1977, 1979 and 1980 which were in excess of 13 feet, as above mentioned, having remained at those levels for periods over a day on only 4 occasions, the longest of which was for a 4-day duration in December 1977.

That the drainfield area is subjected to saturation at times of high water is demonstrated in the functioning of the plumbing system in the single family residence. During flooded conditions, the system becomes sluggish; the downstairs fixtures of the house have water up to the rim level, requiring the use of the upstairs fixtures. This is caused by the river level changing the water gradient or level between the house fixtures and the drainfield. Under these conditions, in theory, as the water seeks its own level, the sewage effluent in the drainfield would be forced through the soil to the river water. This effluent would have little or no biological treatment since conditions in the drainfield would become anaerobic, and effluent treatment in the drainfield occurs only under aerobic conditions. Further, depending upon temperature, adequate biological treatment under aerobic conditions requires 30 to 60 days.

XII

The occasional periods of high water table on the subject property petitioned for exclusion, being directly related to the level of the Wilson River, also results in any effluent being discharged to that body of water being highly diluted by the vast

amounts of water contributing to the high river flows. Though contagious or disease-producing organisms could be transmitted through inadequately treated sewage discharged from the property to the river at these high flows, because of the corresponding high delution, the undersigned does not find that there exists from such discharges a reasonably clear possibility that the public generally is being exposed to disease-caused physical suffering or illness. The undersigned therefore finds no danger to public health as defined in ORS 222.850(4) on the property petitioned for exclusion.

XIII

The undersigned further finds that the property petitioned for exclusion would not be surrounded by the territory remaining to be annexed.

XIV

It is proposed in plans presented by the city that the property petitioned for exclusion be served by a sanitary collection system. The proposed main line for the sewer is designed to extend along the west side of Highway 101 to property on the other side of the highway from the subject property. To reach the subject property would require construction of an approximate 300-foot lateral extension from the sewer main under Highway 101 to the east side of the highway, and then jogging to the north to reach the petitioner's property. The undersigned finds that under these circumstances, the property petitioned for exclusion would not be directly served by the sanitary facilities necessary

to remove or alleviate the danger to public health existing within the territory remaining to be annexed; neither would the exclusion of such property interfere with the removal or alleviation of the danger to public health in the area remaining to be annexed.

XV

The property petitioned for exclusion is situated at the northerly corner of the territory proposed to be annexed to the city. There is considerable undeveloped property between the present city boundary and this property at the end of the corridor proposed to be annexed. The City of Tillamook considers the Wilson River, which is a natural boundary, the logical boundary for the extension of its services - fire, police, water, sewage, etc. If the subject property were excluded, the remaining territory west and south of the area would be subject to these city services, even though they would largely be irrelevant to the present undeveloped property. There would not be a situation presented by the exclusion of the petitioned property wherein a checkerboard effect would arise, thereby creating undue confusion as to where city boundaries ended and took up again. There is no reason why under the circumstances the city boundary to the east of Highway 101 could not be identified by signing or other artificial demarcation, as is the case with scores of other city boundaries. The undersigned finds only that the Wilson River boundary is a convenient, natural boundary for the city. The Assistant Director does not, however, find that the boundary

which would result from the exclusion of the property petitioned for exclusion would be such, under present conditions, as to create an illogical boundary for the provision of city services. Opinion: The Assistant Director does not view the fact of the property petitioned for exclusion being within the city's urban growth boundary as requiring the conclusion that exclusion of such property would create an illogical boundary for the provision of city services. The urban growth boundary is prospective. It does not necessarily reflect current conditions or the configuration that city boundaries should presently take for the extension of city services. The Assistant Director believes that the discretion given by ORS 222.880(4) on this subject is for the purpose of preventing an exclusion of property where it is clearly shown by facts presented in the record that reduction of the health hazard annexation boundary as presented in the first instance would, under current conditions, present an illogical result. Conversely, those reductions which do not under current conditions lead to that result should be allowed and the boundary question remaining left to the usual and less extraordinary annexation procedures of the statutes.

XVI

In the case of Tillamook Citizens for Responsible Development v. City of Tillamook, LUBA 80-041, LCDC determination, 1980, it was decided that the annexation by the City of Tillamook of the properties which are also now the subject of this proceeding (including the property petitioned for exclusion) did not comply

with statewide planning goals. Lacking a finding of a danger to public health in the area petitioned for exclusion, Westside Sanitary District v. LCDC, 289 Or 393 (1980), and in the absence of evidence in this proceeding that the statewide goals would now be complied with by annexing the property petitioned for exclusion into the city, the Assistant Director relies upon the LCDC decision as a basis for finding, and so finds, that a reduction of boundaries to exclude the property petitioned for exclusion would be in accordance with the statewide planning goals for the area established under ORS ch 197.

XVII

The remaining area proposed for annexation, as described in the Amended County Resolution and as further amended by the County's Supplemental Resolution, is contiguous to the City of Tillamook and is within the urban growth boundary of the city, adopted by the city and the County of Tillamook.

ULTIMATE FINDINGS OF FACT

With the exception of the area petitioned for exclusion, as provided in paragraphs VII to XVI above, a danger to public health exists in that conditions of inadequate installations for the disposal and treatment of sewage exist in the territory legally described in the aforementioned amended Resolution of the Tillamook County Board of Commissioners, as amended by the Supplemental Resolution of said Commissioners, which are conducive to the propagation of communicable or contagious disease-producing organisms and which present a reasonably clear possibi-

lity that the public generally is being exposed to disease-caused suffering and illness.

The aforementioned territory, which pursuant to ORS 222.880(3) (boundaries of area as reduced) is described in the attached Exhibit "A", made a part hereof, is contiguous to the City of Tillamook and is within the urban growth boundary of said city.

CONCLUSIONS OF LAW

A danger to public health, as defined in ORS 222.850(4), has been found as provided in ORS 222.850 to 222.915 to exist within the territory described in the preceding paragraph. Such area is otherwise eligible for annexation to the City of Tillamook in accordance with ORS 222.111 and is within the urban growth boundary of the City of Tillamook.

ORDER

IT IS ORDERED that a certified copy of these findings and conclusions be filed with the City of Tillamook and with the Environmental Quality Commission, and that upon their receipt of such findings and conclusions, the City of Tillamook and the Commission proceed in accordance with ORS 222.897 and 222.900.

Dated this 15th day of April, 1982.

Maal Bader, MD for Kristine M. Gebbie
KRISTINE M. GEBBIE, Assistant
Director, Human Resources
Administrator, Health Division

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review

20 - ASSISTANT DIRECTOR'S EVIDENTIARY AND PROCEDURAL RULINGS, FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

within 60 days from the service of this order. Judicial review is pursuant to the provisions of ORS 183.482.

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FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER

3/26/82-gs

Beginning at a point where the East boundary line of the State Highway 101 intersects the center line of the Wilson River in the Northwest quarter of the Northwest quarter of Section 19 in Township 1 South of Range 9 West of the Willamette Meridian, Tillamook County, Oregon; and running thence South along said East boundary line of Highway 101 for a distance of 420 feet; thence Easterly at right angle to said East boundary line of Highway 101 to the center of the Wilson River; thence in a Northwesterly direction along the center of said Wilson River to the place of beginning.

ALSO BEGINNING AT A POINT on the East line of Coast Highway 101 at the Southwest corner of that certain tract of land conveyed to Herbert Louie Christensen, et ux by Deed Recorded April 4, 1962 in Book 180, page 120, Deed Records, Tillamook County, Oregon; thence Southerly along the East line of said Coast Highway 101, to an intersection with the centerline of Dougherty Slough; thence Southeasterly along said centerline of Dougherty Slough to a point which is East 500 feet from the East line of said Coast Highway 101 when measured perpendicular thereto; thence North parallel to the East line of Highway 101 to an intersection with the Southeasterly line of that certain tract of land described in Memorandum of Contract recorded December 30, 1977 in Book 254, page 464, Deed Records, Tillamook County, Oregon between Eileen Palmer, vendor and Craig W. Hubler, et ux, vendees; thence Northeasterly along the Southeasterly line of said tract to the most Easterly corner thereof, and the Southeasterly corner of that certain tract of land conveyed to Howard L. Randall by Deed Recorded February 9, 1978 in Book 255, page 64, Deed Records, Tillamook County, Oregon; thence North $20^{\circ} 30'$ East 231 feet; thence North $25^{\circ} 22'$ East 189.37 feet to a point in the center of Hall Slough; thence North $25^{\circ} 22'$ West 50 feet along the center line of said Hall Slough; thence North 6° West 85 feet more or less along the centerline of said Hall Slough to the Southeast corner of a parcel conveyed to Edwin L. and Barbara H. Sorensen by Deed Recorded February 6, 1959 in Deed Book 165, page 118, Deed Records, Tillamook County, Oregon; thence North $8^{\circ} 47'$ West 111.66 feet; thence North 6° West 126.06 feet to a point on the South line of that certain tract of land conveyed to Cornet Stores by Deed Recorded May 17, 1971 in Book 223, page 146, Deed Records, Tillamook County, Oregon; thence Easterly along the South line of said tract to the Southeast corner thereof thence North along the East line of said Cornet tract and the Northerly extension thereof to an intersection with the South bank of the Wilson River; thence Westerly and Northerly along the South bank of the Wilson River to its intersection with the South line of the tract of land conveyed to Herbert Louie Christensen, et ux as hereinabove set forth; thence Westerly along the South line of said Christensen tract to the point of beginning.

ALSO Beginning at the Northeast corner of Lot: 5, Section 24, Township 1 South, Range 10 West of the Willamette Meridian in Tillamook County, said point of beginning being the Northeast corner of that certain tract of land conveyed to Stanley L. Decker, et ux by Deed Recorded June 27, 1977 in Book 251, page 308; thence Southerly along the West line of Coast Highway 101 to a point of intersection with the center line of Dougherty Slough; thence Westerly along the said centerline of Dougherty Slough to a point which is 500 feet West of the West line of said Highway when measured perpendicular thereto; thence North in a direct line to the Southwest corner of that tract of land described in PARTIAL RELEASE OF REAL ESTATE MORTGAGE recorded December 29, 1978 in Book 260, page 862, Deed Records, Tillamook County, Oregon; thence continuing North along the West line of said tract to the Northwest corner thereof being at a point on the South line of Makinster Road thence continuing Northerly to the North line of Makinster Road; thence Easterly along the North line of Makinster Road to the Southwest corner of that certain tract of land conveyed to Michael J. Hutchens, et ux by Deed Recorded, October 4, 1973 in Book 233, page 910, Deed Records, Tillamook County, Oregon; thence Northerly along the West line of said Hutchens tract to the South line of the Wilson River; thence Northeasterly along the South line of the Wilson River and the North line of the Hutchens tract to the Northeast corner thereof; said point being the Northwest corner of that tract of land conveyed to Stanley Decker, et ux in Book 251, page 308, Deed Records Tillamook County, Oregon; thence Easterly along the North line of said Decker tract to the point of beginning.

SAVE AND EXCEPT therefrom any portion thereof lying within the boundaries of the following described tract, to-wit:

Beginning at a point which is North $89^{\circ} 53'$ West 398.77 feet from the quarter section corner on the East line of Section 24, Township 1 South, Range 10 West of the Willamette Meridian, said point also being in the center line of the Goodspeed County Road; thence North $89^{\circ} 53'$ West along the center of said road 428.93 feet; thence South 858 feet to the center of Hall Slough; thence following center of Hall Slough South $69^{\circ} 30'$ East 145 feet; thence South $44^{\circ} 56'$ East 415 feet; thence North 1198.2 feet to the place of beginning.

ALSO SAVE AND EXCEPT therefrom any portion thereof lying within the boundaries of the following described tract, to-wit:

Beginning at a point on the South line of the Northeast quarter of Section 24, Township 1 South, Range 10 West of the Willamette Meridian which is South $89^{\circ} 46'$ West 527 feet distant from the quarter section corner on the East side of said Section 24; thence North $0^{\circ} 08'$ East, 119 feet; thence North $89^{\circ} 46'$ East, 100 feet; thence North $0^{\circ} 08'$ East 212.74 feet; thence West, 464 feet; thence North 65° West, 244.2 feet; thence North $43^{\circ} 30'$ West, 396 feet to the center of a tide slough; thence in a Westerly direction (downstream) along the center of said tide slough to the West line of the Northeast quarter of Section 24; thence Southerly to the Southwest corner of said Northeast quarter of Section 24; thence along the South line of said Northeast quarter, Easterly 2113 feet, more or less, to the point of beginning.

ALSO SAVE AND EXCEPT therefrom any portion thereof lying within the boundaries of the following described tract, to-wit:

Beginning at a point where the East boundary line of the State Highway 101, intersects the centerline of the Wilson River, in the Northwest quarter of the Northwest quarter of Section 19, Township 1 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence Southerly, along the East boundary line of Highway 101, a distance of 495 feet; thence Easterly, at right angles to said East boundary line of Highway 101, to the center of the Wilson River; thence in a Northwesterly direction, along the center of said Wilson River, to the point of beginning.

ALSO SAVE AND EXCEPT:

Commencing at a point which is South 1070.71 feet and West 208.50 feet from the quarter corner on the East side of Section 24, Township 1 South, Range 10 West, W.M., thence North $89^{\circ} 47'$ West, 76.00 feet to the true point of beginning;

thence S. $89^{\circ} 47'$ East 76.00 feet;

thence N. $0^{\circ} 58'$ East 804.97 feet to the Northeast corner of that tract conveyed to John and Eva Johnson in Book 184 at Page 313 Tillamook County Deed Records, Tillamook County, Oregon;

thence South $89^{\circ} 47'$ West, 202.60 feet more or less, to the East line of that tract conveyed to Gust and Helen Johnson in Book 78 at Page 528, Tillamook County Deed Records, Tillamook County, Oregon;

thence along the East line of said Gust Johnson tract, south 909.50 feet, more or less, to the centerline of Hall Slough;

thence Easterly along said centerline to a point that is S. $5^{\circ} 15'$ West, from the point of beginning;

thence North $5^{\circ} 13'$ East 121.61 feet, more or less, to the point of beginning.


TILLAMOOK CITY
 TILLAMOOK, OREGON 97141

State of OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
 MAY 18 1982

WATER QUALITY CONTROL

May 14, 1982

Mr. Jim Van Domlin
 Dept. of Environmental Quality
 P.O. Box 1760
 Portland, OR 97207

APPROVED
 Date _____

Dear Mr. Van Domlin:

By _____

This letter is meant to confirm the anticipated time schedule for you and the Environmental Quality Commission (EQC) in the review of Tillamook City's sewer plans. The City's engineer, CH2M Hill, has notified us that they will be presenting to the EQC on June 11th, our construction plans for the Highway 101 North sewer system. It is our understanding that you should shortly be receiving the sewer plans from CH2M Hill.

We would like to provide the following time schedule in order that you might share this with the EQC. On May 17th, the Tillamook City Council will begin steps to create a Local Improvement District (LID) for the construction of sewer services in the Highway 101 North area. A remonstrance hearing on the plans, specifications, and cost estimates will be heard by the City Council on June 7th. An ordinance will be passed on June 14th declaring the manner of construction for this LID and setting the boundaries of the district. On July 15th, Tillamook City anticipates advertising for bids on the construction of the system, with the opening of bids and letting of contract on approximately August 2nd. We anticipate construction to take approximately two (2) months.

We hope that you will find the plans, as submitted by our engineer, and the above time schedule acceptable. It is our understanding that following the June 11th EQC meeting, we shall receive State certification of acceptance on both of these items.

If you have any questions in these matters, please contact my office.

Sincerely,

Michael Mahoney

Michael Mahoney
 Public Works Director



LAT 4

WILSON RIVER

MC KINISTER RD

MAIN 2

WILSON RIVER RD

LAT 2

LAT 3

GOODSPEED RD

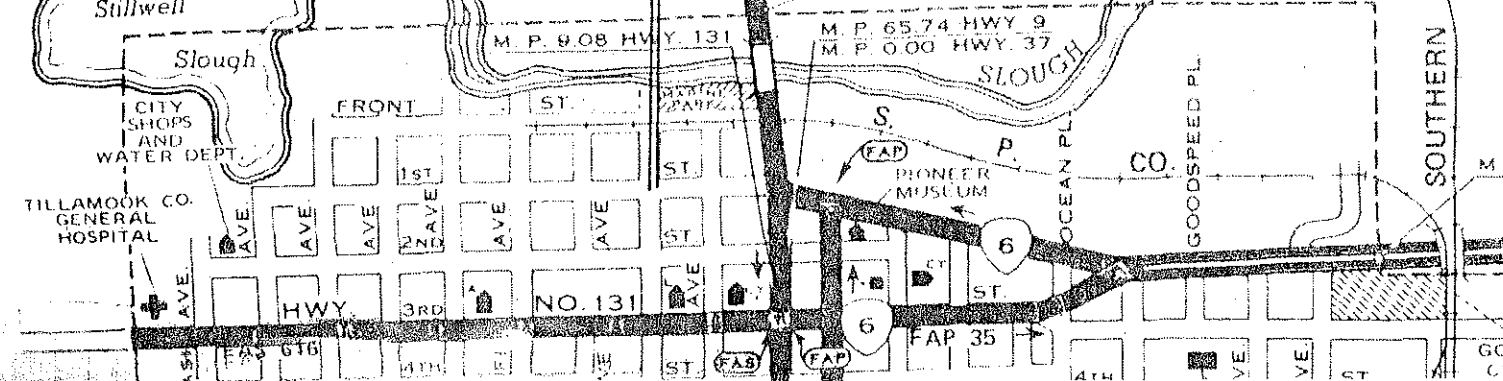
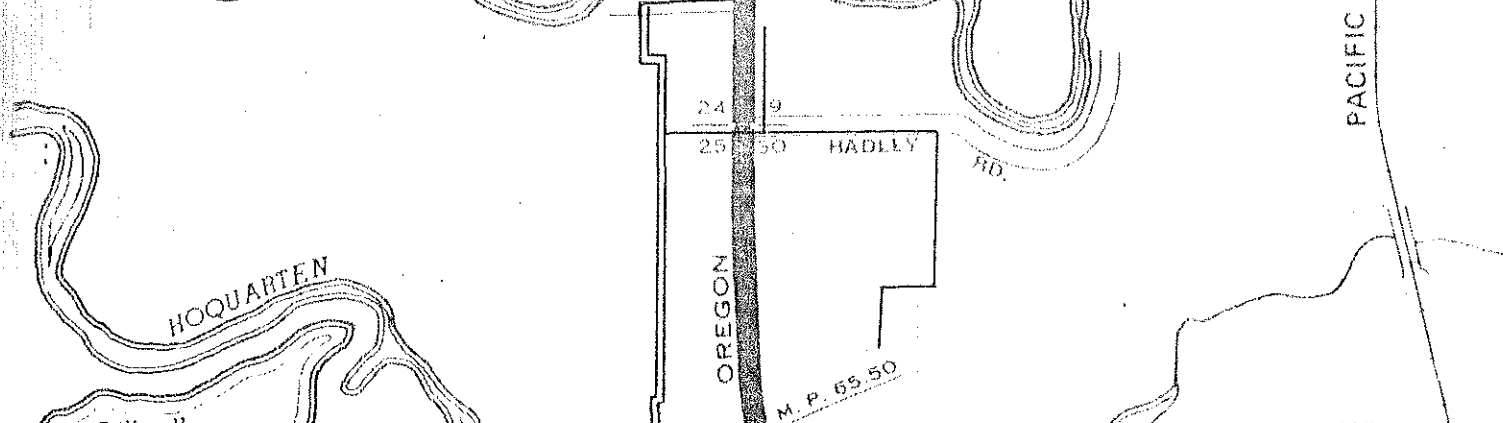
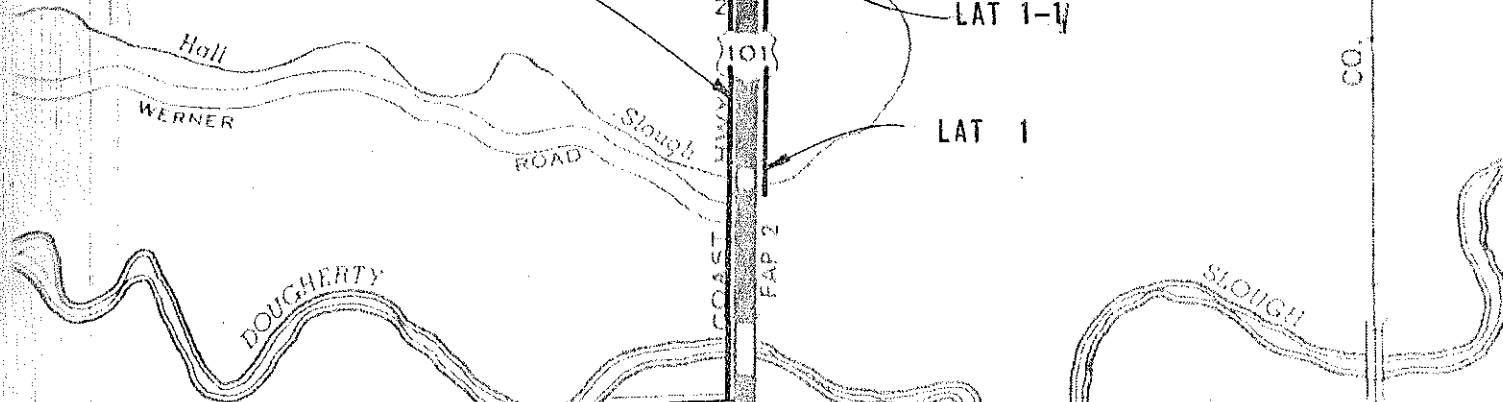
LAT 1

MAIN 2

LARSON RD

LAT 1-W

LAT 1



DIRECTOR'S INTRODUCTORY STATEMENT

Re: Agenda Item No. K, June 11, 1982 EQC Meeting

Compliance Schedule Status Report for Wood Dryers at Particleboard
Plants in Medford AQMA.

The Commission may recall that at your April 24, 1981 meeting you adopted amendements to rules for wood particle dryers and hardboard plants in the Medford AQMA. These amendements modified emission limits and extended compliance schedules for dryers at particleboard plants. They also established plant site emission limits for hardboard manufacturing plants.

At this time, the Department considers it appropriate to inform the Commission as to the status of those facilities subject to these rules.

Medford Corporation, a hardboard manufacturer, was in compliance at the time the rules were amended and remains in that status.

The particleboard facilities are operated by Timber Products Co. and Down River Forest Products, Inc.

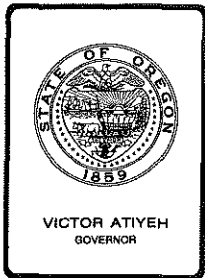
Timber Products is proceeding with an approved compliance schedule with the expectation that equipment installation will be completed in the latter part of 1982 and compliance will be demonstrated by June 30, 1983 as required by the rule. Equipment fabrication is underway and funding arrangements will be completed about July 15, 1982.

Down River Forest Products announced in late April, 1982, its intent to cease operations in White City or before the date control equipment must be installed. The Department has been working with the Company with the intent of taking appropriate permit action when adequate information on the shutdown becomes available.

Again, this is an information item and no Commission action is necessary.

Fritz Skirvin, Air Quality staff, is available to answer questions.

Note: Timber Products and Down River representatives are expected to be present (Henry Rust, Timber Products, and Dewey Wilson, Down River).



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. K, June 11, 1982, EQC Meeting

Status Report on Particle Dryer Compliance with Emission Limits in the Medford-Ashland AQMA

Background and Problem Statement

The Environmental Quality Commission (EQC) at its March 31, 1978 meeting promulgated special emission limit standards for particulate emitting sources in the Medford-Ashland AQMA. These rules are contained in OAR Chapter 340, Division 30.

Wood Particle Dryers had been identified as being one of the larger sources of particulate in the AQMA's airshed. Modeling predicted an annual average reduction of 1.9 ug/m³ at the Medford Courthouse receptor and 3 ug/m³ at the White City receptor following installation of control equipment on Particle Dryers to meet the 0.35#/1000 sq.ft. 3/4" particle board dryer emission limit contained in Division 30. Compliance was to be demonstrated by January 1, 1981.

The EQC recognized that the particle board dryer emission limit was technology forcing when it adopted Division 30. Language was placed in the rule authorizing a public hearing to review the technical and economic aspects of meeting these emission limits following pilot testing of various control equipment by the companies involved.

In November of 1980 the EQC received a petition from Medco, Timber Products and Down River Forest Products, the three plants affected by the emission limit rule. Medco's petition stated that 1) their process was significantly different from the other two companies, and 2) that they had already achieved a total plantsite control efficiency equivalent to 0.25#/1000 sq.ft. 1/8" basis. Medco also requested that they be re-classified as a hard board plant and subject to total plant site emission limit of 0.25#/1000 sq.ft. 1/8" basis.

Timber Products and Down River stated that based upon pilot study tests and claims by pollution control equipment vendors, the 0.35#/1000 sq.ft. 3/4" basis emission limit for particle dryers could not be consistently met. Neither plant was in a position to meet the January 1, 1981 date for compliance.

In December 1980 the EQC granted operating variances to the three companies and authorized a hearing to receive further testimony on the matter. The hearing was held in Medford on February 19, 1981 before the Department's Hearings Officer.

April 24, 1981 the EQC considered Agenda Item K, Amendments to OAR 340-30-010 to 340-30-045, Wood Particle Dryer Rules for Medford Area. The EQC affirmed Medco's petition and adopted OAR 340-30-031 setting a total plant site emission limit of 0.25#/1000 sq.ft. on a 1/8" basis of finished product equivalent from the hard board plant in Medford. Medco was in compliance as a result of and at the time of this EQC action.

Following testimony and presentations by Timber Products and Down River Forest Products and lengthy deliberation with Department staff, the EQC adopted a 0.40#/1000 sq.ft. 3/4" basis emission limit for particle dryers in the Medford AQMA (340-30-030) and extended the date for demonstrated compliance with this rule to June 30, 1983 (Table 1, 340-30-045).

Timber Products and Down River indicated to the EQC that their control strategies would include replacing both burners and dryers prior to the installation of pollution control equipment, per se. The logic presented was that more efficient burners and dryers would be cheaper to ultimately control. Modernization of burners and dryers with add-on emission control equipment would cost essentially the same as add-on emission control equipment only for the existing burners and dryers. This strategy still prevails at Timber Products and prevailed at Down River Forest Products until their announcement of April 29, 1982 that they were ceasing operation of their White City facility.

On February 16, 1982, the Department sent Notices of Violation to Down River Forest Products for missing increments 1 and 2 of compliance (submission of approvable plans and purchase order issuance) and to Timber Products for missing increment 2 of compliance (purchase order issuance).

Timber Products had accepted a proposal from RADER Western, Inc. for engineering and equipment installation to implement their strategy on November 23, 1981. However, that agreement was based solely upon the contingency of the sale of County sponsored tax exempt bonds for pollution control and industrial development. Timber Products has since modified their agreement with RADER Western, Inc. effective March 19, 1982 and the project is now proceeding with internal financing. The Director concurred that Timber Products had made satisfactory progress by letter to the Company dated April 5, 1982.

Current Status

Timber Products submitted to the Director, on May 11, 1982, a status report on their efforts towards achieving compliance (copy Attachment #1). Representatives of Timber Products have indicated they would be present at this June 11, 1982 EQC meeting should the Commission have any further questions.

Current Status (cont.)

April 28, 1982 Down River Forest Products President, William B. Sparks, Jr., met in Medford with Director Young and revealed in confidence the decision to curtail White City operations. Expressed was Down River's desire to phase out operations over the next few months.

April 29, 1982 Down River Forest Products announced to its employees and publicly that it would cease operations at the White City plant. Mr. Sparks issued a press release citing pollution control costs and the current economic climate as the major factors contributing to the closure decision (copy Attachment #2).

There has been concern shown by the press, local legislators, employees of Down River and the public over the Department's involvement in this matter. Enclosed as Attachment #3 is a Department prepared chronology of more significant events that have occurred since 1973 concerning this plant and its interface with the Department. This chronology shows the cooperative and conciliatory manner of the Department over a significant period of time as progress was sought to bring the particle dryers into compliance.

Down River Forest Products, by letter dated March 13, 1982 (May 13, 1982 intended) elaborated upon the decision-making process of their intended plant closure. The letter is attachment #4 of this staff report. There is no clear indication of the manner in which they propose shutdown, only that the manufacture of particle board will cease by January 1, 1983. Pollution control equipment was to have been installed on the dryers by January 1, 1983.

Down River Forest Products' Air Contaminant Discharge Permit (ACDP 15-0027) is in the process of being renewed. It is the Department's intent at this time to accept shutdown in lieu of control and through permit language terminate the particle board drying and manufacturing process permit effective upon permanent shutdown or curtailment, or by no later than January 1, 1983. Down River Forest Products could, at their option, continue to operate portions of the plant that are in compliance, such as the laminating line.

There is an indication that Down River Forest Products wants to sell this plant as a going entity. A buyer for the facility after January 1, 1983 could not restart the plant until pollution control equipment was installed and compliance demonstrated either upon start-up or by June 30, 1983, whichever date is later. There are other possibilities, however, that the facility could be purchased for external emission offsets.

There are restrictions concerning the banking and use of emission offsets that require Down River Forest Products to make decisions within a year of closing for a contemporaneous external offset (sale to another source) or restart of the plant. Otherwise, the emission reductions go to the State for the Department's use in attaining and maintaining standards -- OAR 340-20-265(4).

Summary

1. Particle board plants in the Medford-Ashland AQMA are to have their wood particle dryers controlled to an emission standard of 0.4#/1000 sq.ft. of 3/4" equivalent particle board produced by January 1, 1983 and demonstrate achieving that standard by June 30, 1983 (OAR 340-30-045).
2. Timber Products is committed to that schedule and proceeding to meet the emission standard and deadline through purchase agreement and commitment of funds to RADAR Western, Inc.
3. Down River Forest Products announced April 29, 1982 that they would cease operations at their White City plant prior to January 1, 1983 rather than commit to meeting the standards.
4. Timber Products and Down River Forest Products have submitted reports to the Department (copies Attachments #1 and #4).
5. The Department, following the receipt of more detailed information from Down River Forest Products, intends to reissue ACDP #15-0027 and terminate emission authorization for non-complying sources at the White City facility effective upon either permanent shutdown or curtailment, or by January 1, 1983, whichever date is first.
6. Offsets and banking will be treated pursuant to the provisions of OAR 340-20-265

Director's Recommendations

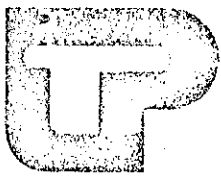
This staff report has been prepared as an informational item. No Commission action is required.



William H. Young

- Attachments 1) Timber Products May 11, 1982 Status Report
2) Press Release by Down River Forest Products
3) Chronology of Significant Events Concerning
Down River Forest Products
4) Down River Forest Products March 13, 1983 Status Report

F.A. Skirvin:a
AA2136 (1)
(503) 229-6414
May 19, 1982



TIMBER PRODUCTS CO.
Executive Office

POST OFFICE BOX 269
SPRINGFIELD, OREGON 97477
PHONE 503/747-3321

TO: William Young, Director
Department of Environmental Quality

DATE: May 11, 1982

FROM: J. H. Gonyea, Manager
Timber Products Co. *J. H. Gonyea*

RE: Status Report - Control of Particulate Emissions
Particleboard Plant

The following has been accomplished:

1. Tests of Emission Control Equipment

Timber Products Co. conducted tests on two types of emission control equipment - an electro-static precipitator and a wet ionizing scrubber. The cost of these tests was \$20,000 each plus freight, transportation and per diem for two technicians from each company. The total cost for these tests was in excess of \$50,000.

2. Employed David Junge, Director, Energy Research & Development as a Consultant

His study indicated that the sanderdust, used as fuel, contained sodium chloride (salt) which was the primary source of particulate pollution. The company changed to a salt-free resin in the manufacture of particleboard. Before and after emission tests on the boiler indicated a reduction of 64% in particulate emissions. It must be assumed that a similar reduction in particulate emissions resulted at the particleboard plant since sanderdust is the fuel used in the dryers. Salt-free resins are more expensive; increasing the company's production costs by \$18,000 per month, or \$216,000 per year.

3. Notice of Intent to Construct

This was submitted on July 29, 1981, meeting the July 31, 1981, date specified in our permit.

4. Acceptance of Rader Western, Inc. Proposal

This was signed on November 23, 1981, well ahead of the January 1, 1982, date set for the issuance of purchase orders. The acceptance of proposal is considered to be a binding contract, and in the view of our counsel (Cass, Scott, Woods & Smith) constitutes a purchase order.

5. On-Site Construction

Rader Western, Inc. is currently completing the engineering required for site preparation. The first stage of on-site construction is scheduled to take place during the summer vacation shut-down at Timber Products Co. (June 27 - July 10). Foundations and all other site preparations will be completed well before the anticipated mid-September delivery of new equipment.

6. Financing - Pollution Control Bonds

- A. The law firm of Rankin, McMurry, VavRosky & Doherty has been retained as bond counsel. It is their opinion that this project is qualified for financing through the issuance of tax exempt bonds.
- B. Jackson County Commissioners signed a resolution and memo of agreement on November 13, 1981, authorizing the sale of tax exempt bonds.
- C. The U. S. National Bank of Oregon is processing the placing of the bonds at a price and on terms acceptable to us.

JHG/bw

CC: F. A. Skirvin
Gary Grimes
Alex Austin
Henry Rust
Bill Coffindaffer

PRESS RELEASE

Down River Forest Products, Inc., announced today that it was going to cease production at its particleboard mill, located in White City, Oregon, just outside of Medford. Citing expenditures necessary to meet pollution control requirements in the Medford airshed, William B. Sparks, Jr., Company President, stated that the economics of the situation did not warrant an investment which would be in excess of \$1,000,000 and could run as high as \$2,000,000. Reduced operations and the poor economic climate, when combined with an expenditure requirement of this magnitude led to the company's decision, Sparks said.

The action will ultimately affect 118 hourly and salaried employees at the facility, which contributes an annual payroll of approximately \$2,500,000 to the valley.

The Company plans to phase down production over the next several months as its customer base develops alternative sources of supply. The Company manufactures a full line of particleboard products but has specialized in the production of thin board under ¼" used as a face for flush doors as well as panels for sliding metal door frames.

The plant was designed and built by Forrest Industries on a 25 acre site north of Medford in 1964, to produce a variety of particleboard products. It was purchased in 1968 by the Permaneer Corporation, which operated the facility until it went

out of business in 1977. Down River Forest Products, Inc., purchased the plant and reopened it later that year, re-establishing the employment base that had existed. Since that time, it has added the capability to laminate the board with a vinyl or paper overlay.

Headquartered in Sacramento, California, Down River has 6 other manufacturing plants and manufactures wood components for doors, windows, and other millwork products. It also manufactures corrugated honey-comb products, used as the interior structure for hollow-core flush doors and as a transit protection void filler in rail cars.

Sparks, who came to Medford to make this announcement, said he was very disappointed that production could not be continued, but stated his sincere appreciation to the company's many employees, both past and present, for their efforts over the five years that it has operated the plant.

DOWN RIVER
Chronology

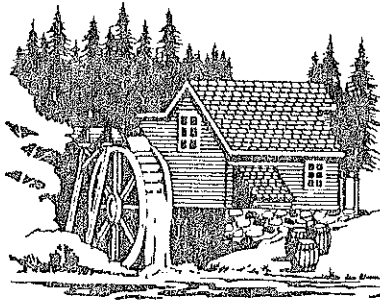
ACDP 15-0027

118 Employees
165-170 Max.

DATE	ACTION	COMMENT
Sep. '73	Source Test on Permaneer	Several sources out of compliance with state rules.
Dec. '73	Permit Issued by DEQ	With compliance schedules.
Apr. '74	Permit Addendum	Compliance schedule extended to Sep. '74.
July '74 (to) Dec. '74	Plant Shutdown	
Apr. '75	Variance Request	By Permaneer.
June '75	Plant Shutdown Indefinitely	
Sep. '75	Variance Granted by EQC.	Schedules extended, some sources by Sep. '76 -- other later -- particle dryer controls last, by May, '81.
June '76	Permaneer Files Bankruptcy	
Nov. '76	NARAD indicates interest in Permaneer - White City plant	(NARAD is parent company of Down River.)
Dec. '76	Permit Applications by NARAD	
Dec. '76	Variance Transfer Requested by NARAD	
Jan. '77	EQC Transfers Variance to NARAD	Similar compliance schedules.
Feb. '77	NARAD Purchases Plant	
Apr. '77	Proposed Permit	
Apr. '77	Variance Transferred From NARAD to Down River	
May '77	Permit Issued	
Mar. '78	EQC Adopts Specific Medford Particleboard Dryer Rule	(0.35 lb/1000 ft ² by Jan. '81.)
Aug. '79	Permit modified/renewed with new rule, new PSEL	(PSEL of 70 ton/yr after Jan. '81.)

<u>DATE</u>	<u>ACTION</u>	<u>COMMENT</u>
Oct. '79	Pilot test of particle dryer controls.	
July '80	Another pilot test scheduled but cancelled.	
July '80	Variance request by DR	
Nov. '80	Supplementary information provided by DR	
Dec. '80	EQC grants variance to DR (also Timber Products)	(Until June '81 while standard change is considered.)
Feb. '81	Public Hearing in Medford on rule change.	
Apr. '81	EQC changes rule and schedule	(To 0.40 lb/1000 ft ² by June '83.)
July '81	DR misses due date for submittal of plans	
Aug. '81	DR promises plans by Nov. '81	
Nov. '81	DR meets with Grimes; no plans yet	
Jan. '82	DR misses due date for purchase order issuance	
Feb. '82	DEQ issues Notice of Violation	
Feb. '82	DR submits plans	
Mar. '82	DR submits supplementary report	
Mar. '82	DR meets with DEQ (WHY, FMB, FAS, GLG)	Status report to be prepared for June '82 EQC.
Apr. '82	28th -- Sparkes meets w/ WHY 29th -- Sparkes makes announcement.	

MLHK:k
4/29/82
MK877 (2)



Down River
INTERNATIONAL, INC.

P.O. BOX 15290-C • SACRAMENTO, CALIFORNIA 95851-1290

March 13, 1982

Mr. William H. Young
Department of Environmental Quality
522 S.W. Fifth Avenue
Portland, Oregon 97204

RE: Down River Forest Products, Inc., White City, Oregon
Your File No. 15-0027

Gentlemen:

This is to bring you up-to-date on the status of our operation situated in the Industrial Park in White City, Jackson County, Oregon. This information confirms our discussion in Medford on April 29, 1982.

On April 30, 1982, after meeting with the employees of the company, I announced publicly that our particleboard mill, located in White City, would be phasing out of production. This operation would be reduced on a gradual basis, in order to give our customers an opportunity to find new sources of supply. The company manufactures a full line of particleboard products, but has specialized in the production of thin board, under 1/4", used as a face for flush doors, as well as panels for sliding metal door frames.

The decision to phase out the production of particleboard at the Down River Forest Products mill in White City was not an easy one. It was only after considerable circumspection and thorough research that we concluded that such action must be taken. As detailed below, an expenditure in excess of \$1 million was required to bring the plant in compliance with the conditions contained in our Air Contaminant Discharge Permit No. 15-0027 Item No. 3 as scheduled in Item No. 11. As a result, our Board of Directors concluded that the economics of the situation did not warrant such an investment. This was the case as a result of matching this investment requirement against the general market for our product and the current and anticipated economic environment as well as other investment requirements and several other miscellaneous factors.

738 NORTH MARKET BOULEVARD • SACRAMENTO, CALIFORNIA • PHONE (916) 920-0290 MAY 14 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAY 14 1982
AIR QUALITY CONTROL

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
MAY 14 1982
OFFICE OF THE DIRECTOR

In the event that some history on our past actions relative to the pollution control of our dryers will be necessary for the Commission, I have outlined below the events over the past several years.

As the Commission has previously been advised, we have been engaged for approximately three years in extensive research and investigation in determining the various means available to bring the particulate emission from our plant, and particularly those from the dryers, into conformity with the requirements of the Commission.

When the rule was first established relative to particulate emissions from wood particle dryers, it was acknowledged by all persons concerned that it was "technologically forcing" which, in short, meant that there was no known equipment readily available upon the market which could accomplish the removal of particulates to the degree required by the rule.

Down River Forest Products undertook a pilot program of constructing a filter system and, at a total cost of \$30,000, tested it with another firm in the Medford area, Timber Products Company. It was concluded that the filter system was not capable of controlling the particulate to the degree required upon a long-term and sustained basis.

Thereafter, and upon our petition, as well as other manufacturers, the Commission agreed to revise the rule to its present standard, which is that the particulate emissions from all wood particle dryers shall not exceed either:

- (a) 0.40 lbs. per 1,000 square feet of board produced on a 3/4" basis as an annual average.
- (b) An opacity equal to or greater than twenty percent (20%) for a period aggregating more than three (3) minutes in any one hour.

We went back to the drawing board and thoroughly investigated all known commercial filter systems which might have a practical application to its facilities. It was clear at that point that only if our wood particle dryers were completely replaced and rebuilt would it be possible to install filters which could effectively control the particulate emissions to the degree required by the rule.

Down River thoroughly investigated the various filters manufactured by others, including monitoring the experience of the operators of other mills where these various filters were installed. It was concluded that none of these systems were sufficiently reliable to justify their installation, particularly in view of the fact that the cost would be in excess of \$1 million, when taking into account the rebuilding of the existing wood particle dryers. Under the circumstances, we continued to investigate other means of controlling particulate emissions. Ultimately, after an expenditure of approximately \$10,000.00 in engineering studies and approximately \$5,000.00 in legal fees, a process was devised which we believed would be successful

and which was unique. There presently is an application for patent pending upon this process. It is, of course, unproven and not without some risk. The expense of development and installation would approach \$2 million.

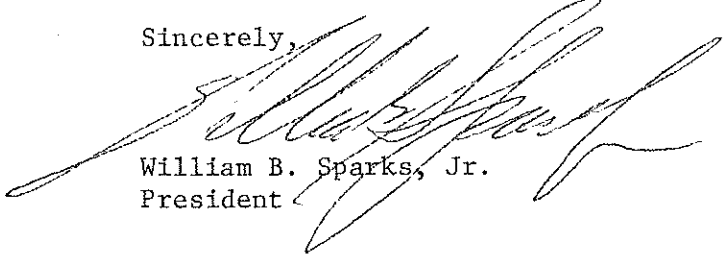
As stated above, the Board of Directors concluded that the economics of the situation did not warrant such an investment. As such, it was decided to phase out the operation. We have obviously been working with you and your staff along the way. While we have not been able to comply with the conditions contained in our Air Contaminant Discharge Permit No. 15-0027, Item Nos. 3 and 11, on or about March 30, 1982, we did file a control strategy and it was planned, at that point in time, that purchase orders would be issued on or about May 1, 1982, with the other aspects of Condition No. 11 to follow. It was shortly after this point that the decision to cease production was made.

At the present time, it is contemplated that the particleboard operation will be phased out completely within the coming six months. In no event would we anticipate production extending beyond the January 1, 1983, deadline for installation of the pollution control equipment required by Permit No. 15-0027. In fact, it could be sooner than that, depending upon several factors, not the least of which is how long it will take our existing customers to find alternative sources of supply. We do not plan to abandon those customers, as that would, we believe, be irresponsible and would create even more widespread unemployment and hardship than will flow from this immediate decision which we have made. This phase-down will give an opportunity for the employees of Down River Forest Products, over a period of time, to find employment elsewhere and, to whatever extent possible, be absorbed into the labor force.

We would intend to make every effort to sell the plant as a going entity enabling the plant to continue contributing to the economic base and employment of labor in the Medford area. Therefore, once we have ceased production, it is essential that the Air Contaminant Discharge Permit attributable to this plant be maintained and available for any prospective purchaser. We understand that this is possible for at least a period of one year after production has ceased under the provisions of OAR 340-20-265.

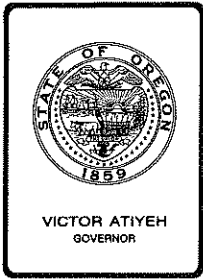
We have worked with your staff on an ongoing basis in regard to this matter and will keep you informed of our future plans as they progress. We appreciate your continued cooperation and assistance.

Sincerely,


William B. Sparks, Jr.
President

WBS:mah

cc: Mr. Gary Grimes,
Southwest Region
Dept. of Environmental Quality
Mr. H. Dewey Wilson



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. L , June 11, 1982, EQC Meeting

Informational Report: Rock Mesa Mining Claims in the
Three Sisters Wilderness

Background

This informational report is submitted as a result of a letter dated April 10, 1982, (Attached as Exhibit A) to the Commission concerning possible mining on Rock Mesa in the Three Sisters Wilderness. The letter was submitted by a group of Central Oregonians and the City of Bend who are concerned about the impacts of mining in a pristine wilderness. They requested that the EQC again become familiar with the issue.

In 1961 mining claims were filed on 1100 acres of volcanic flow called Rock Mesa in the Three Sisters Wilderness. The claims involve the mining of block pumice. The wilderness is about 25 miles west of Bend, Oregon. The claims were later acquired by U.S. Pumice Company, which filed an application for a patent in September 1976. In 1977 the U.S. Department of Agriculture contested the patent application and was later joined by the Wilderness Society and other environmental groups as intervenors. On September 29, 1981, U.S. Department of Interior, Administrative Law Judge Swietzer ruled that 670 acres of mining claims were valid. This ruling has been appealed by the intervenors to the Department of Interior's Board of Land Appeal. The U.S. Forest Service chose not to appeal.

In order to patent a claim, the applicant must establish that a valuable mineral deposit exists and that a prudent person would be justified in spending time and money with a reasonable prospect of deriving a profit. The intervenors believe the Administrative Law Judge erred in concluding that the claims could be profitably mined. The intervenors' argument is based, in part, on the insufficient evidence presented by the applicant on the cost of complying with environmental regulations in wilderness areas. They believe the costs of compliance would preclude anyone from mining the claims profitably.

In 1972 the Environmental Quality Commission adopted very strict environmental regulations for wilderness areas (Chapter 340, Division 13, attached as Exhibit B). The purpose of the rules is to maintain the wilderness areas in essentially a pristine state and as free from air, water and noise pollution as is practicably possible. In fact, these rules were adopted in response to the possibilities of mining at Rock Mesa. The rules do not carry provisions for granting a variance although Oregon State Statutes governing noise and air pollution allow the Commission to grant variances.

In making his decision, the Judge concluded that the applicant might be able to obtain a variance from the Department's wilderness regulations. The intervenors felt the Judge was unwarranted in making this assumption.

Discussion

If the Interior's Board of Land Appeals affirms the Administrative Law Judge's ruling, and presuming there are no more appeals, the issue still has several hurdles to clear. Title to the land would be transferred to U.S. Pumice but there would probably be no obligation for them to begin mining. The land would remain in the Three Sisters Wilderness. Any activity on this land would require the U.S. Forest Service to prepare an environmental assessment in accordance with the National Environmental Policy Act of 1969. Presumably, the assessment would deal with only the company's access to the patented claims.

In addition to the environmental assessment by the U.S. Forest Service, if the company were to mine or otherwise develop the patented claims, they would have to obtain approval from the local land use jurisdictions. Depending upon what the company wanted to do, they would probably need to obtain a zone change or at least a conditional use permit. Also, before mining could occur, the Department of Geology and Mineral Industries would probably have to issue a permit.

If the company could not construct its facilities and operate them in accordance with the Department's very strict regulations for wilderness areas, they are required to apply for and obtain a permit as provided for in Division 13. The application may be considered by the EQC at a public hearing. While the permit could loosen environmental standards, the requirements would still be fairly stringent. It is very likely opponents to the mining would oppose the issuance of a permit.

Besides affirming the Judge's ruling, the Board of Land Appeals could reverse it or remand it to the Judge for further investigation. Unless it was appealed, a reversal would cancel the company's claim. However, if it was remanded, it is likely that the costs of meeting the environmental regulations would be explored by the Judge.

At this point, Division 13 would come under scrutiny. Division 13 contains a Statement of Policy, Emission Permit Requirements and Environmental Standards for wilderness areas. A Department permit could allow air contaminant emissions up to ten percent opacity and maximum noise levels up

to 75 dB. The Department must consider the Statement of Policy when approving or disapproving a permit.

It is possible that the Judge may ask the company to secure all applicable permits before he decides on the costs of compliance with state and local laws. This may be the best method to determine the costs of compliance with Division 13. The Department probably will not be able to specify which regulations of Division 13 apply to the proposed activity until the company goes through the permit process. The Department believes that Division 13 may ultimately decide if mining can be accomplished in an economically feasible manner. Thus Division 13 could decide the legitimacy of the claims.

Finally, the Department believes that it may be in the State of Oregon's interest to become involved in this matter before the patents are secured. Unless the Commission directs otherwise, the Department intends to discuss the matter with the Governor's office to determine if and how the State of Oregon should involve itself. We will recommend that the State intervene as a "friend of the agency," if possible, to suggest that U.S. Pumice be required to obtain all necessary state and local permits, etc. before determining whether a patent should issue.

Director's Recommendation:

It is recommended that the Commission concur with the course of action to be pursued by the Department as outlined above.

Bill

William H. Young

Exhibit A
Exhibit B

Richard J. Nichols:o
388-6146
May 19, 1982
G0972

EXHIBIT A

EQC
Young

April 10, 1982

Joe Richards, Chairman
Environmental Quality Commission
522 S. W. Fifth Avenue
Portland, Oregon 97207

Dear Chairman Richards:

In 1971 and 1977, the question of whether pumice mining should occur in the Rock Mesa portion of the Three Sisters Wilderness Area was before the Commission.

In 1971, the Commission declared that, ". . . the policy and purpose of the Department of Environmental Quality is to maintain the environment of wilderness areas essentially in a pristine state and as free from air, water, and noise pollution as is practically possible and to permit its alteration only in a matter compatible with recreational use and the enjoyment of the scenic beauty and splendor of these lands by the citizens of Oregon and of the United States.

In 1977, the Commission was asked to join in the Rock Mesa appeal. It declined because the position of the Commission was determined to be what was later articulated in a letter to O.S.P.R.I.G. by the Director that, ". . . the integrity of the wilderness rule can better be maintained in a state administrative or court proceeding in which this agency has full charge of the case. "

In both instances, the Commission's position was consistent with the position universally taken in Central Oregon, that Rock Mesa should be left in its natural state.

During the early 1970's, individuals and groups with economic and environmental interests banded together to protect this vital natural resource. The very viability of the tourism and recreation sector of the Central Oregon economy was at stake and strong lobbying on the part of the Bend Chamber of Commerce was crucial in bringing attention to the issue.

Today, the facts in the case remain the same. The same coalition exists and holds consistently to the position that Rock Mesa remain unmined.

The City of Bend joins with us, a loose coalition of very concerned Central Oregon citizens, in requesting that the Environmental Quality Commission again become familiar with the issue. The issue could again be before the Commission next fiscal year. The interests of the people of Oregon would best be served by a Commission with advanced information on a concern of such far-reaching economic and environmental consequences.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED

APR 1 1982

OFFICE OF THE DIRECTOR

Page 2
Joe Richards

Thank you for your ongoing diligent work and service on behalf of the citizens of Oregon. Please let us know when we may be of any assistance.

Sincerely,

Bill Ellis, chairperson
61011 Chuckanut Drive
Bend , Oregon 97702

Patricia Porter, vice-chairperson
Julie Bourquin
Roger Cantwell
Bruce Devlin
Don Gallagher
Dr. Jim Mahoney
Norm Schultz
George Spencer
Caryn Talbot
Rep. Tom Throop

OREGON ADMINISTRATIVE RULES
CHAPTER 340, DIVISION 13 — DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION 13

WILDERNESS, RECREATIONAL,
AND SCENIC AREA RULES

Environmental Standards for
Wilderness Areas

Statement of Policy

340-13-005 Wilderness areas represent a natural resource of unique importance. Congress has protected such areas by enacting the Wilderness Act, P.L. 88-577, 16 U.S.C. Sec. 1131, et seq. Those wilderness areas located within the geographical limits of the state are a major part of the cultural heritage of the citizens of Oregon and are a key element in developing and maintaining tourism and recreation as a viable industry. Thus, the environment of wilderness areas is deserving of the highest level of protection and safeguarding by the state in order to preserve Oregon's unique primitive and natural land areas. The Wilderness Act allows certain activities in wilderness areas. Most of these have minimal present impact on the environment. However, mining and some other activities allowed by the Wilderness Act pose a serious threat of a substantial harm to the unique environment of wilderness areas.

Therefore, it is declared to be the policy and purpose of the Department of Environmental Quality to maintain the environment of wilderness areas essentially in a pristine state and as free from air, water, and noise pollution as is practically possible and to permit its alteration only in a manner compatible with recreational use and the enjoyment of the scenic beauty and splendor of these lands by the citizens of Oregon and of the United States.

Stat. Auth.: ORS Ch.

Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

Definitions

340-13-010 As used in these rules, unless otherwise required by context:

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

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

(3) "Opacity" means the degree to which emissions reduce the transmission of light or obscure the view of an object in the background.

(4) "Wilderness Area" means an area designated as wilderness by the Congress of the United States pursuant to Public Law 88577, 16 U.S.C., Sec. 1131, et seq.

(5) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.

Stat. Auth.: ORS Ch.

Hist: DEQ 35 f. 2-15-72, ef. 3-1-72

Emission Permit Requirements

340-13-015 After the effective date of these rules:

(1) No person shall commence or initiate any activity other than emergency or recreational in a wilderness area which causes the emission of air contaminants, water pollutants or noise in excess of the standards set forth in rule 340-13-020 section (1) of these rules without first applying for and receiving a permit from the Department.

(2) The permit shall be in addition to and not in lieu of other permit requirements of federal, state or local governments.

(3) Application for the permit shall be made on forms supplied by the Department. The application shall be made no less than 90 days prior to the proposed date of commencing the activity.

(4) An application for a permit may be considered at a public hearing before the Commission or its authorized representative. At least 20 days' notice of the hearing shall be provided to the applicant and to any other interested person who has requested notice.

(5) The Commission shall consider the testimony, data and views presented at the public hearing and either approve or disapprove a permit for the proposed activity according to its evaluation of whether the air, water and noise emissions from the activity are consistent with the policy and environmental standards as set forth in rules 340-13-005 and 340-13-020.

(6) Any permit issued for an activity within a wilderness shall be properly conditioned to achieve the policy objectives and environmental standards of rules 340-13-005 and 340-13-020 and may be modified by the Department after a hearing before the Commission or its authorized representative.

Stat. Auth.: ORS Ch.

Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

Environmental Standards

340-13-020 (1) Except as provided in section (2) of this rule, no person engaged in an activity other than emergency or recreational within a wilderness area shall:

(a) Cause, suffer, allow, or permit any emission of air contaminants greater than 5 percent opacity.

(b) Discharge any waste into waters or conduct any activity which causes or is likely to cause:

(A) Any measurable increase in color, turbidity, temperature, or bacterial contamination;

(B) Any measurable decrease in dissolved oxygen;

(C) Any change in hydrogen ion concentration (pH); or

(D) Any toxic effect on natural biota.

(c) Cause, suffer, allow or permit the emission of noise from any source or sources which noise causes the maximum ambient sound pressure level to exceed 50 dbA at any point at least 50 feet from any source.

(2) Subject to the permit requirements in rule 340-13-015, the Department may permit the emission of air contaminants greater than 5 percent opacity, but not to exceed 10 percent opacity and noise from any source or sources causing the maximum ambient sound pressure level to exceed 50 dbA at any point at least 50 feet from any source, but not to exceed 75 dbA at such distance.

Stat. Auth.: ORS Ch.

Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

Penalties

340-13-025 In addition to and not in lieu of any other judicial redress, a person violating these rules shall be subject to criminal prosecution as provided by Oregon Law.

Stat. Auth.: ORS Ch.

Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

National Emergency

340-13-030 The Governor of Oregon may suspend these rules for the duration of any national emergency.

Stat. Auth.: ORS Ch.

Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

New Wilderness Areas

340-13-035 These rules shall not apply to any wilderness area established after January 1, 1972, by the United States until a public hearing on the possible application of these or

OREGON ADMINISTRATIVE RULES
CHAPTER 340, DIVISION 13 — DEPARTMENT OF ENVIRONMENTAL QUALITY

other rules thereto shall have first been held by the Commission.

Stat. Auth.: ORS Ch.
Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

OREGON ADMINISTRATIVE RULES
CHAPTER 340, DIVISION 13 — DEPARTMENT OF ENVIRONMENTAL QUALITY

other rules thereto shall have first been held by the Commission.

Stat. Auth.: ORS Ch.
Hist: DEQ 35, f. 2-15-72, ef. 3-1-72

PROPOSAL #2

Robert L. Haskins
Assistant Attorney General

May 25, 1982

Go with this one

"EQC Agenda Item No. L
"June 11, 1982
"Page 3

* * * *

~~"[Unless the Commission directs otherwise, the Department will use Division 13 to guide its actions in the Rock Mesa matter. The Statement of Policy of Division 13 clearly directs the Department in addressing wilderness activities. The Department would not be inclined to grant a permit if the proposed activity would exceed the standards of OAR 340-13-020 or would compromise the policy statement of Division 13.]~~

~~"Finally, the Department believes that it may be in the State of Oregon's interest to become involved in this matter before the patents are secured. Unless the Commission directs otherwise the Department intends to discuss the matter with the Governor's office to determine if and how the State of Oregon should involve itself. [If the issue is remanded to the Administrative Law Judge, the Department plans to voluntarily report to the Administrative Law Judge on Division 13, and its impact on mining. If the appeal is denied, the Department will analyze the matter and return to the Commission with the recommendation on how to proceed.] We will recommend that the State intervene as a "friend of the agency," if possible, to suggest that U.S. Pumice be required to obtain all necessary state and local permits, etc. before determining whether a patent should issue.~~

(do not include underlining)
① →

"Directors Recommendation:

~~"It is recommended that the Commission concur with the course of action to be pursued by the Department as outlined above.~~

~~"William H. Young~~

"Exhibit A
"Exhibit B

"Richard J. Nichols:o
"388-6146
"May 19, 1982
"G0972"

PROPOSAL #1

Robert L. Haskins
Assistant Attorney General

May 25, 1982

"EQC Agenda Item No. L
"June 11, 1982
"Page 3

* * * *

"[Unless the Commission directs otherwise, the Department will use Division 13 to guide its actions in the Rock Mesa matter. The Statement of Policy of Division 13 clearly directs the Department in addressing wilderness activities. The Department would not be inclined to grant a permit if the proposed activity would exceed the standards of OAR 340-13-020 or would compromise the policy statement of Division 13.]

"[Finally, the Department believes that it may be in the State of Oregon's interest to become involved in this matter before the patents are secured. The Department intends to discuss the matter with the Governor's office to determine if and how the State of Oregon should involve itself. If the issue is remanded to the Administrative Law Judge, the Department plans to voluntarily report to the Administrative Law Judge on Division 13 and its impact on mining. If the appeal is denied, the Department will analyze the matter and return to the Commission with the recommendation on how to proceed.]

"In 1977, in response to a request by OSPIRG you considered whether or not the State should intervene in the pending federal administrative proceeding. In making that decision you followed the advice of legal counsel. As I stated in my December 19, 1977 letter to OSPIRG, on your behalf:

"[The EQC] has concluded that the integrity of its wilderness rule can be better maintained in a state administrative or court proceeding in which this agency has full charge of its side of the case, than in a federal administrative proceeding in which a federal agency is the party in charge. If the state is not a party to the federal administrative proceeding, it would not be bound by the decision reached in that case. It would thus be free to assert its position in a case of its own choosing, notwithstanding the outcome of the federal proceeding. The Commission views its abstention from the federal proceeding as being, in the total perspective, the best way to support its wilderness rule."

Proposal #1
May 25, 1982
Page No. 2

"Director's Recommendation:

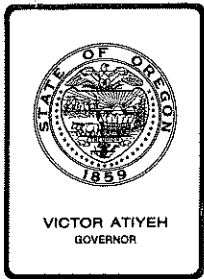
"[It is recommended that the Commission concur with the course of action to be pursued by the Department as outlined above.]

"Legal counsel continues to advocate that we follow that course. Therefore, unless you direct otherwise, I recommend that we continue to monitor the federal proceeding and delay action until we receive an application.

"William H. Young

"Exhibit A
"Exhibit B

"Richard J. Nichols:o
"388-6146
"May 19, 1982
"G0972"



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, June 11, 1982, EQC Meeting

Proposed Adoption of Gravel-less Disposal Trench
Alternative On-Site Systems Rules, OAR 340-71-355
and OAR 340-73-060(2)(f)

Background and Problem Statement

ORS 454.625 provides that the Commission, after hearing, may adopt rules for on-site sewage disposal.

Department staff received a request from Mr. John R. Barnes, R.S., Consulting Sanitarian, Advanced Drainage Systems, Inc. (ADS), requesting the Oregon Administrative Rules governing On-Site Sewage Disposal be amended to allow the use of large diameter filter fabric wrapped polyethylene pipe (SB2) as an alternative to a standard gravel-filled trench (Attachment "A"). The Department was supplied with several documents, including a detailed report entitled "Evaluation of SB2 Wastewater Disposal Systems in Montgomery County, Texas," authored by B. L. Carlile (visiting Soil Specialist, Texas A & M University) and D. J. Osborne (Soil Scientist, North Carolina State University). Discussions between staff and ADS representatives occurred, resulting in ADS suggesting proposed rule language to amend the Oregon Administrative Rules (Attachment "B"). Staff reviewed the proposed language, made some revisions, and incorporated the revised language into the staff report (Agenda Item D) taken to the Commission on January 22, 1982.

Staff has looked at the question of whether a need exists for this type of alternative system. A need would exist if drainfield-quality gravel was not reasonably available. Some geographic areas of the state (such as portions of Eastern Oregon) do not have gravel sources locally available. The costs of transporting upwards of twenty-five or more cubic yards of gravel over any great distance can cause the gravel to be economically unfeasible. The same is true of potential sites that have no road access. In staff's opinion, the need for a gravel-less alternative system exists.

At the January 22, 1982 meeting, the Commission authorized public hearings to be held on many proposed rule amendments, including the gravel-less disposal trench alternative system. Notice of public hearing was provided by publication of notice in the Secretary of State's Bulletin, and mailing to: Public Affairs statewide "Media" list; the On-Site mailing list; all DEQ Regional, Branch, and Agreement County offices; and the On-Site Sewage Consultants list. Four public hearings were held at various locations around the state (Portland, Bend, Newport, and Medford).

At the March 5, 1982 meeting, the commission was provided a staff report, Agenda Item N, requesting adoption of the proposed amendments. Mr. Douglas Marshall, Senior Sanitarian with Tillamook County, expressed his concerns to the Commission that the proposed gravel-less disposal trench system rules contained language favoring one pipe manufacturer to the exclusion of another, and that because the concept was new to this state, installation should be limited.

The Commission adopted the proposed rule amendment package except for the proposed gravel-less disposal trench alternative system language (OAR 340-71-355) and the pipe specification (OAR 340-73-060(2)(f)). The Commission deferred these two proposed amendments to their meeting on April 16, 1982. On that date, at the request of Advanced Drainage Systems, Inc., the Commission set over consideration of these amendments to the June 11, 1982 meeting, and directed staff to receive and consider additional written testimony.

The Department received two letters addressing this subject. Under the signature of Dennis Osborne, a letter from Carlile and Osborne restated their findings and conclusions in their report, and added their comments in support of gravel-less trench installations into sandy clay loam, loam, and clay loam soil textures, and well structured clay soils (Attachment "F"). Mr. Cal Sennett, representing Advanced Drainage Systems, Inc., also provided a letter (dated May 10, 1982) stating that since they have had an opportunity to talk with their technical consultants, they now fully support the Director's recommendation (Attachment "G").

The "Statement of Need", "Statutory Authority", "Documents Relied Upon", and "Statement of Fiscal Impact" are addressed within Attachment "C".

Alternatives and Evaluation

Staff have reexamined the proposed pipe specification (OAR 340-73-060(2)(f)), and made some revisions. Language identifying a specific filter fabric wrap was replaced with general language requiring the pipe be encased in a factory-installed filter fabric wrap

acceptable to the Department. This would allow the Department to exercise reasonable judgment in determining whether the filter fabric will perform its purpose. Also, language similar to that found in other pipe specifications was added, requiring that the pipe manufacturers provide assurance they will conform to the pipe standard. These changes have been incorporated into Alternatives 1 and 2 following.

A detailed review of gravel-less trench literature, particularly the Carlile-Osborne report, was also done. Based upon that review, staff developed an alternative (Alternative 2, as specified in Attachment "E") to the siting proposal presented to the Commission on March 5, 1982. The original siting proposal deferred at that meeting is presented again as Alternative 1, as specified in Attachment "D". It appears the Commission has three possible alternatives:

1. Adopt the proposed gravel-less disposal trench rule, including the pipe materials standard, as specified in Attachment "D".
2. Adopt the proposed gravel-less disposal trench rule, including the pipe materials standard, as specified in Attachment "E".
3. Do not adopt rules that allow the use of the gravel-less disposal trench.

Alternative 1, as specified in Attachment "D", would allow installation of this proposed alternative system at any site where a standard system could be installed. Soil textures could range from sand to clay, and the system size would be limited only as would be required for systems with projected daily flows greater than 2,500 gallons. It is staff's opinion that Alternative 1 may be too broad. The primary study sites examined by Carlile and Osborne dealt almost entirely with systems serving single-family dwellings, therefore use of this system for larger flows may not be appropriate. In the primary study they examined 50 systems, including 10 using conventional construction. Staff found 21 systems in this study used the gravel-less trench concept only, not including repaired systems, add-on systems, or mounds. Almost without exception these systems were placed into soil textures of sandy loam, loamy sand, and sand. Most of these systems were functioning properly without failure. The few (5) failing systems were attributed to either a high groundwater condition or improper installation (pipe placed perpendicular to land contours) or both. The fabric-wrapped pipe was not found to be a factor. The Carlile-Osborne study does not appear to contain sufficient information to expand application of this concept in fine textured soils, or flows from other than dwellings.

Alternative 2, as specified in Attachment "E", would limit the use of gravel-less disposal trench systems to single family dwellings, and installation only at sites that fully qualify for standard system installation, with soil textures of sandy loam, loamy sand, and sand. The Carlile-Osborne study is sufficiently complete to justify implementation of their findings within this state. They looked at whether the large diameter fabric-wrapped pipe would function differently than a conventional system. They found no difference at the sites they examined. Staff would expect a gravel-less disposal trench system to function identically to a standard system using gravel-filled trenches, installed the coarser soil textures, and recommends the Commission adopt this alternative.

Adoption of Alternative 3 would eliminate the gravel-less disposal trench option entirely. This is not supported because of the discussion above.

Summary

1. ORS 454.625 provides that the Commission, after hearing, may adopt rules for on-site sewage disposal.
2. Staff received a request to amend the rules to allow installation of gravel-less disposal trench systems.
3. On January 22, 1982, the Commission authorized public hearings to be held on amendments to the rules, including proposed rules for the gravel-less disposal trench alternative system.
4. After proper notice, four public hearings were held at various locations around the state on February 2, 1982.
5. On March 5, 1982, the Commission was presented with a staff report recommending adoption of proposed amendments to the on-site sewage disposal rules. The Commission deferred consideration of the proposed gravel-less disposal trench rules to the April 16 meeting.
6. On April 16, 1982, the Commission set over consideration of this report to June 11, 1982, and instructed staff to receive and consider additional written testimony.
7. Two letters were received, one from Carlile and Osborne, the other from Mr. Sennett, representing Advanced Drainage Systems, Inc. Advanced Drainage Systems, Inc. fully supports the Director's recommendation.

Director's Recommendation

Based upon the Summation, it is recommended the Commission adopt the proposed gravel-less disposal trench alternative on-site systems rules, OAR 340-71-355 and OAR 340-73-060(2)(f), as set forth in Attachment "E".



William H. Young

Attachments: 7

- A. Letter requesting rule amendment
- B. Letter with proposed rule language
- C. Statement of Need, Statutory Authority, Documents Relied Upon, and Fiscal Impact
- D. Proposed rule language for Alternative 1
- E. Proposed rule language for Alternative 2
- F. Letter from Carlile and Osborne
- G. Letter from Cal Sennett, Advanced Drainage Systems, Inc.

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XL1645
229-6443
May 21, 1982



3300 RIVERSIDE DRIVE P. O. BOX 5807 COLUMBUS, OHIO 43221 (614) 457-3051 TELEX NO. 245-461

October 28, 1980

Mr. Mark P. Ronayne
Department of Environmental Quality
Alternative System Specialist
Subsurface and Alternative Sewage
Systems Section
Water Quality Division
P.O. Box 1760
Portland, Oregon 97207

Dear Mr. Ronayne:

As per our telephone conversation of October 23, 1980, I would like to provide you with the following information:

1. The SB2™ was designed as an alternative to conventional gravel soil absorption systems. We do not advocate its use in areas where conventional systems are not allowed. The SB2 can also be used to dispose of effluent from aerobic treatment plants.
2. The 10-inch tubing used in the SB2 is the same tubing used for culverts, highway underdrains, and storm sewers. In fact, our tubing was recently approved by the F.A.A. for runway underdrains. Also, in addition to approximately 30 state Department of Transportation approvals, an ASTM specification covering our larger sizes (10 inch through 15 inch) will be published in the near future. Finally, I have enclosed a copy of an SB2 test report from Wadsworth Testing Laboratories for your use.
3. The Drain Guard protective wrap around the SB2 has been successfully used in thousands of problem soil conditions over the last eight or nine years. It is a chemically-inert, spun bonded nylon fabric with a pore size of approximately 100 microns. As you know,

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the vast majority of the suspended solids leaving the septic tank are smaller than 100 microns and, therefore, easily pass through the Drain Guard into the soil. If the solids build up faster than they can be broken down, a bio-matt will form. Early indications are that the bio-matt will form outside the Drain Guard in the soil.

4. As you know, most conventional gravel leach beds fail in stages. Because the first several feet of each trench receive all of the effluent that is channeled into that trench, the bio-matt or slime layer forms in the beginning of the trench first. Once this layer becomes relatively impermeable, the effluent must move down to the next portion of the trench and the slime layer begins to build up again. For this reason, many authorities are beginning to recognize the advantages of equal effluent distribution throughout the entire leachfield. Equal distribution eliminates the extremely heavy dosing in the first few feet of each trench and allows the aerobic bacteria throughout the entire leachfield to act on the suspended solids. Because of the placement of the drainholes, a level SB2 line must fill from one end to the other before the effluent can spillover to the soil interface. Since suspended solids in the effluent tend to stay in suspension for several hours it follows that equal effluent distribution will result in equal distribution of suspended solids.
5. Because of the placement of the drain holes in the SB2, the SB2 actually acts as an extension of the septic tank. The SB2 allows for slow movement of effluent (Because of large diameter), increased retention time of effluent and promotes additional settling of suspended solids prior to the effluent reaching the soil interface. This results in a more clarified effluent (suspended solids only) reaching the soil interface and the development of a thinner and more permeable bio-matt.
6. Due to increased settling of suspended solids in the SB2, nitrates reaching the water table should be reduced since nitrates tend to be attached to suspended solids.

7. Installation procedures are the key to the success of the SB2. In general, it can be installed in any way that conventional systems are currently installed -- drop boxes, stepdown system, etc. We are presently preparing a set of comprehensive installation guidelines for the SB2. We have enclosed a copy of the rough draft for your use.
8. SB2 programs have been instituted in more than 25 states with more to follow. To date, we have not heard of any problems in any of these states. We feel the level of success is directly attributable to our insistence on approvals from the various Health Departments and our strict control concerning site conditions and soil permeability.
9. The SB2 comes prewrapped in Drain Guard Protective Wrap and is encased in a black polyethylene bag from the factory to prevent damage to the tubing. It is currently sold in this form a \$2.10 per foot.
10. Several formal SB2 test programs have been initiated in various parts of the country:
 - a. Dr. Roger Machmeier of the University of Minnesota has installed a complex SB2 system near Anoka, Minnesota. This SB2 system includes Pumps and meters between each 20 foot length of SB2. This system has been monitored for more than two months and preliminary indications are that the SB2 distributes effluent more effectively than we are currently claiming.
 - b. Another test installation has been made by North Carolina State University. This system employs a common tank and several different types of leach bed designs installed in 200 minute per inch soil. This system will be heavily dosed until failure of the various leach beds. This will provide invaluable information concerning the effectiveness of the SB2 when compared with other leach bed designs in poor soil areas. This project was begun under the guidance of Dr. Bob Carlile.
 - c. Texas was the first state to formally accept the SB2 for standard installation. For this reason, our oldest systems are in Texas -- some of which were installed in 1978. More than 1000 SB2 systems are now operating in Texas alone.

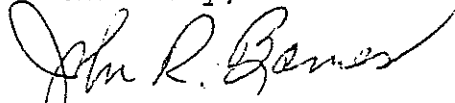
With this in mind, ADS has chosen to fund a comprehensive review of 100 to 150 SB2 systems in Montgomery County, Texas. This study is being conducted by Manning Engineering of Houston and Austin and by Dr. Bob Carlile who is temporarily attached to Texas A & M University. It includes all factors pertaining to soil absorption system success - - including percolation rates, soil analysis, groundwater depth, etc.

We expect to have the results of these studies in the near future and will forward them to you as they become available.

We hope the above information will help you in your review of the SB2 concept. We would like to request a formal approval to install the SB2 in the State of Oregon. We would be very happy to discuss either this request or the SB2 design at any time should you have any questions.

Thank you for your interest in the SB2. We look forward to hearing from you in the near future.

Sincerely,



John R. Barnes R.S.
Consulting Sanitarian



ADVANCED DRAINAGE SYSTEMS, INC.

3300 RIVERSIDE DRIVE P. O. BOX 21307 COLUMBUS, OHIO 43221 (614) 457-3051 TELEX NO. 245-461

December 9, 1981

Mr. Sherman O. Olson, Jr. R.S.
Subsurface-Sewage Systems Section
Department of Environmental Quality
P. O. Box 1760
Portland, Oregon 97207

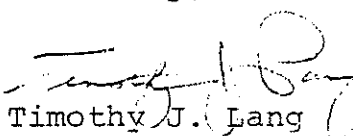
Dear Mr. Olson:

Per our discussion, I have attached a copy of our proposed gravel-less subsurface disposal system regulations for your review. I hope that you will find this proposed regulation to be properly worded and structured. However, if any revisions are required, I would be pleased to discuss them with you when we meet in Chicago.

We would like to take this opportunity to request that this proposed regulation be adopted by the State of Oregon and be included in Chapter 340--Division 71 of the Oregon Administrative Rules.

We sincerely appreciate your cooperation concerning this request.

Sincerely,


Timothy J. Lang
Product Manager

TJL/dd

Attachment

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DEPARTMENT OF ENVIRONMENTAL QUALITY
DEC 14 1981
STATE OF OREGON

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340-71-355 Gravel-less Subsurface Disposal Systems.

- (1) Gravel-less subsurface disposal systems may be permitted on any site meeting the requirements for installation of standard subsurface systems, or other sites where this method of effluent distribution is desired. Gravel-less subsurface disposal systems must be used in conjunction with septic tanks that meet the requirements of Section 340-71-355(4).
- (2) Distribution lines for gravel-less subsurface disposal systems shall conform to the requirements in Appendix F, Section II-A-6.
- (3) Gravel-less subsurface disposal systems shall be designed and sized on the information contained in Tables 4 and 5.
- (4) (a) Gravel-less leach bed disposal lines shall be constructed in accordance with the standards listed in the following table, unless otherwise allowed or required within a specific rule of this division:

Maximum length of trench	125 feet
Minimum bottom width of trench	18 inches
Minimum depth of trench, using:	
Equal or loop distribution	18 inches
Serial distribution	24 inches
Maximum depth of trench	36 inches
Minimum distance of undisturbed earth between trenches	8 feet

NOTE: Trench dimensions given are for the excavated trench prior to installation of the gravel-less leach bed tubing and backfilling.

- (b) Backfill shall be of native soil, free of large stones, frozen clumps of earth, masonry, stumps, or waste construction material, or other materials that could damage the system. Gravel or crushed stone is not required.
- (c) Gravel-less leach bed lines shall be constructed in accordance with Diagram 12. System layout shall vary depending on site conditions, but may be laid out as shown in Diagrams 1, 2, 3, 4, 5, and 11.

DEPARTMENT OF ENVIRONMENTAL QUALITY
 DIVISION OF WATER QUALITY CONTROL
 DEC 14 1981
 WATER QUALITY CONTROL

Appendix F, Section II-A-6

- (6) Gravel-less subsurface disposal systems shall be constructed using corrugated polyethylene pipe meeting the requirements of ASTM F 667. The pipe shall have two rows of holes spaced approximately one hundred and twenty (120) degrees apart and approximately one hundred and twenty (120) degrees apart each from the location stripe which shall be a contrasting color. The drain holes shall be a minimum of one-half ($\frac{1}{2}$) inch diameter. The minimum outlet area shall be one (1) square inch per lineal foot of pipe. There shall be at least one (1) drain hole present in the valley of each corrugation.

The gravel-less subsurface disposal pipe shall be encased in a factory installed spun-bonded nylon filter fabric meeting the following requirements:

- (1) Weight (oz. per sq. yd.)
Per ASTM F 1910 - 0.85 ounces (nominal)
- (2) Fiber Size, Denier per Filament (dpf)
4.7 (nominal value)

Corrugated polyethylene pipe shall be installed in twenty (20) foot sections or less and shall be connected with polyethylene fittings and couplings that comply with the requirements of ASTM F 667.

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY CONTROL
DEC 14 1981

WATER QUALITY CONTROL

340-71-415 Formal Variances.

- (1) Variances from any standard contained in Rules 340-71-220 and 340-71-260 through 340-71-315, but including 340-71-355 may be granted to applicants for permits by special variance officers appointed by the director.

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WATER QUALITY CONTROL

TABLE 4

Minimum length of disposal trench or gravel-less subsurface disposal line (linear feet) required per one hundred fifty (150) gallons projected daily sewage flow determined from soil texture versus effective soil depth.

EFFECTIVE SOIL DEPTH	18" to less than 24"	125	150	175
	24" to less than 36"	100	125	150
	36" to less than 48"	75	100	125
	48" or more	75	75	125
SOIL GROUP*		A	B	C

* Soil Group A - Sand, Loamy Sand, Sandy Loam

Soil Group B - Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam

Soil Group C - Silty Clay Loam, Sandy Clay, Silty Clay, Clay

OAL24 (1)

Table - 4

DEC 14 1981

WATER QUALITY CONTROL

TABLE 5

Minimum length of disposal trench or gravel-less subsurface disposal line (linear feet) required per one hundred fifty (150) gallons projected daily sewage flow determined from soil texture versus depth to tempert groundwater.

DEPTH TO TEMPORARY GROUNDWATER	24" to less than 48"	100	125	150
	48" or more	75	100	125
SOIL GROUP*		A	B	C

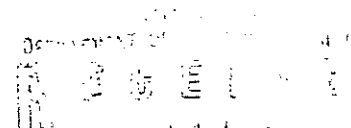
* Soil Group A - Sand, Loamy Sand, Sandy Loam

Soil Group B - Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam

Soil Group C - Silty Clay Loam, Sandy Clay, Silty Clay, Clay

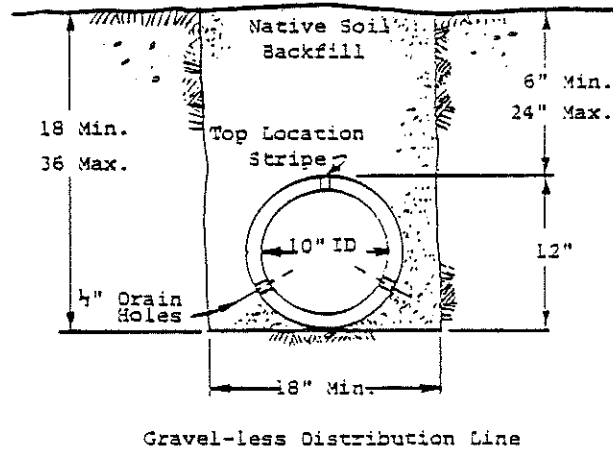
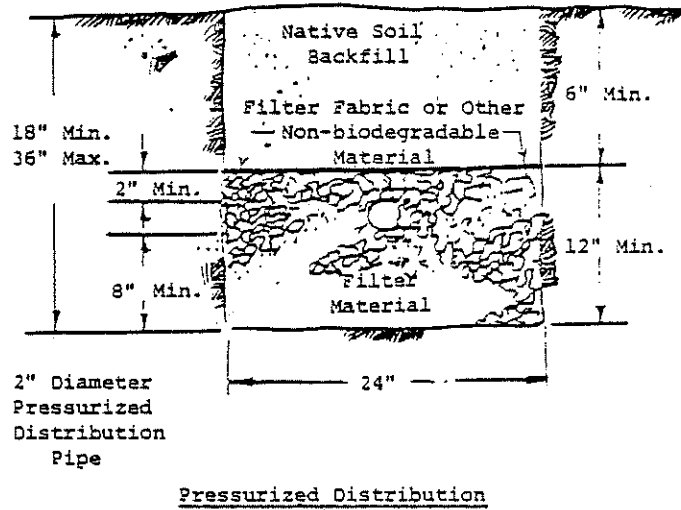
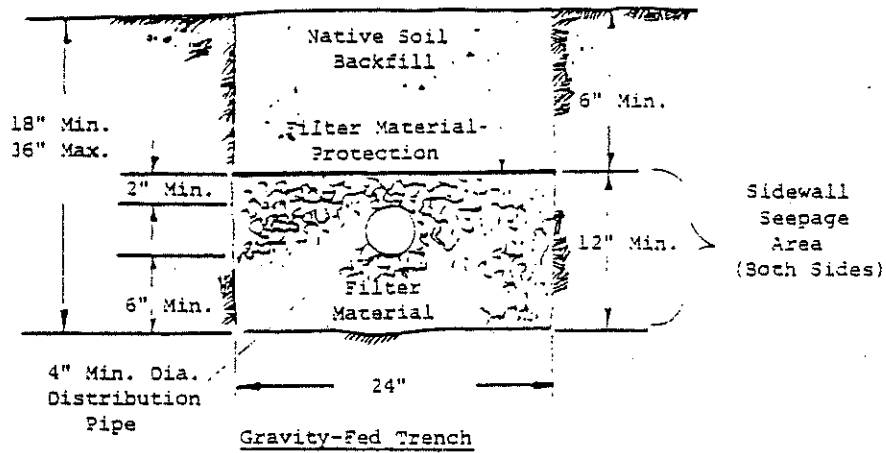
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Table - 5


 DEC 14 1981

WATER QUALITY CONTROL

DISPOSAL TRENCH CROSS SECTION



DEC 14 1981

WATER QUALITY CONTROL

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

In the Matter of the Proposed	)	Statutory Authority,
Adoption of Gravel-less Disposal	)	Statement of Need,
Trench Alternative On-Site Sewage	)	Principal Documents Relied
Disposal System Rules,	)	Upon and Statement of
OAR 340-71-355 and OAR 340-73-060(2)(f)	)	Fiscal Impact

1. Citation of Statutory Authority: ORS 454.625, which requires the Environmental Quality Commission to adopt rules for the purpose of carrying out ORS 454.605 to 454.745.

2. Need for Rule: A need would exist if drainfield-quality gravel was not reasonably available. Some geographic areas of the state (such as portions of Eastern Oregon) do not have gravel sources locally available. The costs of transporting upwards of twenty-five or more cubic yards of gravel over any great distance can cause the gravel to be economically unfeasible. The same is true of potential sites that have no road access.

3. Documents, Reports, and Studies Relied Upon in Proposing the Rule:

Letter of October 28, 1980, to Mark P. Ronayne (Department of Environmental Quality) from John R. Barnes (Advanced Drainage Systems, Inc.)

Letter of December 9, 1981, to Sherman O. Olson (Department of Environmental Quality) from Timothy J. Lang (Advanced Drainage Systems, Inc.)

Letter of December 16, 1981, to Sherman O. Olson (Department of Environmental Quality) from Timothy J. Lang (Advanced Drainage Systems, Inc.)

Report and Appendices, prepared by B. L. Carlile and D. J. Osborne, entitled "Evaluation of SB2 Wastewater Disposal Systems in Montgomery County, Texas," printed in May 1981.

The above documents are available for public inspection at the Office of the Department of Environmental Quality, 522 S.W. Fifth Ave., Portland, Oregon, during regular business hours, 8 a.m. to 5 p.m., Monday through Friday.

4. Fiscal and Economic Impacts:

Adoption of the gravel-less disposal trench alternative system rule will provide an alternative to a system using gravel-filled trenches. It will not increase costs, and may be less expensive to install in areas where the cost of gravel or its transport costs are high. It should have no economic impact upon small business in general. Gravel suppliers may be impacted if their cost of supplying gravel to building sites is high enough to make the gravel-less disposal trench economically competitive.

Amend OAR 340 Division 71, by adding a new rule, OAR 340-71-355 as follows: .

340-71-355 GRAVEL-LESS DISPOSAL TRENCH SYSTEMS.

- (1) Gravel-less disposal trench systems may be permitted on any site meeting the requirements for installation of standard subsurface systems.
- (2) Distribution pipes for gravel-less disposal trench systems shall conform to the requirements in OAR 340-73-060(2)(f).
- (3) Gravel-less disposal trench systems shall be constructed pursuant to the standards identified in OAR 340-71-220.

Exceptions:

- (a) The bottom trench width shall not be less than eighteen (18) inches wide; and
- (b) The provisions of OAR 340-71-220(8)(e), (f), and (g) are not applicable.

Amend OAR 340-73-060(2) by adding a new subsection (f) as follows:

(f) Gravel-less disposal trench systems shall be constructed using corrugated polyethylene pipe, fittings and couplings that comply with the requirements of ASTM F 667. The pipe shall have two rows of holes spaced approximately one hundred twenty (120) degrees apart, and approximately one hundred twenty (120) degrees apart each from the location stripe which shall be a contrasting color. The drain holes shall be a minimum of one-half (1/2) inch diameter. The minimum outlet area shall be one (1) square inch per lineal foot of pipe. There shall be at least one (1) drain hole present in the valley of each corrugation. The gravel-less disposal trench pipe shall have a minimum inside diameter of ten (10) inches, and be encased in a factory-installed filter fabric wrap acceptable to the Department. Each manufacturer of this pipe shall certify in writing to the Department that the pipe and fitting to be distributed for use in absorption facilities within the State of Oregon will comply with all of the requirements of this subsection.

NOTE: Underlined _____ material is new

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Amend OAR 340 Division 71, by adding a new rule, OAR 340-71-355 as follows:

340-71-355 GRAVEL-LESS DISPOSAL TRENCH SYSTEMS.

(1) Gravel-less disposal trench systems may be permitted on any site providing:

(a) The site fully complies with the criteria for installation of a standard subsurface sewage disposal system, as identified in OAR 340-71-220(2); and

(b) The site has sandy loam, loamy sand, or sand soil textures; and

(c) It serves a single family dwelling.

(2) Distribution pipes for gravel-less disposal trench systems shall conform to the requirements in OAR 340-73-060(2)(f).

(3) Gravel-less disposal trench systems shall be constructed pursuant to the standards identified in OAR 340-71-220.

Exceptions:

(a) The bottom trench width shall not be less than eighteen (18) inches wide; and

(b) The provisions of OAR 340-71-220(8)(e), (f), and (g) are not applicable.

Amend OAR 340-73-060(2) by adding a new subsection (f) as follows:

(f) Gravel-less disposal trench systems shall be constructed using corrugated polyethylene pipe, fittings and couplings that comply with the requirements of ASTM F 667. The pipe shall have two rows of holes spaced approximately one hundred twenty (120) degrees apart, and approximately one hundred twenty (120) degrees apart each from the location stripe which shall be a contrasting color. The drain holes shall be a minimum of one-half (1/2) inch diameter. The minimum outlet area shall be one (1) square inch per lineal foot of pipe. There shall be at least one (1) drain hole present in the valley of each corrugation. The gravel-less disposal trench pipe shall have a minimum inside diameter of ten (10) inches, and be encased in a factory-installed filter fabric wrap acceptable to the Department. Each manufacturer of this pipe shall certify in writing to the Department that the pipe and fittings to be distributed for use in absorption facilities within the State of Oregon will comply with all requirements of this subsection.

NOTE: Underlined _____ material is new

April 28, 1982

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MAY 6 1982

Water Quality Division
Dept. of Environmental Quality

Mr. Sherman Olson
Department of Environmental Quality
Post Office Box 1760
Portland, Oregon 97207

Dear Sherman,

Relative to our exchange about ADS, Inc.'s SB2 pipe and our recommendation for its use in Oregon we submit the following for your review and use.

We understand ADS, Inc. desires permission to use the SB2 systems for home applications in Oregon. There are many situations where we believe this system will work. In our report of May, 1981, to ADS, Inc., entitled "Evaluation of SB2 Wastewater Disposal Systems in Montgomery County, Texas" we detail a study which shows the analytic basis of this belief.

We could write texts about how waste systems function and why they fail, but don't need to re-iterate the published work here. We would direct you to our paper in the 1982 "Proceedings of the Third National Symposium on Individual and Small Community Sewage Treatment" published by American Society of Agricultural Engineers. This is the symposium held at the Palmer House, where you met with Bobby Carlile. In our paper in the above publication we review some experiences with both SB2 pipe and other systems devoid of gravel. This plus the report from Texas to ADS, Inc. detail only some of our experience with the SB2 pipe, as we also have worked for several years with the pipe in North Carolina.

Fundamental to proper functioning operation of an installed SB2 system are site and installation concerns, as with a conventional system. We define proper functioning to be the operation of receiving and discharging to the soil absorber that quantity of liquid effluent coming from the daily flow of the waste generator. Furthermore, the effluent will be absorbed and treated by the soil environment in such fashion not to degrade surface or ground water resources, not to pond for prolonged periods, and not to release those quantities of chemical or bacterial contaminants to the environment whose concentrations might be injurious to human health.

This is not an unachievable ideal. In Texas and North Carolina the SB2 system does just this, and does it on a number of soils whose textural class lies in your "Class B" soils. Class B soils in your state are in the sandy clay loam, loam, silt loam, silt, and clay loam textures. We discussed why our report seemed to indicate the SB2 system functioned

properly only in your Class A soils: those in sand, loamy sand and sandy loam textural classes. The reason has to do with site and installation concerns. Following is the basis of why we believe many Class B Oregon soils should be grouped with Class A for use of SB2 pipe.

Class B Soils and SB2 pipe: Soil, Site, and Installation Concerns

In our published work about SB2 pipe we consistently note we believe this pipe will function satisfactorily anywhere a conventional system will function satisfactorily -- as per the above definition of proper function. We employ caveats in the Texas report to narrow the range of soil, site and installation conditions we think this statement applies to. They are:

1. Use subsurface SB2 as well as conventional systems only on those sites where the seasonal high water tables remain 30 inches below the soil surface.
2. Subsurface systems should always be installed as shallow as possible and parallel to any slope contour.
3. Loading rates should be carefully matched to soil conditions and may vary from as low as 0.10 gpd/ft² to a maximum of 0.8 gpd/ft².
4. SB2 trench systems should not be backfilled with clay soil material. Individual distribution lines whether SB2 or conventional systems should be no longer than 70 feet.
5. Trenches installed on soils with "hardpans" should be placed shallow to maintain a 1 foot separation between the trench bottom and the hardpan. Systems installed on sloping sites in such soils need an interceptor drain up-slope from the upper trench.
6. More emphasis should be placed on the "finishing steps" of system installation. This includes rainwater and up-slope water diversion, yard shaping, seeding or sodding over field area, and isolation from all vehicle traffic.
7. Partial mound systems should be more extensively used in areas of moderately high water tables. Trench design must be flexible to insure at least a 10 to 12 inch separation above the seasonal high water table. Trench dimensions should be sized as for a subsurface system and based on the percolation rate or permeability of the soil at the depth of trench placement.
8. Continue research of SB2 system performance comparative to conventional system performance including refinement of soil loading rates, effects of soil conditions and effluent quality on system clogging, shallow ground water quality, particularly as related to nitrate movement, and effects of enhanced air diffusion within SB2 pipe.

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These caveats narrow the range of soils in your Class B which we would consider suitable for SB2 installation. We believe sites on slopes less than 15 percent with water tables deeper than 30 inches below land surface are imperative for success of the system. Furthermore, what is missing from the Texas report is our emphatic belief that well and moderately-well structured soils must be used. In the Texas study invariably we found structure had been destroyed during system construction. More on this point follows in this report.

The textural classes exhibiting the characteristics and subject to successful use of both conventional land SB2 systems are only three of your Class B: the sandy clay loam, loam, clay loam textures, plus well-structured clay soils. We recognize two major problems in all soils with "silt" in their name: 1. poor structure and 2. highly variable hydraulic properties which result from construction traffic, to a much larger extent than the other soils we favor use of from your Class B.

What we used in our Texas study were the worst conditions we could find. This was a function of a limit-setting approach, and the fact that SB2 pipes were routinely employed only in soils unsuited to conventional pipe, as judged by sanitarians.

Our experience with sandy clay loam, loam, clay loam, and well-structured clays in Texas was that had the SB2 systems been installed properly, they would have worked. In other work, where our brand of "proper installation" was used, the system worked -- just as did conventional.

Proper Installation

As discussed on pp. 33 and 34 of the Texas report, we do not recommend backfilling around the SB2 pipe with clayey soil material. Where the trench is excavated in clay soil, a coarser-textured material such as a clay loam, sandy loam or sand should be used for backfilling. The excavated clay material can be used to mound over the trench to shed rainfall and surface water. We would recommend that the backfill be mounded 6 to 10 inches above finished grade for all trenches in any type of material. This should not be compacted with any heavy machinery but allowed to settle naturally to a slight "turtleback" slope. The area over the trenches should be mulched and seeded immediately after installation.

Since the major damage to a wet soil is done during the excavation of the trench with a backhoe, the same soil moisture limitations for installation of a conventional system would apply to the installation of an SB2 system. What is this maximum moisture content allowing installation? This is a more difficult question since it is a function of soil texture and structure. Soils have a moisture content near 1/3 bar tension which is called "field capacity" and which is the upper limit of moisture we feel should permit installation. Field capacity is a qualitative term which denotes the

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relative amount of water remaining in a soil several days following gravity drainage of a saturating rainfall. Sandy soils will reach this moisture content one or two days after the rain, loamy soils - 2 to 4 days, and clayey soils - three days to a week depending on the soil structure. A person experienced in this determination, such as a soil scientist, should be employed to make this determination.

The discussion on p. 32 of the report and question 1 above adequately discusses the clogging aspects of the SB2 pipe. In summary, the significant factors are: a) do not backfill with clayey soil material around the pipe, b) keep the pipe at least 1 foot above the seasonal high water table, and c) do not load the system in excess of the hydraulic capacity of the soil in which installed.

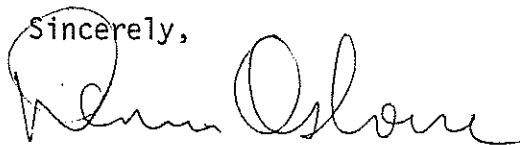
Loading rates are not a function of the moisture content of the soil but a function of the wastewater characteristics, soil texture, macroporosity produced by soil structural development, and method of dosing the system. As such, loading rates are system/soil/waste-specific and these must be known before final determinations are made.

Summary

We believe SB2 pipe will function satisfactorily for a home waste disposal system discharging 500 or less gallons per day of wastewater. Further in: all Class A, textures sandy clay loam, loam, and clay loam in Class B, and well-structured clay soils in Oregon the SB2 system should function if properly installed, held to use on sites of less than 15 percent natural slope, and where seasonal or permanent high water tables are more than 30 inches below land surface. For example, no system will function (properly by our stringent definition) even in sand if these conditions are not met -- as on a tidal marsh of sand, a flood plain of loamy sand 8 inches above river level, etc. The SB2 system will work in many cases, not all, and is not claimed to. There are many sites where problems other than waste disposal become limiting to development. These sites fall outside the ranges we specify. Natural conditions, not pipe should be the basis of wise land use.

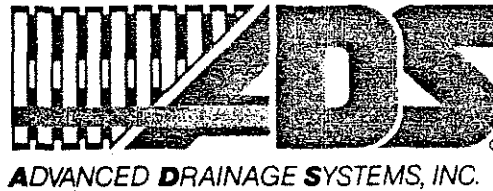
If you need more information please contact us.

Sincerely,



Dennis Osborne, MS
Bobby L. Carlile, Ph.D

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MAY 6 1982



627 SOUTH 37th STREET WASHOUGAL, WASHINGTON 98671 (206) 835-8522

May 10, 1982

Mr. Sherman O. Olson, Jr., R.S.
Subsurface-Sewage Systems Section
Department of Environmental Quality
P. O. Box 1760
Portland, OR 97207

Dear Mr. Olson;

On April 16, 1982, at the request of A.D.S., Inc., the commission voted to continue the decision on Gravel-less leachbed systems until June 11, 1982. This was initiated because our company felt unprepared to support any of the new options presented in the latest staff report. These options did not include the proposal in its original form when presented on March 5, 1982. Since that time, we (A.D.S.) have had an opportunity to consult with the experts in the field of Gravel-less leachbed systems and the developers of the SB-2 systems in particular.

It is now our (A.D.S.) position to fully support Alternative 2, as specified in Attachment "E" for the specification of materials and the limitation of site application. We feel this is the best solution available at this time for implementation of this alternative system. It is our position to support even limited use of this system; although we feel strongly that it will function the same (or better) in all sites that a conventional gravel system would perform in that same site. Through the variance process, these Gravel-less leachbed systems will be installed in Oregon Class B soil textures. The performance will be evaluated so that a future proposal can be submitted allowing for broader application in Oregon.

It is our intention to work with the staff of D.E.Q. alternative systems and soil scientists throughout Oregon and other states to develop convincing data to support the use of Gravel-less leachbed systems anywhere the conventional gravel system is acceptable.

Also, the staff of alternative systems have allowed a more general filter fabric than was originally proposed by A.D.S., Inc. A fabric wrapped product would be acceptable only after meeting the Department's approval. The staff assured A.D.S. that not just any fabric would be allowed; but only one that could provide solid evidence including specifications and documented testing such as was required by A.D.S. to gain approval of Drainguard Nylon Filter Fabric.

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Subsurface-Sewage Systems

Page 2

After several years of intensive testing, A.D.S. has determined that the characteristics of the filter fabric in this usage are extremely critical to the proper functioning and performance of this system.

Again, we emphasize we support Alternative 2 provided the variance process is allowed and that another filter fabric submitted to the department be tested extensively under similar conditions before acceptance. In addition, our product guarantees are attached to add support to the Gravel-less leachbed system known as SB-2.

Based on the above, A.D.S. requests that Alternative 2, as specified in Attachment "E", be accepted by the commission.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cal E. Sennett". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Cal E. Sennett
Field Representative

CAS/bg

attachments

cc: Howard Reagan
Tim Lang
John Barnes

Advanced Drainage Systems, Inc.

SB2 TUBING TEST INSTALLATION GUARANTY

In addition to ADS' standard guarantee, a copy of which is attached, ADS has chosen to guarantee the performance of the leach field as installed by kcl (contractor) at kc2; kc3, property owner.

This guarantee is intended to protect property owners on whose property SB2 tubing test installations have been installed by independent contractors for the purpose of obtaining statewide SB2 approval.

ADS guarantees, for the minimum period of time required by applicable state requirements for testing septic systems, that SB2 tubing used in the leach field specified above, when installed in accordance with installation instructions provided by ADS, will perform in such a manner as to meet or exceed state and local leach field requirements.

This guaranty does not cover failure due to the installation instructions provided by ADS not being followed or failure of the septic tank(s) or any component of the outside of the actual leach field area. THIS GUARANTY IS IN LIEU OF AND, EXCEPT FOR ADS' STANDARD GUARANTY, EXCLUDES ALL OTHER GUARANTEES AND WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

If the SB2 tubing fails to perform as guaranteed, ADS will pay to the installer the original cost of the tubing which failed, plus the original amount charged for installing it. Any claim of defect or failure of performance under this guaranty must be made within 90 days after failure or defect is discovered and notice should be sent to the Vice President of Sales, Advanced Drainage Systems, Inc., Post Office Box 21307, Columbus, Ohio 43221. The liabilities of ADS are limited solely and exclusively to payment as stated in this guaranty. ADS shall not be liable for any incidental, consequential or other damages upon theories of contract, negligence or tort. No guaranty is given by ADS for any septic tank or any of the components of the system outside the actual leach field area.

Special Note: kcl, kc2 and kc3 are codes. They will be replaced by the names of the contractor and property owner as well as the address of the installation.

ADVANCED DRAINAGE SYSTEMS, INC.

3300 Riverside Drive • Columbus, Ohio 43221

STATEMENT OF PRODUCT GUARANTY

COVERAGE

Advanced Drainage Systems, Inc. ("ADS") corrugated polyethylene drainage tubing and fittings are guaranteed by ADS for a period of 20 years after sale to be free of defects in material or factory workmanship and of defects or failures which may be caused by (1) chemical decomposition resulting from any soil acids or alkalis, including peats, mucks, acid sands or any ground water of any nature whatsoever; and (2) actions of any fertilizers or other chemicals used in soil treatment; and (3) deterioration resulting from freezing or thawing after installation.

This Guaranty is given only to buyers who buy (1) directly from ADS solely for resale or (2) for commercial or industrial use in the ordinary course of each buyer's business (including the business or occupation of farming) and is not transferable. ADS makes no written or other guaranty or any warranty to any purchaser who purchases for personal, family or household use and authorizes no person to make any such guaranty or warranty on its behalf. No salesman, employee or agent of ADS is authorized to vary the terms of this Guaranty.

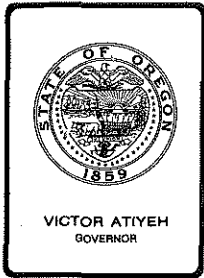
This Guaranty is effective as of January 1, 1979, and, as of that date, supersedes all previous warranties and guaranties applicable to the same products. It may be supplemented or changed from time to time. In the event that any provision of this Guaranty should be or become invalid and/or unenforceable during the guaranty period, the remaining terms and provisions hereof shall continue in full force and effect.

EXCEPTIONS AND EXCLUSIONS

This Guaranty does not cover deterioration or collapse caused by prolonged exposure to direct sunlight, animal or rodent damage, damages resulting from handling, placement or loading, or any damage or defect caused by failure to follow both ADS and Industry recommended installation procedures. A copy of these installation procedures will be furnished without charge when request is made to ADS at its home office as listed above. Except to the extent that (1) descriptions of size, quantity and type, which may appear on ADS invoices and other documents; and (2) statements of conformity of ADS tubing and fittings with specifications of certain industry, government, or professional organization standards, which may appear as product information disclosures in ADS literature and documents from time to time may be construed as express warranties under applicable states laws, **THIS GUARANTY IS IN LIEU OF AND EXCLUDES ALL OTHER GUARANTIES AND WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** ADVANCED DRAINAGE SYSTEMS, INC.

OBLIGATION

ADS will repair or replace, without charge, subsequent to its inspection and f.o.b. its nearest manufacturing plant, any portion of materials guaranteed hereunder which does not conform to the characteristics specified under this Guaranty. **ANY CLAIM OF DEFECT OR FAILURE OF PERFORMANCE UNDER THIS GUARANTY MUST BE MADE WITHIN 90 DAYS AFTER FAILURE OR DEFECT IS DISCOVERED** and should be directed first to the ADS representative from whom purchase was made and (where that is not possible) second to ADS at its home office. The time for presenting any claim relating to size, type, quantity, shipping damage and the like will be governed by the terms of the particular invoice or other documents under which shipment is made. **THE LIABILITIES OF ADS ARE LIMITED SOLELY AND EXCLUSIVELY TO REPLACEMENT AS SET FORTH HEREIN ALONE AND DO NOT INCLUDE ANY LIABILITY FOR ANY INCIDENTAL, CONSEQUENTIAL OR OTHER DAMAGES OF ANY KIND WHATSOEVER, WHETHER ANY CLAIM IS BASED UPON THEORIES OF CONTRACT, WARRANTY, NEGLIGENCE OR TORT,** and without any limitation do not include shipping charges, labor, installation or any other losses or expenses incurred in operation or installation of any replaced tubing or fittings.



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, June 11, 1982, EQC Meeting

Proposed Adoption of Amendments to the Specific Air Pollution Control Rules for Benton, Linn, Marion, Polk and Yamhill Counties, OAR 340-29-001 to 340-29-010, to retain the odor, nuisance and particle fallout rules and to repeal certain rules considered obsolete or redundant

Background and Problem Statement

Problem: In July of 1975, the Mid-Willamette Valley Air Pollution Authority (MWVAPA) ceased to exist. The Department assumed administration of the program in this area and had the Secretary of State publish all the Mid-Willamette rules as Oregon Administrative Rules (OAR), effective July 2, 1975. The Department, since that time, has had a low priority task to integrate appropriate Mid-Willamette rules into Oregon Administrative rules. We are now proposing to complete this task.

Authority to Act: The statutory authority is ORS 468.295(3) where the Commission is authorized to establish different rules for different areas of the state.

A "Statement of Need for Rulemaking" is Attachment 3 to this Memorandum.

Alternatives and Evaluation

The Department had the option of retaining the entire MWVAPA rules. This would leave the working staff with the problem of assessing source compliance in the Mid-Willamette region by two sets of rules, and trying to determine the most stringent. By deleting the obsolete and redundant rules, the Commission would make air pollution work clearer and easier.

The Department could also retain everything different in the MWVAPA rules, recommending only redundant rules for deletion. The staff recognized that some non-redundant MWVAPA rules had fallen into disuse years ago, and that current statewide rules are sufficient to address the air pollution concerns, without these nonused MWVAPA rules. Therefore, nonused rules, i.e., Ammonia, Chlorine, and Chloride Standards, are recommended for deletion.

MWVAPA rules for odor, nuisance, and 250 micron and larger particle fallout, are recommended for conversion into Oregon Administrative Rule numbers. They are not contained in State Rules and are needed to cover special problems in the densely populated Willamette Valley. Similar rules were adopted for the Portland and Eugene areas (Attachment 5).

The MWVAPA rules are currently part of the Oregon State Implementation Plan (SIP). It is proposed to remove these rules from the Oregon SIP as they are not needed in the SIP to attain and maintain federal standards.

Rule Development Process: The staff has had the assignment since 1975 to incorporate needed MWVAPA rules into OAR. An exchange of memos in 1980 between John Borden of the DEQ Salem office and E.J. Weathersbee of Air Quality Division confirmed that only 3 rules needed to be retained. On March 5, 1982, the Commission authorized an April 20, 1982 hearing. Following the required legal notices and newspaper advertising, only one person offered testimony.

The lack of input on these proposed rules was expected as this whole action can be summarized as "housekeeping". No substantive changes are really being proposed, just deletion of redundant and obsolete rules.

At the April 20 public hearing, the National Renderers' Association testified, urging removal of the Scentometer from proposed odor control rule 340-29-011. The Hearings Officer, in his response, conceded that the scentometer has limitations and must be carefully used. The device is, however, an available and inexpensive means to monitor odor levels. The alternative would be an odor panel, which would be costly and time consuming. Experience has shown that the Scentometer can be a useful tool, in addition to nuisance odor reports from the public, in abating odor problems. Therefore, the Department proposes the rule for adoption with the Scentometer included. The Hearings Officer Report is Attachment 4.

The Hearings Officer also explained a need to add the words "at least" before the words "15 minutes" in proposed OAR 340-29-011(1)(a) to make the rule more workable.

The Proposed Rule: Division 29, as proposed for adoption, is an extract of 3 rules from the MWVAPA rules, with necessary definitions, and a customary "Purposes and Application" first paragraph: see Attachment 1, the proposed rules. These same rules are presently in force, by reference, through OAR 340-29-010. Therefore, the present Division 29 is proposed to be repealed, in a concurrent action; see Attachment 2, the present Division 29 of Chapter 340.

The first proposed rule "Odors 340-29-011", is the same as MWVAPA rule 31-020. The rule prohibits emissions of odors to the extent of causing a public nuisance.

The second proposed rule "Other Emissions 340-29-020" is the same as MWVAPA rule 32-045. The rule prohibits emissions of air contaminants which cause a public nuisance. The rule is particularly useful to abate obvious cases of air pollution where it would be costly and time consuming for the staff to prove a violation under another rule where a quantified limit must be exceeded.

The third proposed rule "Emission Restrictions - Large Particulate Matter 340-29-030" is the same as MWVAPA rule 32-080. The rule prohibits the emission of particles 250 microns and larger that fall out on other's property.

Summation

1. In July 1975, the Mid-Willamette Valley Air Pollution Authority ceased to exist. The Department has been administering that Authority's rules since that time.
2. MWVAPA Rules for odors, nuisance, and 250 micron and larger particle fallout, are needed to cover special problems in the densely populated Willamette Valley area and are recommended to be kept in Division 29 of Chapter 340 of Oregon Administrative Rules, affecting the Mid-Willamette counties of Benton (Corvallis), Linn (Albany), Marion (Salem), Polk and Yamhill. The other Mid-Willamette Valley Air Pollution Authority rules, presently in Division 29 by reference, are recommended for deletion, because they are redundant or obsolete.
3. The Commission authorized an April 20, 1982 public hearing at its March 1982 meeting. The only testimony was one request to delete the Scentometer from the Odor rule. The staff replies that the Scentometer is and will be a useful tool to help regulate odorous sources; the Scentometer should be left in the rule as proposed.
4. The Mid-Willamette Valley rules do not need to be in the Oregon State Implementation Plan because attainment and maintenance of federal standards can be achieved using other OAR's.

Director's Recommendation

Based on the Summation, it is recommended that the Commission repeal OAR 340 Division 29 and replace it with the attached three state OAR's on odors, nuisance, and large particle fallout; and remove the present Division 29 from the Oregon Clean Air State Implementation Plan.

Bill

William H. Young

- Attachments
1. Proposed Rules 340-29-002 to 340-29-030
 2. Present Rule 340-29-001 to 340-29-010 with MWVAPA Rules Table of Contents
 3. Statement of Need for Rulemaking
 4. Hearings Officer Report on April 20, 1982 Hearing with comments on testimony attached.
 5. Agenda Item E, March 5, 1982 EQC Meeting, Request for Authorization to Hold a Hearing on Mid-Willamette Rules.

JFK:a
AA2117 (1)
(503) 229-6459
May 18, 1982

DIVISION 29**Specific Air Pollution Control Rules
For
Benton, Linn, Marion, Polk, and Yamhill Counties****Purposes and Application**

340-29-002 The rules in this subdivision shall apply in Benton, Linn, Marion, Polk and Yamhill Counties. The purposes of these rules are to deal specifically with the air quality control needs of the five county area. These rules shall apply in addition to all other rules of the Environmental Quality Commission. The adoption of these rules shall not, in any way, affect the applicability in the five county area of all other rules of the Environmental Quality Commission and the latter shall remain in full force and effect, except as expressly provided otherwise. In cases of apparent duplication, the most stringent rule shall apply.

Definitions

340-29-006 As used in this Division

- (1) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof.
- (2) "Emission" means the release into the outdoor atmosphere of air contaminants.
- (3) "Odor" means that property of an air contaminant that affects the sense of smell.
- (4) "Particulate matter" means any matter, except uncombined water, which exists as a solid or liquid at standard conditions.
- (5) "Person" or "Persons" means any individual, public or private corporation, political subdivision, agency, board, department, or bureau of the state, municipality, partnership, association, firm, trust, estate or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Odors

340-29-011

- (1) Unless otherwise regulated by specific odor regulation or standard, no person shall cause or permit the emission of odorous matter in such a manner as to cause a public nuisance or:
 - (a) that occurs for sufficient duration or frequency so that two measurements made within a period of one (1) hour, separated by at least 15 minutes, off the property surrounding the emission point, that is equal to or greater than a Scintometer No. 0 or equivalent dilutions in areas used for residential, recreational, educational, institutional, hotel, retail sales or other similar purposes.

(2) In all land use areas other than (1) (a) above, release of odorous matter shall be prohibited if equal to or greater than a Scentometer No. 2 odor strength, or equivalent dilutions.

Other Emissions

340-29-020 It shall be unlawful for any person to cause or permit the emission of an air contaminant including an air contaminant or emission that is not otherwise covered by these regulations, if the air contaminant causes or tends to cause injury, detriment, nuisance or annoyance to any considerable number of people or to the public or which causes or has a natural tendency to cause injury or damage to business or property so as to constitute a public nuisance.

Emission Restrictions - Large Particulate Matter

340-29-030 No person shall cause or permit the emission of any particulate matter which is larger than 250 microns in size provided such particulate matter does or will deposit upon real property or another person.

OREGON ADMINISTRATIVE RULES
CHAPTER 340, DIVISION 29 — DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION 29

SPECIFIC AIR POLLUTION CONTROL
RULES FOR BENTON, LINN, MARION,
POLK, AND YAMHILL COUNTIES

Purposes and Application

340-29-001 The rules in this division shall apply in Benton, Linn, Marion, Polk, and Yamhill Counties. The purposes of these open burning rules are to provide continuity of air quality control program previously administered by the Mid-Willamette Valley Air Pollution Authority and to deal specifically with the air quality control needs of the five county area. These rules shall apply in addition to all other rules of the Environmental Quality Commission. The adoption of these rules shall not, in any way, affect the applicability in the five county area of all other rules of the Environmental Quality Commission and the latter shall remain in full force and effect, except as expressly provided otherwise. In cases of apparent duplication, the most stringent rule shall apply.

Stat. Auth.: ORS Ch. 468

Hist: DEQ 109, f. 3-15-76, ef. 3-25-76

Definitions

340-29-005 As used in this Division:

(1) "Air contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid, or particulate matter or any combination thereof.

(2) "Air contamination source" means any source at, from, or by reason of which there is emitted into the atmosphere any air contaminant, regardless of who the person may be who owns, or operates the building, premises, or other property in, at, or on which such source is located, or the facility, equipment, or other property by which the emission is caused or from which the emission comes.

(3) "Domestic waste" means any non-putrescible waste consisting of combustible materials such as paper, cardboard, yard clippings, wood, or similar materials generated in a dwelling, including the real property on which it is situated, containing four (4) living units or less.

(4) "Industrial waste" means liquid or solid waste resulting from any process or activity of industry or manufacturing.

(5) "Land clearing debris" means waste generated in clearing any site.

(6) "Mid-Willamette Valley area" means the five counties of Benton, Linn, Marion, Polk, and Yamhill.

(7) "Open burning" means any burning conducted in such a manner that combustion air is not effectively controlled and that combustion products are not vented through a stack or chimney, including, but not limited to, burning conducted in open outdoor fires and backyard incinerators.

Stat. Auth.: ORS Ch. 468

Hist: DEQ 109, f. 3-15-76, ef. 3-25-76

Rules and Regulations of the Mid-Willamette Valley Air Pollution Authority

340-29-010 The Department of Environmental Quality adopts, by reference, the Rules and Regulations of the Mid-Willamette Valley Air Pollution Authority.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the Department of Environmental Quality.]

Stat. Auth.: ORS Ch.

Hist: DEQ 29-1979, f. & ef. 7-6-79

Open Burning

340-29-055 [DEQ 109, f. 3-15-76, ef. 3-25-76;
Repealed by DEQ 123,
f. & ef. 10-20-76]

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Statement of Need for Rulemaking

Pursuant to ORS 183.335(2), this statement provides information on the intended action to amend a rule, namely OAR 340-29-001 to -010.

Legal Authority

The statutory authority is ORS 468.295(3) where the Commission is authorized to establish different rules for different areas of the state.

Need for Rule

Most of the Mid-Willamette Valley APA rules are duplicated in the OARs and only a few unique Mid-Willamette rules are needed and useful. As a housekeeping measure, most of the Mid-Willamette rules need to be repealed and only those parts of the rules which are needed in the Mid-Willamette counties above and beyond the generally applicable OARs should be integrated into the OAR. This was done in the past when the Columbia-Willamette Air Pollution Authority ceased to exist.

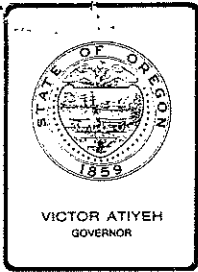
Principal Documents Relied Upon:

1. OAR 340 Division 29, Specific Air Pollution Control Rules for Benton, Linn, Marion, Polk, and Yamhill Counties.
2. Rules and Regulations of the Mid-Willamette Valley Air Pollution Authority, date of last revision, December 1974.
3. Interoffice Memos dated May 23, 1980 and September 19, 1980 between E.J. Weathersbee and John E. Borden/David St. Louis on proposed MWVAPA rules.
4. Hearings Officer Report to EQC, April 20, 1982 Hearing on MWVAPA rules.

Fiscal and Economic Impacts On Small Business and Others

There is negligible fiscal and economic impact. What is being considered is the deletion of redundant rules or rules that are obsolete and no longer needed.

PB:a
AA2117.1 (1)



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
APR 20 1982

AIR QUALITY CONTROL

MEMORANDUM

To: Environmental Quality Commission

From: Hearings Officer

Subject: Hearing Report On Revisions To Specific Air Pollution Control Rules For Benton, Linn, Marion, Polk And Yamhill Counties, OAR 340-29-001 to 340-29-010 And Amending The State Implementation Plan.

Summary of Procedure

Commencing at 3:00 p.m. on Tuesday, April 20, 1982, a public hearing was held on the proposed revisions to specific air pollution control rules for the Benton, Linn, Marion, Polk and Yamhill County area. The hearing was pursuant to a notice issued March 19, 1982 and was in the conference room of the Willamette Valley Region Office, 895 Summer St. N.E., Salem.

Seven persons were present at the hearing. After the purpose of the hearing and the proposed rule amendments were presented, one person signed up to testify, Mr. William H. Prokop, representing the National Renderers Association and Eugene Chemical Works.

Others in attendance were: Thomas E. Nelson, Teledyne Wah Chang Albany; Jeffrey C. Sprenger, OreMet, Albany; B.E. Mikulka, Evans Products Company, Corvallis; John Demergasso and Tony Retton, Eugene Chemical Works, Harrisburg; and Alan S. Crawford, U.S. Public Health Service, Salem.

The period for submittal of written comments was held open until 4:30 p.m. on April 20, 1982.

Persons Presenting Oral and Written Testimony

William H. Prokop, Director of Engineering Services for the National Renderers Association, introduced John Demergasso and Tony Retton, of Eugene Chemical Works at Harrisburg, and presented a prepared statement. A summary of the statement follows.



Contains
Recycled
Materials

Mr. Prokop emphasized that Eugene Chemical Works provides a valuable service by rendering fallen animals, waste cooking oils, fish remains and other animal materials. The materials processed are odorous; however, the rendering is more environmentally acceptable than landfilling and less energy intensive than incineration. Therefore, odor rules must weigh adequate protection for the public against the practicalities of operating a rendering plant.

Drawing on his experience as chairman of the Air Pollution Control Association's TT-4 Committee on odors and his knowledge of an EPA publication, Mr. Prokop gave the following reasons for considering the Scentometer unsatisfactory for measuring odors:

1. The user is surrounded by an odorous environment. When desensitized, the user may find it difficult to detect differences in odor concentration.
2. Normally only one individual can use the unit; hence differences in sensory responses by different people or individual differences day-to-day are not considered. Evidence shows a ten-fold variation may exist among individuals.
3. Any leakage of air between the nasal passages and the device can induce odorous air and affect the readings.
4. Several agencies have odor regulations which specify dilution-to-threshold levels other than the specific levels obtainable using the Scentometer.
5. Finally, the Scentometer determines only odor detection and not odor annoyance or nuisance.

In closing, Mr. Prokop stated that the National Renderers Association opposed the use of the Scentometer in odor control rules and asked that its use not be specified in the rule.

Copies of Mr. Prokop's written statement and supporting documents are attached.

Following the testimony, the Hearings Officer read a change suggested by Regional Staff to improve the odor standard, OAR 340-29-011. Staff recommends that paragraph (1)(a) be modified to read as follows:

(a) that occurs for sufficient duration or frequency so that two measurements made within a period of one (1) hour, separated by at least 15 minutes, off the property.....

The addition of the phrase "at least" will avoid the logistics problem of

having to return to measurement points at exactly 15 minutes following the first measurements and is consistent with the Portland area rule.

Persons Submitting Written Comments

No written comments were received.

Persons Contacting the Department for Information

Tom Buglione	Willamette Industries, Duraflake, Albany
Tom Amies	Northwest Natural Gas, Portland
Mike Huddleston	Asphalt Pavement Assn. of Oregon, Salem
Alan Burns	Sierra Club
Kirby Numann	Polk County Itemizer, Dallas
Helen Tyler	Eugene
Alan Crawford	U.S. Public Health Service, Salem
Jeffrey Sprenger	Oregon Metallurgical Corporation, Albany
Hasso Herring	Albany Democrat Herald, Albany
Councilman Steve Brown	City of Jefferson
Steve O'Hare	Albany Research Center, Albany
Dick Formhals	Caterpillar Lift Trucks, Dallas
Ed Kirkpatrick	Western Kraft, Paper Group, Albany
Heidi Schultz	NW Pulp and Paper Assn., Bellevue, WA
Alison Harwood	S & FA Reporting Services, Washington, D.C.

David St. Louis
378-8240
April 20, 1982

Attachment

Department Comments on Testimony Received at the
Public Hearing on April 20, 1982, Concerning the
Proposed Revisions to Specific Air Pollution Control
Rules for Benton, Linn, Marion, Polk and Yamhill
Counties and Amending the State Implementation Plan.

The only testimony received was in regard to weighing odor protection for the public against the practicalities of a rendering operation and was in opposition to the use of the Scentometer for measuring odors. Department responses to the testimony are summarized below:

Comment: Odor regulations must be carefully considered not only to establish protection for the public, but also to provide a practical operating environment for the operation of a rendering plant.

Response: The Department is aware of the impact of the odor regulation on odorous industries. The rule, which contains both public nuisance and Scentometer odor limits, has been in effect since 1968 in the mid-Valley area. The rule has been used to abate odors from rendering, rare metals and vegetable packing facilities, without closure or curtailment of operations.

The rendering plant in question, Eugene Chemical Works, located 1 mile south of Harrisburg, generated numerous odor complaints until a control system was installed in 1973. Until this year, only occasional odor complaints have been received. An increase in complaints in February, 1982, prompted a Scentometer odor survey and the plant was found in violation. The Company was asked to inspect the control system and repair it if necessary. Since that time, no complaints have been received.

In nearly every application in the mid-Valley, numerous complaints have confirmed a public nuisance to exist before actual Scentometer odor levels were determined.

Comment: The user is surrounded by an odorous environment. When desensitized, the user may find it difficult to detect differences in odor concentration.

Response: The Department agrees that a Scentometer user can become desensitized by on-going exposure to strong odors. This desensitization can be mitigated to a fair degree by breathing "clean" air from the filtered portion of the Scentometer for several minutes, before admitting the

odorous ambient air. From a regulatory standpoint, once desensitized, the user is less likely to detect the odor through the Scentometer; hence less likely to find a violation.

Comment:

Normally, only one individual can use the unit; hence differences in sensory responses by different people or individual differences day-to-day are not considered. Evidence shows a 10-fold variation may exist among individuals.

Response:

For sanitary reasons, the Scentometer is normally used by only one individual. Scentometer surveys in the mid-Willamette Valley area have generally been augmented by a simultaneous ranking of odor intensities by an observer not using the unit. The levels measured with the Scentometer can then be compared to the relative odor intensities judged by the observer. Further, repeat surveys over several days are generally conducted on "problem" sources, using different individuals for the Scentometer measurements.

Comment:

Any leakage of air between the nasal passages and the device can induce odorous air and affect readings.

Response:

The Scentometer user must properly adjust the nose pieces to assure a good fit to nasal passages. If used hastily and not properly adjusted, leakage can occur and readings will be affected.

Comment:

Several agencies have odor regulations which specify dilution-to-threshold levels other than the specific dilutions obtainable using the Scentometer.

Response:

The Department staff agrees that dilution-to-threshold levels are fixed by the 4 or 6 odor ports on the Scentometer. The Oregon rule, however, is based upon detection of the odor through the Scentometer at the available, fixed, dilution-to-threshold levels.

Comment:

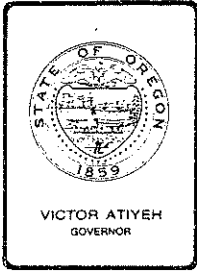
The Scentometer determines only odor detection and not odor annoyance or nuisance.

Response:

The Department agrees that the Scentometer can be used only to determine odor detection at specific dilutions. The detections are, however, related to odor strength or intensity and therefore must also be related to the likelihood of annoyance or nuisance.

Scentometer odor surveys are generally not conducted unless a number of odor complaints are received. The Scentometer can then be used as a tool in addition to public nuisance to help abate the odor problem.

In summary, the Department concurs that the Scentometer has limitations and must be carefully used. The device is, however, an available and inexpensive means to monitor odor levels. The alternative would be an odor panel, which would be costly and time consuming. Experience has shown that the Scentometer can be a useful tool in addition to public nuisance in abating odor problems.



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 (1), March 5, 1982, EQC Meeting

Request for Authorization To Hold A Hearing On Revisions To Specific Air Pollution Control Rules For Benton, Linn, Marion, Polk and Yamhill Counties, OAR 340-29-001 to 340-29-010, and Amending the State Implementation Plan

Background

In July of 1975, the Mid-Willamette Valley Air Pollution Authority (MWVAPA) ceased to exist. The Department assumed administration of the program in this area and had the Secretary of State publish all the Mid-Willamette rules as Oregon Administrative Rules (OAR), effective July 2, 1975. The Department, since that time, has had a low priority task to integrate, as appropriate, appropriate Mid-Willamette rules into Oregon Administrative rules. We are now proposing to complete this task.

Statement of Need for Rulemaking

Most of the Mid-Willamette Valley APA rules are duplicated in the OARs and only a few unique Mid-Willamette rules are needed and useful. As a housekeeping measure, most of the Mid-Willamette rules need to be repealed and only those parts of the rules which are needed in the Mid-Willamette counties above and beyond the generally applicable OARs should be integrated into the OAR. This was done in the past when the Columbia-Willamette Air Pollution Authority ceased to exist.

Statutory Authority

The statutory authority is ORS 468.295(3) where the Commission is authorized to establish different rules for different areas of the state.

Principal Documents Relied Upon:

1. OAR 340 Division 29, Specific Air Pollution Control Rules for Benton, Linn, Marion, Polk, and Yamhill Counties.

2. Rules and Regulations of the Mid-Willamette Valley Air Pollution Authority, date of last revision, December 1974.
3. Interoffice Memos dated May 23, 1980 and September 19, 1980 between E.J. Weathersbee and John E. Borden/David St. Louis on proposed MWVAPA rules.

Fiscal and Economic Impacts On Small Business and Others

There is negligible fiscal and economic impact. What is being considered is the deletion of redundant rules or rules that are obsolete and no longer needed.

Land Use Compatability

Not applicable as this is partly housekeeping and partly a simplification of air contaminant rules.

Alternatives and Evaluation

These are the only three Mid-Willamette Valley APA rules recommended for separate incorporation in OAR Chapter 340, Division 29. They are odor, nuisance, and large particulate fallout rules. Note that the following matrix shows the same type of rules in place for the Portland and Eugene areas; people have historically desired and needed the protection afforded by these kinds of administrative rules in the densely populated counties of the Willamette Valley.

Comparison of Administrative Rules By Area

Area	Subject		
	Odor	Nuisance	250 Fallout
Portland Area Counties	340-28-090	None	340-28-080
Mid-Willamette Counties MWVAPA Rule	31-020	32-045	32-080
Eugene (Lane County) LRAPA Rules	31-020	32-990	32-055
Proposed OAR	340-29-011	340-29-020	340-27-030

Odor The alternative of having no odor rules in the Mid-Willamette area would be to try and control odor problems from certain industries like Wah Chang in Millersburg, vegetable processing plants in Woodburn, and rendering plants in Harrisburg and Donald with persuasion instead of quantifiable performance standards.

Nuisance The alternative of having no nuisance rule would be to rely on specific source rules which in some cases may not exist for all the types of operations in an urban area. Nuisance rules can be used to abate semicommercial fish-smokehouses in residential neighborhoods, to pave truck haul roads where it is impractical to gather particle fallout data, to control restaurant kitchen smoke being vented toward apartment house windows, etc.

Large Particle Fallout The alternative of having no 250 micron fallout rule would be to rely on existing concentration and mass emission rules. There are instances where sources may meet these limits but still have large particle fallout problems which can cause a nuisance. This rule also provides a much quicker and simpler method of enforcement.

Board Plants

Mid-Willamette process weight rate rule was used on plywood and particleboard plants. The DEQ board products plant rule has been found to be more stringent and has been incorporated into the plants' Air Contaminant Discharge Permits, and the plants are meeting these limits. Therefore, the Mid-Willamette rule is not needed because existing permits and the Department's new plant site emission limit rule require and will maintain the needed control level.

Ambient, Ammonia, Chlorine and Chloride Standards : These unique Mid-Willamette Valley Air Pollution Authority rules are ambient air standards setting allowable levels of ammonia, chlorine, and chlorides (31-050, 31-055, 31-060). They were meant as regulatory tools for such unique Mid-Willamette Valley sources as zirconium, titanium, and other exotic metal plants. Unfortunately, they have been useless tools to solve problems as the standards were met but other contaminants were found to cause problems, and these problems are being addressed thru specific permit conditions.

State Implementation Plan

These rules are currently part of the Oregon State Implementation Plan (SIP). If and when these rules are adopted, the Oregon SIP would be revised to remove these rules from the SIP as they are not needed in the SIP to attain and maintain federal standards.

Summarization

1. Almost all of the former Mid-Willamette Valley Air Pollution Authority rules in Chapter 340 Division 29 are duplicated elsewhere in Chapter 340. They need to be repealed to reduce the bulk of Chapter 340 and to eliminate confusion on which rules (State or MWVAPA) may apply to sources.

2. Rules for odors, nuisance, and 250 micron and larger particle fallout, are needed to cover special problems in the densely populated Willamette Valley area and are recommended to be kept in place in the Mid-Willamette counties of Benton (Corvallis), Linn (Albany), Marion (Salem), Polk and Yamhill.
3. Other unique Mid-Willamette rules need not be continued because of obsolescence or non-use or non-applicability.
4. The Mid-Willamette Valley rules do not need to be in the Oregon State Implementation Plan as attainment and maintenance of federal standards can be achieved using existing OAR's.

Director's Recommendation

It is recommended that the Commission authorize the Department to hold a hearing to repeal OAR 340 Division 29 and replace it with the attached three state OAR's on odors, nuisance, and large particle fallout. The repealed Division 29 would be removed from the Oregon Clean Air State Implementation Plan.

Bill

William H. Young

- Attachments:
1. Proposed Rules 340-29-002 to 340-29-030
 2. Present Rule 340-29-001 to 340-29-010 for deletion
 3. Table of Contents of Mid-Willamette Valley Air Pollution Authority rules
 4. Notice of Public Hearing

JFK:a
AA1690 (1)
(503) 229-6459
February 11, 1982

DIRECTOR'S INTRODUCTORY STATEMENT

Re: Agenda Item No. O, June 11, 1982, EQC Meeting

Adoption of Proposed Revisions to Primary Aluminum Plant Regulations,
OAR 340-25-255 through 340-25-285

Pursuant to authorization by the Commission, the Department held a public hearing on May 14, 1982 on proposed modifications to the primary aluminum plant regulation, OAR 340-25-255 through 340-25-285 that:

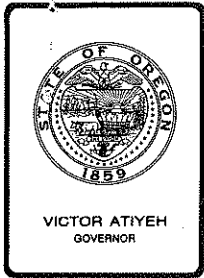
- a. Delete requirements for "existing plants" to comply with "new plant" limits.
- b. Do not change either emission limits for "new plants" or fluoride and opacity limits for "existing plants",
- c. Apply present particulate mass emission rates to existing vertical stud Soderburg plants (Martin Marietta),
- d. Establish revised particulate mass emission rates for existing pre-bake plants (Reynolds Metals), and
- e. Specify applicable source test methods.

The hearing officer's report is attached to the staff report.

Since the hearing, the Department has made one significant change in the proposed rule modifications. The proposed monthly and annual particulate emission limits for prebake facilities were increased by 0.5 lb/ton Al produced. This was done to reflect the contribution of minor sources which the Department had inadvertently overlooked in its original proposal.

I am recommending that the Commission adopt these rule modifications as now proposed.

Fritz Skirvin, Air Quality staff, is available to answer any Commission questions.



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. O , June 11, 1982, EQC Meeting

Adoption of Proposed Modifications to Primary Aluminum Plant Regulations, OAR 340-25-255 through 340-25-285.

Background

The Environmental Quality Commission, at its April 16, 1982 meeting, authorized the Department to hold a public hearing on proposed modifications to the primary aluminum plant regulation that:

- a. Delete requirements for "existing plants" to comply with "new plant" limits,
- b. Do not change either emission limits for "new plants" or fluoride and opacity limits for "existing plants",
- c. Apply present particulate mass emission rates to existing vertical stud Soderburg plants (Martin Marietta),
- d. Establish revised particulate mass emission rates for existing prebake plants (Reynolds Metals), and
- e. Specifies applicable source test methods.

A hearing officer report summarizing testimony resulting from the May 14, 1982 hearing is included herein as Attachment I.

After reviewing the testimony, the Department revised some of the initially proposed modifications. The revised modifications as set forth in Attachment II are being provided for Commission review and consideration for adoption.

Discussion and Evaluation

The following describes the Department's review and responses to testimony resulting from the May 14, 1982 hearing.

Reynolds Metals Company (RMC) testified that the proposed monthly and annual particulate emission limits for existing prebake facilities needed to be increased by 0.5 lb/ton Al if the limitations were to be applied to "all sources". A review of RMC's emission data supported this contention so the Department has revised the initially proposed limits. These changes are not expected to cause any significant ambient air impacts.

Reynolds also submitted editorial changes to the proposed modifications. Sixty-eight degrees Fahrenheit is now being proposed as the reference temperature for emission test results as suggested by RMC. The Department has inserted the word "representative" into the definition of "monthly average" and into 340-25-280(1) in lieu of RMC's proposed "valid". RMC has indicated that "representative" is acceptable to them. The typographic errors were corrected.

The Department has not made any significant changes in the proposed rule modifications other than increasing the limits for existing prebake facilities previously discussed.

Martin Marietta contended that the record does not justify different limitations for vertical stud Soderberg plants and prebake plants, and that without a firm technical basis, the proposed rule is unlawfully discriminatory. The Department's position is that the record does contain an adequate technical basis for the proposed modifications. Further, Oregon Revised Statutes 468.295(3) does provide that the Commission may establish emission standards which differentiate between air contamination sources or classes thereof.

The Wasco County Fruit and Produce League indicated a concern that emissions at Martin Marietta not be allowed to increase to regulatory limits. Routine plant site inspections and reviews of monthly monitoring data are made by the Department to ensure that highest and best control equipment performance is maintained.

Testimony from the Mid-Columbia Economic Development District indicates total support for regulating aluminum plant emissions (fluorides, particulates and sulfur dioxide) to maintain the quality of life in The Dalles area and protect the economic interests of the cherry industry and a concern that proposed modifications may afford an economic advantage to Reynolds. The Department does not believe that the proposed rules will provide any significant economic imbalance which might impair the viability of Martin Marietta.

In accordance with the hearing notice and procedures, after adoption by the Commission, the Department intends to submit the modified rule to EPA as part of the State Clean Air Act Implementation Plan. This submittal will include a request for an equivalency determination so the Commission will not have to adopt the EPA New Source Performance Standard (NSPS) for Primary Aluminum Plants. The Department will contend that the modified rule as adopted and applicable to new sources is as stringent or more stringent than the Federal NSPS. The rule will also be used to satisfy the requirements of 111(d) of the Clean Air Act, i.e., when EPA promulgates a NSPS which includes a noncriteria pollutant (fluorides) the state must adopt a rule which requires reasonable control technology for existing sources emitting that pollutant or in that specific source category.

Summation

1. Pursuant to authorization by the Commission, the Department held a public hearing on May 14, 1982 on proposed modifications to the primary aluminum plant regulation, OAR 340-25-255 through 340-25-285 that:
 - a. Delete requirements for "existing plants" to comply with "new plant" limits,
 - b. Do not change either emission limits for "new plants" or fluoride and opacity limits for "existing plants",
 - c. Apply present particulate mass emission rates to existing vertical stud Soderburg plants (Martin Marietta),
 - d. Establish revised particulate mass emission rates for existing prebake plants (Reynolds Metals), and
 - e. Specify applicable source test methods.
2. Reynolds Metals Company testified that the initially proposed monthly and annual particulate emission limits needed to be increased by 0.5 lb/ton Al in order to accommodate their current total particulate emission rates from "all sources".
3. Martin Marietta Aluminum contended that the record does not support the proposed modifications, therefore, they are unlawfully discriminatory.
4. The Department, after reviewing the testimony, revised the proposed modifications to incorporate Reynolds' requested increase. Some editorial changes were also made by the Department which does not change the effectiveness of this rule.
5. The Department considers the record to contain sufficient technical information to support the now proposed modifications and therefore disagrees with Martin Marietta's contention.

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June 11, 1982
Page 4

6. The Department will submit the modified rule to EPA as an Amendment to the State Implementation Plan. The adopted rule will also be submitted to meet the NSPS requirements and those of Section 111(d) of the Clean Air Act.

Director's Recommendation

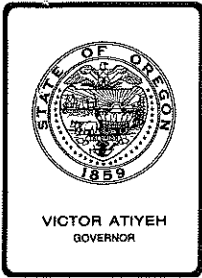
Based upon the Summation, it is recommended that the Commission adopt the proposed rule changes as set forth herein as Attachment II and direct the Department to submit the modified rule to EPA as amendment to the State Implementation Plan.



William H. Young

Attachments: Attachment I Hearing Officer Report
Attachment II Proposed Rule Changes
Attachment III Testimony Resulting From May 14, 1982 Hearing

F.A. Skirvin:a
AA2137 (1)
(503) 229-6414
May 20, 1982



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: Linda K. Zucker, ^{LKZ}Hearings Officer

SUBJECT: Public hearing report on proposed changes to state primary aluminum plant emission rules.

SUMMARY OF PROCEDURE

Pursuant to notice a public hearing was convened at the DEQ offices in Portland, Oregon at 10:00 a.m. on May 14, 1982. The purpose of the hearing was to receive public comment on proposed changes to agency rules, OAR 340-25-255 through 340-25-285. A related hearing had been conducted on November 9, 1981. Considerable testimony from diverse constituencies regarding aluminum plant emissions had been provided to the Commission at the earlier hearing.

SUMMARY OF TESTIMONY

Bill Sheridan, attorney for the Wasco County Fruit and Produce League, stated his understanding of the proposed rules as they affect emissions from the Martin Marietta plant near The Dalles. He reported that the fact that there is no increase in the proposed emission levels for the Martin Marietta plant "is of some solace" to the growers. The proposed rules meet a long-held League view that existing plants be treated on an individual basis with best available control technology setting the standard for each plant.

Sheridan noted that present emissions from the Martin Marietta plant are very close to new plant standards. Retention of emission limits at levels above achievable limits should not tempt Martin Marietta to increase its emissions to the regulatory limit. The League intends to remain vigilant in protecting its economic interests.

Joseph Byrne, Manager of Environmental Control for Martin Marietta Aluminum, commented briefly on the proposed rule revisions. His testimony was supplemented by a written statement from Lars Ryssdal, General Manager of the company.

According to Martin Marietta, the record before the Environmental Quality Commission contains little technical support for distinguishing vertical stud soderberg from prebake plants with respect to particulate. Martin Marietta does not oppose the modified particulate standard so long as it is applied to all aluminum reduction facilities. The company writes:

"The argument against such an across the board reduction seems to be that Martin Marietta can meet the current standard while Reynolds cannot. Thus, only Reynolds needs the less stringent standards. This argument, however, ignores the fundamental question of equity involved in the setting of standards. In essence, the selective amendment of the applicable particulate standards discriminates against Martin Marietta because its environmental program succeeded.

Martin Marietta contends that the record does not provide technical justification for discriminating between VSS and prebake plants. Without such a firm technical basis, the proposed rule is unlawfully discriminatory. We are, therefore, opposed to the proposal as currently drafted."

Earl W. Anderson, Environmental Control Superintendent at Reynolds Metals Company's Troutdale plant presented that company's position. First, Reynolds believes that separate emission standards for new and existing plants are justified. Second, state-of-the-art technology does not enable Reynolds to comply with the current emissions particulate standard. The current standard was developed from only primary and secondary sources as a base, while Reynolds is now required to report particulate emissions from these along with anode baking and miscellaneous sources. An "all sources" limit should reflect this comprehensive measurement. Reynolds proposes an "all sources" particulate limit of 15.6 pounds per ton of aluminum (lbs/TAP) as a monthly average and 13.5 lbs/TAP as an annual average for the Troutdale reduction plant. Reynolds submits that monitoring data show that the current "all sources" particulate emissions at the Troutdale plant are 15.6 lbs/TAP on a monthly average and 13.5 lbs/TAP on an annual average, as opposed to the DEQ proposal of 15.1 and 13.0 lbs/TAP, respectively. The Reynolds' proposal would establish current rates as allowable rates.

Anderson requested that Reynolds' written submittals dated November 9, 1981, November 19, 1981, and May 14, 1982 be included as part of the hearing record. In its detailed May, 1982 statement, Reynolds provides

some history. Between 1975 and 1977 Reynolds installed state-of-the-art pollution control equipment at its Troutdale plant at a cost of over \$31 million. This equipment consists of extremely efficient cell hooding and a modern dry scrubbing facility. No other feasible technology exists which would enable an existing plant like the Troutdale reduction plant to reduce its present emissions to the point where it could comply with Oregon's new plant standards. This equipment has produced significant emissions reductions as reflected by the measured improvements in ambient air quality levels in the vicinity of the plant. The ambient air quality data which have been collected indicate no detrimental environmental impact occurs in the plant vicinity.

From time to time Reynolds is unable to comply with the current emission standards. These standards were based solely on predicted performance. Actual emission data was not available for a plant of the age of the Troutdale plant and which employed dry scrubbing control technology. Reynolds' proposed revisions are based on actual plant-wide data. Ambient air quality monitoring results, DEQ modeling and an atmosphere dispersion modeling analysis submitted to the DEQ by Reynolds all show that the ambient air quality standards will continue to be protected by the particulate matter emissions limits proposed by Reynolds.

Reynolds also submitted editorial changes to the proposed regulations. They are as follows:

" OAR 340-25-260(13): 'Monthly Average'

The word 'valid' should be inserted before the phrase 'test results' to cover unusual or uncontrollable situations which could adversely affect the determination of the monthly average.

OAR 340-25-260(20): 'Standard Dry Cubic Foot of Gas'

The staff report specified that a standard dry cubic foot of gas be measured at 60°F. Reynolds believes that this should actually be 68°F since the DEQ in the past has specified 68°F as standard temperature.

OAR 340-25-265(1)(b)(B): Typographical Error

The annual average standard stated as 3.0 pounds of particulate per ton of aluminum should actually read 5.0 pounds of particulate per ton of aluminum.

OAR 340-25-265(3)(c)(A): Typographical Error

Misspelled 'monthly.' "

Rosemary Garrett, thirteen years old, lives close to the Martin Marietta plant and near a freeway. She finds car emissions more offensive than pollution from the plant. She writes, "Right now we need the jobs more than clean air, and a little pollution never hurt anybody."

Alan Warman, Executive Director of the Mid-Columbia Economic Development District, agrees with regulations limiting emissions of fluorides, particulates, and sulfur dioxide to maintain the quality of life in The Dalles area and protect the economic interests of the cherry industry. The concept that existing aluminum plants not be required to meet emission limits for new plants is supported. Continuation of current emission limits at the Martin Marietta plant permits continued coexistence of needed economic resources in the community. Establishing emission rates at the Reynolds Metals plant near Troutdale which are higher (allow more emissions/unit of production) than those set for the Martin Marietta plant is questioned. As a policy the proposed action appears to provide Reynolds with a competitive advantage, as more stringent control levels tend to produce higher compliance and production costs. Any action by a state agency which provides one firm with a competitive advantage over another is inappropriate.

Martin Marietta, the largest employer and industrial base of The Dalles, is experiencing production cutbacks and layoffs. The District asks DEQ to show clearly and definitely on the record that the proposed action does not set a precedent or establish a policy of showing preferential treatment or convey a competitive advantage and that no preferential consideration will be given in the future by DEQ. The District asks that emission limits not be modified to allow emissions in excess of standards currently set for the Reynolds plant. Rather, the plant should continue to operate through a "temporary" or "interim" type of variance from emission standards for existing plants until such time as it is financially and technically able to meet the same standards now exacted of Martin Marietta.

LKZ:k
HKD932
229-5383
5/19/82

Primary Aluminum Plants

Statement of Purpose

340-25-255 In furtherance of the public policy of the state as set forth in ORS [449.765], 468.280 it is hereby declared to be the purpose of the Commission in adopting the following regulations to:

(1) Require, in accordance with a specific program and time table for each operating primary aluminum plant, the highest and best practicable collection, treatment, and control of atmospheric pollutants emitted from primary aluminum plants through the utilization of technically feasible equipment, devices and procedures necessary to attain and maintain desired air quality.

(2) Require effective monitoring and reporting of emissions, ambient air levels of fluorides, fluoride content of forage, and other pertinent data. The Department will use these data, in conjunction with observation of conditions in the surrounding areas, to develop emission and ambient air standards and to determine compliance therewith.

(3) Encourage and assist the aluminum industry to conduct a research and technological development program designed to reduce emissions, in accordance with a definite program, including specified objectives and time schedules.

(4) Establish standards which, based upon presently available technology, are reasonably attainable with the intent of revising the standards as needed when new information and better technology are developed.

Definitions

340-25-260 (1) "All Sources" means sources including, but not limited to, the reduction process, alumina plant, anode plant, anode baking plant, cast house, and collection, treatment, and recovery systems.

(2) "Ambient Air". The air that surrounds the earth, excluding the general volume of gases contained within any building or structure.

(3) "Annual Average" means the arithmetic average of the [twelve most recent consecutive] monthly averages reported to the Department during the twelve most recent consecutive months.

(4) "Anode Baking Plant" means the heating and sintering of pressed anode blocks in oven-like devices, including the loading and unloading of the oven-like devices.

(5) "Anode Plant" means all operations directly associated with the preparation of anode carbon except the anode baking operation.

(6) "Commission" means Environmental Quality Commission.

(7) "Cured Forage" means hay, straw, ensilage that is consumed or is intended to be consumed by livestock.

(8) "Department" means Department of Environmental Quality.

(9) "Emission" means a release into the outdoor atmosphere of air contaminants.

(10) "Emission Standards" means the limitation on the release of a contaminant or multiple contaminants to the ambient air.

(11) "Fluorides" means matter containing fluoride ion.

(12) "Forage" means grasses, pasture, and other vegetation that is consumed or is intended to be consumed by livestock.

(13) "Monthly Average" means the summation of the arithmetic average of [three] all representative test results obtained during any calendar month [, utilizing test methods and procedures approved by the Department] and the emission rates established for sources not subject to routine testing.

(14) "Opacity" means the degree to which an emission reduces transmission of light or obscures the view of an object in the background.

(15) "Particulate Matter" means a small discrete mass of solid or liquid matter, but not including uncombined water.

(16) "Primary Aluminum Plant" means those plants which will or do operate for the purpose of, or related to, producing aluminum metal from aluminum oxide (alumina).

(17) "Pot Line Primary Emission Control Systems" means the system which collects and removes contaminants prior to the emission point. If there is more than one such system, the primary system is that system which is most directly related to the aluminum reduction cell.

(18) "Regularly Scheduled Monitoring" means sampling and analyses in compliance with a program and schedule approved pursuant to rule OAR 340-25-280.

(19) "Ringlemann Smoke Chart" means the Ringlemann Smoke Chart with instructions for use as published in May, 1967, by the U.S. Department of Interior, Bureau of Mines.

(20) "Standard Dry Cubic [Root] Foot of Gas" means that amount of the gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor at a pressure of 14.7 P.S.I.A. and a temperature of [60] 68°F.

Emissions Standards

340-25-265(1) The exhaust gases from each primary aluminum plant constructed [on or] after January 1, 1973, shall be collected and treated as necessary so as not to exceed the following minimum requirements:

(a) Total fluoride emissions from all sources shall not exceed:

(A) A monthly average of 1.3 pounds of fluoride ion per ton of aluminum produced; and

(B) An annual average of 1.0 pound of fluoride ion per ton of aluminum produced; and

(C) 12.5 tons of fluoride ion per month from any single aluminum plant without prior written approval by the Department.

(b) The total of organic and inorganic particulate matter emissions from all sources shall not exceed:

(A) A monthly average of 7.0 pounds of particulate per ton of aluminum produced; and

(B) An annual average of 5.0 pounds of particulate per ton of aluminum produced.

(c) Visible emissions from any source shall not exceed ten (10) percent opacity or 0.5 on the Ringlemann Smoke Chart at any time.

(2) Each primary aluminum plant constructed and operated after January 1, 1973, shall be in full compliance with these regulations no later than 180 days after completing potroom start-up and shall maintain full compliance thereafter.

(3) The exhaust gases from each primary aluminum plant constructed on or before January 1, 1973, shall be collected and treated as necessary so as not to exceed the following minimum requirements:

(a) Total fluoride emissions from all sources shall not exceed:

(A) A monthly average of 3.5 pounds of fluoride ion per ton of aluminum produced; and

(B) An annual average of 2.5 pounds of fluoride ion per ton of aluminum produced; and

(C) 22.0 tons of fluoride ion per month from any single aluminum plant without prior written approval by the Department.

(b) The total of organic and inorganic particulate matter emissions from all sources at plants using vertical stud Soderberg cells shall not exceed:

(A) A monthly average of 13.0 pounds of particulate per ton of aluminum produced; and

(B) An annual average of 10.0 pounds of particulate per ton of aluminum produced.

(c) The total of organic and inorganic particulate matter emissions from all sources at plants using prebake cells shall not exceed:

(A) A monthly average of 15.6 pounds of particulate per ton of aluminum produced; and

(B) An annual average of 13.5 pounds of particulate per ton of aluminum produced.

[(c)] (d) Visible emissions from any source shall not exceed twenty (20) percent opacity or 1.0 on the Ringlemann Smoke Chart at any time.

(4) Each existing primary aluminum plant shall [proceed promptly with a program to] comply [as soon as practicable] with these regulations upon adoption. [A proposed program and implementation plan shall be submitted by each plant to the Department not later than 180 days after the effective date of these amended regulations.]

[The Department shall establish a schedule of compliance for each existing primary aluminum plant. Each schedule shall include the dates by which compliance shall be achieved, but in no case, shall full compliance be later than the following dates:

(a) Existing plants shall comply with emission standards in section 340-25-265(3) by January 1, 1977;

(b) Existing plant shall comply with emission standards in section 340-25-265(1) by no later than January 1, 1986, pending a review by the Commission as described in section 2340-25-265(5).]

[(5) The Commission shall review, by no later than December 31, 1981, the feasibility of applying subsection 340-25-265(4)(b) based on the conclusions regarding:

- (a) The then current state of the art of controlling emissions from primary aluminum plants;
- (b) The progress in controlling and reducing emissions exhibited at that time by then existing aluminum plants;
- (c) The need for further emissions control at those facilities based on discernible environmental impact of emissions up to that time.]

Special Problem Areas

340-25-270 The Department may require more restrictive emission limits than the numerical emission standards contained in rule 340-25-265 for an individual plant upon a finding by the Commission that the individual plant is located, or is proposed to be located, in a special problem area. Such more restrictive emission limits for special problem areas may be established on the basis of allowable emissions per ton of aluminum produced or total maximum daily emissions to the atmosphere, or a combination thereof, and may be applied on a seasonal or year-round basis.

Highest and Best Practicable Treatment and Control Requirement

340-25-275 In order to maintain the lowest possible emissions of air contaminants, the highest and best practicable treatment and control currently available shall in every case be provided, but this section shall not be construed to allow emissions to exceed the specific emission limits set forth in [rule] Section 340-25-265.

Monitoring

340-25-280(1) Each primary aluminum plant constructed and operated on or before January 1, 1973, shall submit and conduct [within sixty (60) days after the effective date of these amended regulations] a detailed, effective monitoring program. The program shall include regularly scheduled monitoring and testing by the plant of emissions of gaseous and particulate fluorides and total particulates. [The plant shall take and test a minimum of three (3) representative emission samples each calendar month.] Each plant shall test emissions from each operating potline once per calendar month. A minimum of three (3) representative tests shall be taken each month. All such testing shall include simultaneous sampling of control system(s) and/or roof vents. Anode bake oven control systems shall be tested at least once per month. [The samples] All tests shall be taken [at,] on prespecified [intervals] dates. A schedule for measurement of fluoride levels in forage and ambient air shall be submitted. The Department shall establish a monitoring program for [the] each plant which shall be placed in effective operation within ninety (90) days after written notice to the plant by the Department of the established monitoring program.

(2) Each primary aluminum plant proposed to be constructed and operated after January 1, 1973, shall submit a detailed preconstruction [of] and post-construction monitoring program as a part of the air contaminant discharge permit application.

(3) All monitoring methods used to demonstrate compliance with these rules, including sampling and analytical procedures, must be filed with and approved by the Department. Where applicable, methods in the Department Source Test Manual, including, but not limited to Methods 5 and 7 for particulates and Methods 13A or 13B for fluorides, shall be used.

Reporting

340-25-285(1) Unless otherwise authorized in writing by the Department, data for each source and station included in the approved monitoring program shall be reported by each primary aluminum plant within thirty (30) days of the end of each calendar month [for each source and station included in the approved monitoring program] as follows:

(a) Ambient air: Twelve-hour concentrations of gaseous fluoride in ambient air expressed in micrograms per cubic meter of air, and in parts per billion (ppb); also 28-day test results using calcium formate ("limed") paper expressed in micrograms of fluoride per centimeter squared per cubic meter ($\mu\text{g}/\text{-cm}^2\text{m}^3$).

(b) Forage: Concentrations of fluoride in forage expressed in parts per million (ppm) of fluoride on a dried weight basis.

(c) Particulate emissions: Results of all emission sampling conducted during the month for particulates, expressed in grains per standard dry cubic foot, in pounds per day, and in pounds per ton of aluminum produced. The method of calculating pounds per ton shall be as specified in the approved monitoring programs. Particulate data shall be reported as total particulates and percentage of fluoride ion contained therein.

(d) Gaseous emissions: Results of all sampling conducted during the month for gaseous fluorides. All results shall be expressed as [hydrogen] fluoride ion in micrograms per cubic meter and pounds per day of [hydrogen] fluoride ion, and in pounds of fluoride ion per ton of aluminum produced.

(e) Other emissions and ambient air data as specified in the approved monitoring program.

(f) Changes in collection efficiency of any portion of the collection or control system that resulted from equipment or process changes.

(2) Each primary aluminum plant shall furnish, upon request of the Department, such other data as the Department may require to evaluate the plant's emission control program. Each primary aluminum plant shall report the value of each emission test performed during that reporting period, and shall also immediately report abnormal plant operations which result in increased emission of air contaminants.

(3) No person shall construct, install, establish, or operate a primary aluminum plant without first applying for and obtaining an air contaminant discharge permit from the Department. Addition to, or enlargement or replacement of, a primary aluminum plant or any major alteration thereof shall be construed as construction, installation, or establishment.

ATTACHMENT III - Testimony Resulting
From May 14, 1982
Hearing

MARTIN MARIETTA ALUMINUM

REDUCTION DIVISION
POST OFFICE BOX 711
THE DALLES, OREGON 97058
TELEPHONE (503) 296-6161

May 18, 1982 State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
MAY 19 1982

AIR QUALITY CONTROL

Mr. Fred Skirvin
Department of Environmental Quality
P. O. Box 1760
Portland, Oregon 97207

Dear Sir:

Martin Marietta Aluminum hereby submits these comments in response to the proposal of the Department of Environmental Quality to amend its regulations as they apply to the particulate emissions of aluminum reduction facilities. As proposed, VSS plants would be required to meet existing standards (13# Fl/ton Al monthly maximum and 10# Fl/ton Al rolling 12 month average). Prebake plants would be required to meet a less stringent 15.1# Fl/ton Al monthly maximum and 13.0# Fl/ton Al rolling 12 month average.

The regulation, as proposed, would impose different standards on Martin Marietta's The Dalles plant and Reynold's Troutdale plant. This follows from the fact the Reynolds' Troutdale plant is a prebake plant while Martin Marietta's The Dalles plant is a VSS plant. The record contains little technical support for distinguishing a VSS from a prebake plant with respect to their particulate emissions.

Martin Marietta does not oppose the change in the particulate standard so long as it applies to all aluminum reduction facilities. The argument against such an across the board reduction seems to be that Martin Marietta can meet the current standard while Reynolds cannot. Thus, only Reynolds needs the less stringent standards. This argument, however, ignores the fundamental question of equity involved in the setting of standards. In essence, the selective

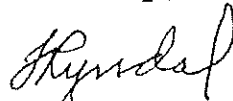
Mr. Fred Skirvin
May 18, 1982

Page 2

amendment of the applicable particulate standards discriminates against Martin Marietta because its environmental program succeeded.

Martin Marietta contends that the record does not provide technical justification for discriminating between VSS and prebake plants. Without such a firm technical basis, the proposed rule is unlawfully discriminatory. We are, therefore, opposed to the proposal as currently drafted.

Sincerely,



Lars Ryssdal
General Manager

LR:mk

ORAL STATEMENT OF

EARL W. ANDERSON

My name is Earl W. Anderson and I am the Environmental Control Superintendent at Reynolds Metals Company's Troutdale Reduction Plant. It is my pleasure to appear at today's hearing on behalf of Reynolds Metals Company.

In the notice for this hearing, The Department of Environmental Quality announced that it is proposing revisions to air pollution rules for existing primary aluminum plants. Among the revisions proposed, are two of vital concern to Reynolds Metals Company, as follows:

- (a) The Department of Environmental Quality will continue its practice of enforcing separate emission standards for new and existing primary aluminum plants.
- (b) Particulate emission limits based on current emission rates will be established for the Reynolds Metals Company plant near Troutdale.

Reynolds Metals Company has thoroughly reviewed these matters. A detailed statement in support of the Company's positions has been prepared and we request that it be made a formal part of the record for this hearing. Additionally, we request that Reynolds' two previous submittals concerning these regulations dated November 9,

1981 and November 19, 1981 be made part of the formal hearing record.

In the interests of brevity I will not take the time to read our detailed, written statement, but will instead provide a short summary.

First, Reynolds believes that the facts support separate emission standards for new and existing aluminum plants. Our November 9, 1981 statement points out the numerous differences between new and existing plants and the infeasibility of applying new source standards to plants like the Troutdale Reduction Plant. An evidentiary hearing on this question was held on November 9, 1981. Based on the record in that hearing and the recommendation of the DEQ staff, the EQC found on April 14, 1982 that it was not feasible to apply new plant standards to existing plants.

Second, Reynolds believes that new particulate emission standards should be promulgated for the Troutdale Reduction Plant. The Troutdale Reduction Plant has installed state-of-the-art pollution control equipment, in compliance with the environmental laws. Even with this state-of-the-art technology Reynolds has been unable to comply at all times with the current particulate standard. The present standard was based on emissions from only primary and secondary sources, whereas Reynolds is now required to report emissions from all sources. The proposed standard is based on emissions from primary, secondary and

anode baking plant sources. In addition to these, miscellaneous sources add a total of about .5 lbs/TAP to our emissions. Reynolds believes that since the DEQ intends to limit emissions from Troutdale Reduction Plant on an "all sources" basis the emission limits should include a 0.5 lb/TAP allowance for the numerous miscellaneous sources at the plant site. Thus, Reynolds believes the proper "all sources" particulate limit for the Troutdale Reduction Plant should be 15.6 lb/TAP as a monthly average and 13.5 lb/TAP as an annual average. Reynolds has also suggested in its full submittal several minor changes to the rules to alleviate possible sources of ambiguity and misinterpretations.

In summary, Reynolds Metals Company supports the DEQ's actions proposed today with a few minor modifications. We are, of course, available to answer any questions you may have.

Thank you.

41:F

Statement of Reynolds Metals Company
At the State of Oregon Department of Environmental
Quality Public Hearing
Concerning Proposed Changes of Rules Pertaining
to Primary Aluminum Plants

* * * *

INTRODUCTION

Reynolds Metals Company owns and operates one of the two existing aluminum plants in Oregon. Reynolds' Troutdale Reduction Plant was designed and built by the United States government in 1942. Reynolds acquired the plant by lease in 1946 and purchased it in 1950. The Plant originally had four potlines, all of which are available for use today. The Company added a fifth potline in 1970. Each of these potlines consists of 140 pots, or cells, for a total of 700. State-of-the-art air pollution control technology was installed on these potlines in 1977. In addition to the potlines and the buildings they occupy, the Plant consists of a casthouse, carbon plant, and numerous other support buildings and equipment, almost all of which are part of the original plant.

The revisions to the air pollution rules for existing primary aluminum plants which are the subject of today's public hearing are of vital importance to the Reynolds' Troutdale Reduction Plant. Two issues are of particular concern to Reynolds Metals Company. These are:

- (1) The DEQ's proposal to establish different emission standards for existing and new primary aluminum plants, respectively, and
- (2) The DEQ's proposal to establish new particulate emission standards for existing primary aluminum plants employing prebake cell technology.

Reynolds, as is delineated in the full text of this statement, believes the DEQ proposals are necessary and their need is fully supported by the record of the 1981 November 09 informational hearing concerning these same standards.

Reynolds hereby requests that its 1981 November 09 statement and its subsequent supplemental submission dated 1981 November 19 be made part of the official record of today's proceedings. These documents address specifically the two aforementioned issues of primary concern to the Troutdale Reduction Plant and provide sound technical support and data on the need for the proposed rule changes.

Reynolds believes a careful review of the facts will support the DEQ proposal to establish separate emission standards for new and existing primary aluminum plants. Reynolds further believes that a careful examination of the data will show that the proper particulate emission limit for "all sources" at the Troutdale Reduction Plant is 15.6 pounds per ton of aluminum produced

(lbs/TAP) on a monthly average and 13.5 lbs/TAP on an annual average, as opposed to the DEQ proposal of 15.1 and 13.0 lbs/TAP, respectively.

Reynolds is additionally proposing today a few minor changes to the primary aluminum plant rules which are discussed fully in a separate section of this submission. These changes are not intended to alter the substance of the rules, but rather are intended to remove any ambiguity or potential for misinterpretation of the proposed rules.

THE NEED FOR SEPARATE EMISSION STANDARDS FOR EXISTING
AND NEW PRIMARY ALUMINUM PLANTS

On 1981 November 9, Reynolds Metals Company submitted a detailed written statement to the State of Oregon Department of Environmental Quality in support of the need to continue the present scheme of having separate emission standards for existing primary aluminum plants and new primary aluminum plants. That statement pointed out that state-of-the-art pollution control equipment for primary aluminum plants is currently employed at the Troutdale Plant. This equipment, which cost the Company over 31 million dollars between 1975 and 1977, consists of extremely efficient cell hooding and a modern dry scrubbing facility. Reynolds firmly believes that this pollution control system represents state-of-the-art technology and that no other feasible technology exists which would enable an existing plant like the

Troutdale Reduction Plant to reduce its present emissions to the point where it could comply with Oregon's new plant standards. Reynolds also believes that it has never been the intention of the State of Oregon to impose unattainable standards on the Troutdale Reduction Plant. Given the fact that state-of-the-art pollution control technology is in operation at the Plant, it is not reasonable to expect that a more stringent standard could be achieved (indeed as noted later in this text, Reynolds believes the current standard to be in need of modification).

Reynolds' previous statement also points out the significant emission reductions which have been achieved since 1977 as a result of the modern pollution control system at the Troutdale Plant. These reductions are further reflected by the measured improvements in ambient air quality levels in the Plant vicinity. The ambient air quality data which have been collected indicate that no detrimental environmental impact occurs in the plant vicinity as a result of the present emission levels at the Troutdale Plant.

This fact has been further supported since the November submittal by air quality modeling of the existing plant emissions. The modeling results show that no discernible adverse impacts occur as a result of existing plant emissions. The local community has testified to the fact that Reynolds operates in harmony with local land use patterns. Given this situation and the support the Company has received from local farmers and citizens,

Reynolds believes that there is no need for applying the more stringent new source standards to existing plants like the Troutdale Plant.

The November 9 statement points out the fact that the Troutdale Reduction Plant is forty years old, and was not designed with today's environmental standards in mind. As a result, controlling emissions from the Troutdale Reduction Plant is more difficult than controlling emissions from a plant designed with stringent new source standards in mind. The premise that older plants are not capable of achieving the same low levels of emissions as new plants is recognized by the Federal government, other nations, and states (including Oregon), through the existence of separate emission standards for existing and new sources. A separate standard which reflects separate emission limits for existing primary aluminum plants and for new plants is necessary to account for the differences in plant design, construction and operation.

The Environmental Quality Commission recognized this at its April 14, 1982 meeting, at which it found that it was not feasible to apply new plant standards to existing plant.

In summary, Reynolds Metals Company believes that it is not technically feasible to attain the new plant standards in a plant the age of Troutdale Plant. The available data and atmospheric dispersion modeling results support the fact that there is no

need for further emission reductions at the Plant. For these reasons, the Company supports continuing the practice of maintaining separate emission standards for existing and new primary aluminum plants in Oregon.

The Appropriate Emission Standard for
"All Sources" at the Troutdale Reduction Plant

On 1982 November 19, Reynolds provided a supplemental statement to the Environmental Quality Commission concerning the need for revisions to the existing particulate matter emission limit applicable to the Troutdale Reduction Plant. Reynolds believes that the current particulate matter standard of 13.0 lbs/TAP monthly average and 10.0 lbs/TAP annual average are based on a flawed analysis. Reynolds, despite the expenditure of 31 million dollars for state-of-the-art emission control equipment, is unable from time to time to comply with the current emission standard.

As is delineated in the November 19 statement, Reynolds analyzed recent emission data from the Troutdale Reduction Plant in a manner essentially the same as that employed by the DEQ when it promulgated the existing primary aluminum plant standards. These standards were based solely on the predicted performance of a new emission control system. This was necessary because actual emission data was not available for a plant of the age of the Troutdale Plant and which employed dry scrubbing control technology. The proposed regulatory revisions are based on actual plant-wide data

collected at Troutdale from 1981 August to 1980 January. The DEQ staff and Environmental Protection Agency have both reviewed Reynolds' analysis and agree, for the most part, with the results. It is Reynolds' understanding that the revisions proposed today result, in part, from Reynolds analysis of the recent emission history of the Troutdale Plant.

The DEQ is proposing the following particulate matter emissions limit:

The total of organic and inorganic particulate matter emissions from all sources at plants using prebake cells shall not exceed:

- (A) A monthly average of 15.1 pounds of particulate per ton of aluminum produced; and
- (B) An annual average of 13.0 pounds of particulate per ton of aluminum produced.

Reynolds believes that these proposed emission limits are appropriate for limiting emissions from the traditional prebake primary alumium plant emission sources, which consist of potroom primary, secondary, and anode bake plant exhaust streams. The Department's development of the proposed rule appears to be based upon actual emission data derived exclusively from these traditional emission points. Accordingly, the proposed emission

limits include no allowance for the numerous miscellaneous particulate emission sources which are part of the Troutdale Reduction Plant. Table 1 provides a representative, although not all inclusive, list of the miscellaneous emission sources in operation at the Troutdale Reduction Plant.

Reynolds believes that a reasonable particulate matter emission allowance for these numerous miscellaneous emission sources is 0.5 lb/TAP. Accordingly, Reynolds recommends as the appropriate "all sources" or plant site emission limit for the Troutdale Reduction Plant the following rule:

The total of organic and inorganic matter emissions from all sources at plants using prebake cells shall not exceed:

- (A) A monthly average of 15.6 pounds of particulate per ton of aluminum produced; and
- (B) An annual average of 13.5 pounds of particulate per ton of aluminum produced.

Ambient air quality monitoring results, DEQ modeling and an atmospheric dispersion modeling analysis submitted to the DEQ by Reynolds all show that the ambient air quality standards will continue to be protected by the particulate matter emission limits proposed by Reynolds.

TABLE 1

REPRESENTATIVE EXAMPLES OF "OTHER" SOURCES
AT THE TROUTDALE REDUCTION PLANT

Casthouse
Green Mill
Carbon Unloading
Butt Crushing
Carbon Cleaning Blasting Cabinet
Rodding Room
Cast Iron Tumble Mill
Steel Buffing Cabinet
Fresh Ore Delivery
Ore Recycling Airlifts
Cathode Lining
Alumina Transfer to Potrooms

Editorial Changes to Proposed Regulations

OAR 340-25-260(13): "Monthly Average"

The word "valid" should be inserted before the phrase "test results" to cover unusual or uncontrollable situations which could adversely affect the determination of the monthly average.

OAR 340-25-260(20): "Standard Dry Cubic Foot of Gas"

The staff report specified that a standard dry cubic foot of gas be measured at 60°F. Reynolds believes that this should actually be 68°F since the DEQ in the past has specified 68°F as standard temperature.

OAR 340-25-265(1) (b) (B): Typographical Error

The annual average standard stated as 3.0 pounds of particulate per ton of aluminum should actually read 5.0 pounds of particulate per ton of aluminum.

OAR 340-25-265(3) (c) (A): Typographical Error

Misspelled "monthly."

CONCLUSION

Reynolds Metals Company whole-heartedly supports many of the revisions being proposed by the DEQ for the primary aluminum plant rules. The facts support separate and different emission standards for existing and new primary aluminum plants. The proposed particulate matter emission limits of 15.1 lbs/TAP monthly average and 13.0 lbs/TAP annual average are reasonable limits for potroom primary, secondary, and anode bake emission sources. However, since the emission limit is intended to apply to "all sources" at the Troutdale Reduction Plant site, Reynolds believes a 0.5 lb/TAP allowance needs to be included in the emission limit for the many miscellaneous sources that are part of the Troutdale Reduction Plant. Therefore, Reynolds recommends that the Department adopt particulate matter emission limits of 15.6 lbs/TAP monthly average and 13.5 lbs/TAP annual average for the Troutdale Reduction Plant.

Reynolds believes that the changes proposed by the DEQ for the primary aluminum plant rules along with the changes Reynolds is proposing today meet the intent of the Oregon air quality laws and rules. The adoption of these revisions will ensure that the Troutdale Reduction Plant will continue to operate with no significant adverse impact upon the environment as one of the best controlled primary aluminum plants in the world. The evidence provided by Reynolds in its two previous submittals clearly shows that the DEQ actions proposed today are proper and necessary.

3/8 snipes w 2nd
The Dalles, Oregon 97058

peg head quaters
Room 1400

522 SW 5th Portland Oregon
97204

Dear Sirs,

I am 13 years old, and I read the article about Martin Marietta and other aluminum plants in "The Dalles Chronicle". I don't think they should mess with any thing right now. Because just a few years ago a lot of money was spent on pollution control and I don't see what difference it would make any way.

My family and I live about 4 blocks away from Martin Marietta, we live between a freeway, a railroad and the plant and we smell more gas and diesel fuel than any pollution from Martin Marietta.

Right now we need the jobs more than clean air, and a little pollution never hurt any body. Just look at Los Angeles and New York and you want to make a big deal about The Dalles and right now I think we need more jobs than a big spending spree on pollution control when we need aluminum and more jobs.

You may not think us teenagers listen much but some of us do pay attention to whats going on in our community and some of us do know whats right from wrong.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
MAY 17 1982

Thank You
Rosemary Sarrett

AIR QUALITY CONTROL

MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT

WASCO COUNTY COURTHOUSE ANNEX B
THE DALLES, OREGON 97058

502 EAST FIFTH STREET

TELEPHONE 503 -- 296-2266

April 27, 1982

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
APR 29 1982

AIR QUALITY CONTROL

Fredric A. Skirvin
Department of Environmental Quality
Air Quality Division
P. O. Box 1760
Portland, Oregon 97207

Dear Mr. Skirvin:

RE: COMMENT ON PROPOSED CHANGES OF RULES PERTAINING
TO PRIMARY ALUMINUM PLANTS

Our comments here concern proposed rules changes pertaining to primary aluminum plants.

Comments:

1. We agree with regulations limiting emissions of fluorides, particulates and sulphur dioxide. We need to maintain the quality of life in The Dalles area and protect the economic interests of the cherry industry.
2. Further we find support in the concept existing aluminum plants not be required to meet emission limits for new plants.
3. Allowing emission limits to remain the same for the Martin Marietta plant permits continued coexistence of needed economic resources in the community.
4. Establishing emission rates at the Reynolds Metals plant near Troutdale which are higher (allow more emissions/unit of production) than those set for the Martin Marietta plant is questioned. As a policy the proposed action appears to provide Reynolds Metals with a competitive advantage over the Martin Marietta plant by permitting Reynolds standards which are not as stringent and associated with lower costs of compliance and lower costs of production. We strongly believe any action by a state agency which provides one firm with a competitive advantage over another firm is inappropriate and should be avoided.

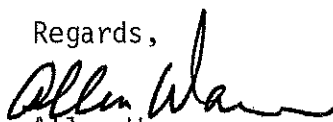
Martin Marietta, the largest employer and industrial base of The Dalles, is experiencing production cutbacks and layoffs. Your proposed action should not be detrimental to our area by contributing to a competitive advantage. We ask DEQ to show clearly and definitely in the record the proposed action does not set a precedent or establish a policy of showing preferential treatment nor does it encourage a competitive advantage and no such preferential consideration will be given in the future by DEQ. We ask that emission limits not be modified to

Fredric A. Skirvin
April 27, 1982
Page Two

allow emissions in excess of standards for the Reynolds Metals plant. The plant could continue to operate through a "temporary" or "interim" type of variance from emission standards for existing plants until such time as the Reynolds plant is financially and technically able to meet standards Martin Marietta now meets.

We recognize your ultimate concern for fairness and provide continued support to your environmental protection efforts.

Regards,

A handwritten signature in black ink, appearing to read "Allan Warman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Allan Warman
Executive Director

AW:ph

EQC Legislative Discussion
June 11, 1982

All Commission members plus Commissioner-elect Jim Petersen were in attendance.

Introduction

Stan Biles introduced the discussion by identifying the three objectives of the afternoon session: 1) gain familiarization with staff proposals; 2) revise staff proposals; and 3) discuss Commission-initiated legislative concepts. The afternoon agenda and the overall legislative preparation schedule were reviewed. Two issues were identified as likely to dominate the 1983 regular legislative session: 1) the state economy; and 2) the state General Fund budget. "Environmentalism" will probably not be a major concern of the session. Biles concluded the introduction by outlining two different legislative strategies: 1) high profile-innovative; and 2) low profile-protective. In either instance, it is recommended that the Department focus its legislative resources on a small number of high priority bills. Commissioner Somers urged each Commissioner to become personally involved in the legislative process.

Next, the Commission began consideration of the Divisions' legislative proposals.

Air Quality

Jack Weathersbee described the legislative concepts offered by the Air Quality Division. Limited discussion resulting in tentative approval being given to the field burning and Medford I/M proposals. Chairman Richards and Commissioner Somers suggested that the field burning registration fee concept might be handled administratively. The Commission expressed disapproval for noise fees, however, the Commission voiced support for the addition of one General Funded position to the Noise program. Most discussion centered upon proposed legislation for woodstoves. Commissioners Burgess and Brill expressed concern that the proposed voluntary measures would accomplish little. Commissioners Somers and Richards voiced support for the staff suggestions in addition to a mandatory certification program. Commissioner Bishop expressed a desire for additional public awareness and education efforts by the Department but was interested in seeing more information regarding certification and tax credits. Commissioner-elect Petersen also asked for more information on the effectiveness of tax credits as a catalyst for individual behavior modification. Weathersbee agreed to refine the woodstove concepts and organize additional information prior to the Commission's August meeting.

Water Quality

Hal Sawyer presented the legislative concepts recommended by the Water Quality Division. The Commission did not indicate concern with proposals to: 1) increase the bond coverage for subsurface sewage disposal system

installers and pumpers; 2) require recording notice of unusual on-site sewage disposal systems; and 3) extend duration of wastewater discharge permits to ten years. Water Quality staff will continue to develop and refine these proposals.

Solid Waste

Ernie Schmidt introduced the legislative concepts recommended by the Solid Waste Division. Considerable discussion of alternative means to reduce solid waste prefaced comments on the proposed legislative concepts. While indicating that increased regulation would produce beneficial results including greater recycling, the Commission agreed that greater regulation at this time would not be well received by the public. No major opposition was voiced regarding any of the solid waste legislative concepts. Schmidt agreed to continue to work on the proposals with emphasis upon expanding solid and hazardous waste fees to support those programs.

Tax Credits

Mike Downs introduced five proposals to revise the tax credit statutes. Chairman Richards voiced strong support for continuing the tax credit program as a means to achieve compliance by industries without overburdening them with expensive installation costs. General support was expressed for four of the proposals including: 1) narrowing the range of percentages allocable to pollution control; 2) changes in the requirement for preliminary certification for tax relief; 3) elimination of the notice of election requirement for recipients of Pollution Control Facility tax credit certificates; and 4) change in tax credit statutes to narrow the definition of "substantial purpose." The Commission disapproved a concept to exclude new facilities and expansions of existing facilities from qualifying for air, water, or noise tax relief. Tom Donaca, representing the Association of Oregon Industries, argued support for the current program suggesting that tax credits have prompted compliance from businesses while also serving as an incentive for economic growth. The Commission indicated general agreement with these two conclusions and decided that current provisions for new and expanding facilities should be continued. Mike Downs committed to further development of the concepts approved by the Commission with particular attention given to alternative methods to narrow the definition of "substantial purpose."

Agency Management

The Commission heard three proposals from both the enforcement section and the agency's legal counsel. Although discussion was brief, the Commission did not express opposition to any of the six proposals. Alternative interpretations of ORS 468.300 (regarding air pollution enforcement) were offered by staff. The Commission encouraged resolution of these differences.

Conclusion

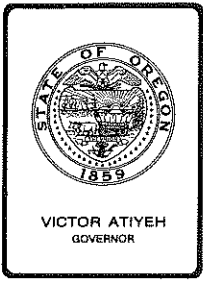
Stan Biles summarized the results of the meeting and indicated that staff would follow up on those proposals tentatively approved by the Commission. Additional legislative suggestions from Commission members or the staff were encouraged. The Commission asked that the Director prioritize the final recommended legislative package before submittal to the Commission in August.

The meeting was adjourned at approximately 5:00 p.m.

Respectfully submitted,



Stan Biles
Assistant to Director




Department of Environmental Quality

522 S.W. 5th AVENUE, BOX 1760, PORTLAND, OREGON 97207

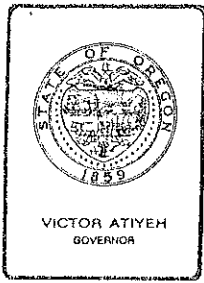
June 11, 1982

TO: ENVIRONMENTAL QUALITY COMMISSION

FROM: Stan Biles 

SUBJECT: Legislative Concepts

As staff prepared Legislative concepts for the Commission's review, contributions were solicited from various individuals and organizations. During the past week, three entities (State Forestry Department, Associated Oregon Industries, and the Bonneville Power Administration) provided written comments on portions of the staff's initial legislative ideas. Their observations are attached as a supplement to your packet materials.



Forestry Department

OFFICE OF STATE FORESTER

2600 STATE STREET, SALEM, OREGON 97310 PHONE 378-2560

William Ball
To: JF Kowalewski
POTOMBLESON

May 26, 1982

Mr. Bill Young, Director
Department of Environmental Quality
P.O. Box 1700
Portland, Oregon 97207

Subject: Legislative Concepts for Residential Wood Heating.

Dear Bill:

Our staff has reviewed your "DEQ Legislative Concepts for Residential Wood Heating". We found nothing in your recommendation or alternatives that would be in conflict with Forestry Department programs and objectives.

Thank you for the opportunity to review your proposal.

Very truly yours,

H. Mike Miller
H. Mike Miller
State Forester

HMM:jp

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
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JUN 02 1982

AIR QUALITY CONTROL

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DEPARTMENT OF ENVIRONMENTAL QUALITY
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ASSOCIATED OREGON INDUSTRIES

P.O. Box 1006 • Tualatin, Oregon 97062 • (503) 620-4407

Ivan Congleton, president
Management Services Div.
Dept. of Environmental Quality

3. June 1982

Mr. William H. Young, Director
DEPARTMENT OF ENVIRONMENTAL QUALITY
P.O. Box 1760,
Portland OR 97207

RECEIVED
JUN 04 1982

RE: PROPOSALS FOR MODIFICATION OF THE POLLUTION TAX CREDIT LAW

Dear Bill,

We appreciated the opportunity to meet with you and your staff regarding the Department's preliminary proposals for modification of the tax credit program. There has been a limited time available to discuss these proposals with other affected parties or to have a formal meeting of our members. Thus our comments must be those of the writer alone and are not to be considered the official position of the association.

Proposal: Eliminate Notice of Election requirement for recipients of Pollution Control Facility Tax Credit Certificates.

Comment: This section of the statute (ORS 468.170(5)) should be repealed because no ad valorem relief will be available to any person who could claim a tax credit after December 31, 1982. For purposes of your records you might want to request of any applicant if he qualifies under ORS Chapter 61 or 62 for ad valorem relief under ORS 307.405. This question could be in the application form and need not be in the statute.

Proposal: Change in tax credit statute regarding "substantial purpose."

Comment: The Staff Recommendation appears to have merit. We suggest that the recommendation be modified by eliminating the second and third sentences. We suggest this because "upgrading" has a public benefit, and there is a practical limitation on how far an applicant will proceed beyond adopted regulatory requirements.

If your staff recommendation is adopted it will automatically eliminate those facilities where the applicant's primary purpose was really something other than pollution control, but now perhaps also falls within the substantial purpose rule. Therefore, you need not embellish it in the recommendation.

If you are concerned about process equipment being treated too liberally under present law, deal with the problem directly by eliminating process changes unless they meet the proposed substantial purpose test or are the pollution control activity being substituted for usual pollution controls (i.e. electric melting vs. air quality controls on a cupola in a foundry). Such changes also usually show up in the Return on Investment and tend to reduce the credits available.

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Finally, if you adopt this approach you can eliminate consideration of the proposed changes in preliminary certification. ORS 468.175 could be repealed as totally unnecessary because adoption of the substantial purpose rule virtually obviates the need for such certification. In order to maintain some limitation on time for filing, ORS 468.165 could be amended to provide that to be valid a filing for tax credit be made within 120 days of completion of the facility. The applicant would then have up to one year from the completion of the facility to file a completed application, which could be extended for good cause by the DEQ. You would have to keep the existing statute in place for outstanding facilities under construction who could not comply with this proposed change, but that is easily accomplished if you so advise legislative counsel.

Proposal: Eliminate the range of percentages allocable to pollution control.


Comment: Preliminarily the staff recommendation appears to have merit because it would provide more focus to the program. However, unless ORS 316.097 and 317.072 relating to personal and corporate taxes can be substantially amended to provide that the commission's determination of the credit is controlling, it would be a difficult chore to amend those laws.

If you proceed, we would suggest that narrowed ranges of percentages be used to avoid any conflicts that may arise. As an alternative you might want to consider giving the Commission authority to adopt such a range of percentages by rule. The statute would provide as a standard that the EQC substantially meet the requirements now provided by ORS 468.190. In this case, they should be required to set the amount of credit granted and amend ORS 316 and 317 to reflect that, but still there are problems in ORS 316 and 317 such as those relating to facilities with a useful life of less than 10 years.

Proposal: Exclude new facilities and expansions of existing facilities from qualifying for air, water or noise tax relief.

Comment: Most commentators who have reviewed the Oregon program have indicated that the Pollution Tax Credit program has played a major role in Oregon's environmental achievements. Today, most solid waste facilities have already been eliminated, and to remove the air, water and noise tax credits from new and modified existing facilities would effectively reduce the value of the program to a bare minimum. The air and water control programs are fairly mature and few existing industries would receive any significant, or now known, assistance in the future. Additionally, this program is helpful from an industrial location standpoint, and this proposal would remove a saleable program from our limited arsenal of Oregon attractions.

Sincerely,



Thomas C. Donaca, General Counsel



Department of Energy
 Bonneville Power Administration
 P.O. Box 3621
 Portland, Oregon 97208

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 DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
 JUN 04 1982

W. H. Young
J. Gillaspie
J. Weathershee

AIR QUALITY CONTROL

JUN 2 1982

In reply refer to: EPC

Mr. W. H. Young, Director
 Department of Environmental Quality
 P. O. Box 1760
 Portland, Oregon 97207

Dear Mr. Young:

Your May 6, 1982, letter to BPA Administrator Peter Johnson has been referred to this Division for response.

Thank you for the opportunity to comment on your department's preliminary proposals for new legislation dealing with wood stoves and the reduction of outdoor pollutant emissions. It is only through this type of interaction that complex issues such as this can be effectively resolved.

As you have indicated, wood stoves are used quite extensively in Oregon, and in fact, throughout the Pacific Northwest region. They provide a source of residential heat which displaces many conventional sources of heat, including electricity. For many people, wood heating is a cost-effective choice over other fuel types. Wood is plentiful in this area and is often available at a low cost. However, as you have indicated, heavy wood stove use in populated areas can have a significant impact on the outdoor air quality. In addition, continued growth of wood stove use may begin to impact our forested areas due to overcutting. In spite of these problems, it is unlikely that individuals will choose to stop burning wood. Therefore, we must assume wood burning will continue and the development of programs that encourage the use of more efficient, less polluting stoves is a worthwhile objective. We feel your proposals are directed at this problem and would, in time, result in better outdoor air quality for Oregon. We support your recommendation and encourage you to present it to your legislature.

To help in your consideration of this issue, we have provided below some general comments relative to wood burning from BPA's perspective. Our perspective regarding wood burning is based more on an electric energy conservation emphasis rather than one of outdoor air quality. These comments indicate our current position on residential wood burning as it relates to energy conservation. While our comments specifically address electrical conservation, they should generally apply to fossil fuel conservation as well.

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Wood burning, and in particular, a BPA sponsored program that provides a financial incentive for the installation of a wood stove has been suggested by many people as an effective energy conservation technique. The Tennessee Valley Authority operates a program like this in rural areas with success in their service area. However, we do not believe that such a program would provide significant electrical conservation in our region. In addition to the outdoor air quality problem, which you have indicated, a number of other problems arise concerning this type of program. They include 1) the lack of significant additional electrical energy savings, 2) the potential for worsening indoor air quality and other environmental impacts, and 3) the high market penetration of wood stoves in the region. These issues are discussed in more detail below.

Under a wood stove incentive program, electrical energy savings would be realized only through the installation of stoves in houses which do not already contain one. Since the penetration of wood stove use is already high throughout the region, we believe that there is very limited additional opportunities in other homes and therefore limited energy savings potential for such a program. Such a program would have to be available to everyone in the region; therefore, (almost certainly a majority) of the stoves installed would be replacement stoves. From all indications we have, such replacements, even if highly efficient, would not change the homeowners pattern of use for that stove. Thus very little, if any, electrical energy savings would be obtained. A more efficient stove would probably reduce the amount of wood burned, however.

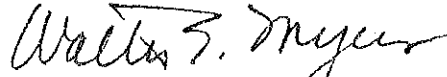
Indoor air quality is another problem as you have noted. Studies completed to date indicate that wood burning and stove use can cause an increase in indoor air pollution under various circumstances. Unfortunately, not enough research has been completed to fully characterize the scope of the problem or identify effective mitigations. BPA, as a Federal agency, is required by the National Environmental Protection Act (NEPA) to examine the environmental consequences of any action which would be considered a major Federal action, if undertaken. This examination would involve all environmental impacts including indoor air quality and others such as outdoor air quality and socioeconomic concerns. If the development of a wood stove incentive program was undertaken, these impacts would have to be reviewed and a decision as to the best course of action made. Although we can not definitively conclude without some type of environmental review, we believe that such a review would indicate that a program should not be justified.

The last problematic issue, from our prospective, for wood stoves is the current widespread use of stoves in the region. Homeowners realized the abundance of wood in the Pacific Northwest years ago and began using wood stoves then. Rapid increases in the price of all conventional fuels in the last 10 years has greatly accelerated this process. We believe no further incentive from us is necessary to encourage more installation of wood stoves to recover the energy savings available.

If a BPA incentive program were considered, it would probably have to be limited to the rural areas of the region as TVA's program has been. This is so because of a number of concerns including: 1) outdoor air quality, 2) rural areas usually have an abundance of wood at low or no cost, 3) the concentration of stoves would be less and, 4) their air shed is probably better able to handle the emissions from all stoves. However, rural areas represent a small proportion of electrical energy consumption and already have a high percentage of homes with operating wood stoves. Thus, from a utility conservation prospective, the program potential seems limited.

We are willing to provide testimony in support of your proposal if you feel it justified based on our comments. However, we believe that from a state environmental prospective, your analysis of the problem and the identification of possible remedies are correct. BPA would be unable to provide any new or unusual insights to the problem over the understanding you already have as indicated by the attachment to your letter. Please let us know if we can assist you further in this matter.

Sincerely,



Walter E. Myers, Director
Division of Resource Engineering



Oregon Lung Association INC. SINCE 1915

319 S.W. Washington, Suite 520 Portland, Oregon 97204 (503) 224-5145

Keep

ENVIRONMENTAL QUALITY COMMISSION

Testimony on Proposed Ozone S.I.P. May 26, 1982

I am asking the commission to examine one aspect of the ozone S.I.P. with a critical eye.

By 1987, Portland, is expected to achieve attainment for ozone, BY A VERY SMALL MARGIN, 1% or 2% of the total reduction required. This margin is so small that even a minimal modeling error could throw predicted attainment date off by years. Before you is a proposal to treat this PREDICTED MARGIN AS IF IT EXISTED NOW and allow growth in hydrocarbon emissions.

Information presented to the Portland Air Quality Advisory Committee regarding hydrocarbon emissions indicated that D.E.Q. projections over the past 3 years HAVE BEEN WRONG. Predicted reductions were not attained and initial estimates that ozone had been reduced were withdrawn and altered to state that no change had taken place in ozone levels.

Given this history of ozone related errors, it would seem prudent to treat the predicted attainment surplus as a safety margin and NOT AS A GROWTH MARGIN.

I request that you reject the S.I.P. as proposed and require that an offset policy be instituted to deal with future hydrocarbon emission requests.

Submitted by Joe Weller
Regional Director, Oregon Lung Association

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- (S)*

MINUTES OF THE PORTLAND AIR QUALITY ADVISORY COMMITTEE
December 15, 1981

The meeting was called to order by Chairman Dan Bracken. A quorum was established.

1. PUBLIC FORUM

No comments were made by the public. Dan Bracken welcomed new members Joe Weller of the Oregon Lung Association and Barbara Beasley of the League of Women Voters.

2. RECOMMENDED OZONE CONTROL STRATEGIES

Richard Brandman reviewed the results of two Ozone Subcommittee meetings. A key issue was whether or not to recognize a growth cushion in the ozone strategy. The proposed strategy would reduce hydrocarbon emissions about 1800 kilograms per day (kg/d) or 1.2% below the emissions level needed to meet the federal ozone standard (235 ug/m³ or 0.12 ppm) by 1987. Brandman indicated that it was the consensus of the subcommittee that the 1800 kg/d not be considered a growth cushion since it was within the error range ($\pm 10\%$) of the ozone model. The subcommittee also recommended that transportation projects now committed be included in the Ozone SIP but that the emission reductions from these projects not be allowed to be used for offsets by new or expanded sources.

Ted Spence questioned the purpose of providing a growth cushion that would not be available for use. Carl Halvorson indicated that a growth cushion is an important factor in getting industry to seriously consider potential expansion or location in the area. He indicated that it is important for public perception and attraction of desirable industry to have an available growth cushion. Ted Spence opined that the growth cushion should be available if it is there, especially since hydrocarbon emissions should continue to drop after 1987. Ann Batson indicated that the hydrocarbon emissions in the year 2000 are projected to be 4% less than in 1987.

Joe Weller and Denis Heidtmann questioned the use of an 1800 kg/d cushion which is within the error range of the model. Heidtmann indicated his concern on the projected growth cushion based on past history of emission projection accuracy. Weller opined that the assumption should be the worst case, i.e., 110% of estimated hydrocarbon emissions. Ann Batson said that this worst case would result in a third highest modeled ozone value of 256 ug/m³ instead of 235 ug/m³.

John Kowalczyk indicated that DEQ is hesitant to lock up the growth cushion. Andy Cotugno suggested an annual limit on the available growth cushion.

In response to a question from Bracken regarding what impact loss of the Indirect Source Program would have on the ozone strategy, John Kowalczyk indicated that the indirect source rule is not considered an ozone control measure.

Regional VMT projections are not affected by the indirect source rule. The primary purpose of the indirect source rule has been to prevent "hot spot" carbon monoxide problems.

There was some concern that Clark County Washington could use the entire 1800 kg/d growth cushion. Brandman indicated that the growth cushion is based on a 1600 kg/d Oregon portion and a 200 kg/d Clark County portion. Andy Cotugno indicated that the Oregon and Washington SIPs must be compatible to be approved by EPA (i.e., a 200 kg/d growth cushion for Washington and a 1600 kg/d growth cushion for Oregon).

Joe Weller asked what would be the impact if the EQC adopted or maintained a state ozone standard lower than the federal ozone standard. Kowalczyk indicated that the current EQC direction is to attain the federal standard first, then evaluate potential strategies to comply with the state standard by 1992. The EQC will reevaluate the state ozone standard at its January 1982 meeting. Kowalczyk felt the EQC was leaning toward adoption of the federal standard.

Brandman indicated that the PAQAC recommendations on this issue would be forwarded to both DEQ and Metro. If there are differences, DEQ and Metro will try to resolve these with PAQAC. Metro's first priority is the airshed, but its second priority is to allow growth and to make the area attractive for new development.

A motion to endorse the Ozone Subcommittee recommendation to not recognize the 1800 kg/d growth cushion failed 5-6. Ted Spence then moved and Tom Donaca seconded the following motion:

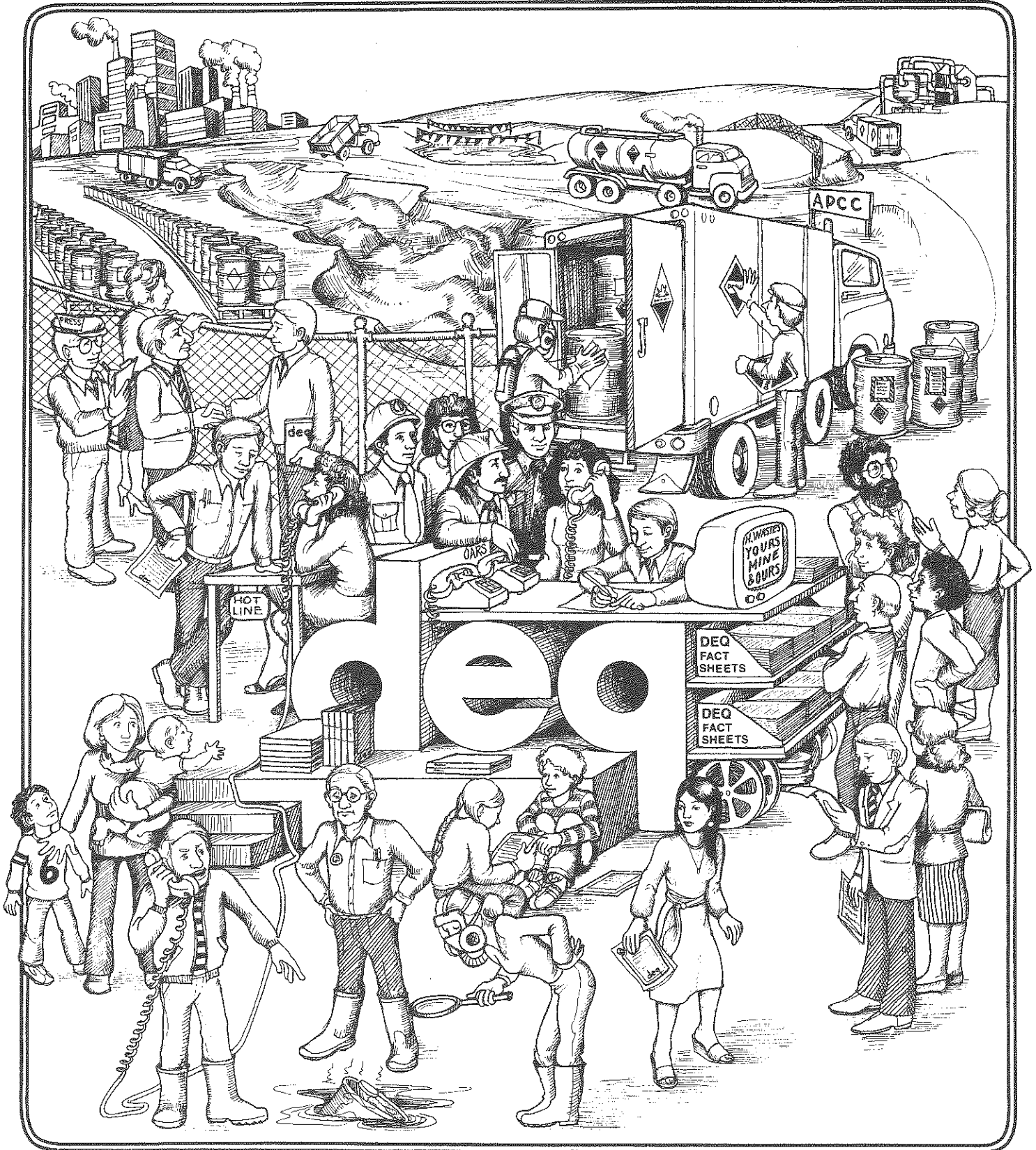
"DEQ should administer an 1800 kg/d hydrocarbon growth cushion and METRO should incorporate all committed transportation projects into the ozone SIP."

Trygve Steen questioned if a growth cushion was appropriate while the area was still an ozone nonattainment area. Heidtmann questioned if the available growth cushion would be Reasonable Further Progress and consistent with the Clean Air Act. Kowalczyk indicated that growth cushions based on projected emission reductions can be administered in nonattainment areas and be consistent with Reasonable Further Progress and the Clean Air Act. The above motion passed 8-4.

3. WOODSTOVE SUBCOMMITTEE REPORT

Denis Heidtmann reviewed recent discussions of the Woodstove Subcommittee. The subcommittee is now evaluating several background documents provided by Barbara Tomblason of DEQ. Heidtmann distributed

THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY



**MANAGING SOLID WASTE
IN OREGON**

1981 ANNUAL REPORT

About the Cover

The artist for the cover is Diane Schatz, a free-lance graphic designer who specializes in environmental themes. She designed the fact sheets and seven full-color posters for DEQ that illustrate solid waste issues. The original artwork of the posters is displayed throughout Oregon every year. An illustration from one poster was used for the 1980 annual report cover.

The theme for this cover was selected because of the emphasis on proper hazardous waste management in 1981. DEQ's hazardous waste program continues to grow as Oregon acquires the authority to manage hazardous waste in the state. Many new activities in the state hazardous waste program occurred in 1981, which are described further in the report.

MANAGING SOLID WASTE IN OREGON

1981 ANNUAL REPORT

Solid Waste Division

May 1982

Oregon Department of Environmental Quality
522 S.W. Fifth Avenue
Portland, Oregon 97207

Credits

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Gary Calaba, Data Base Coordinator
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INTRODUCTION

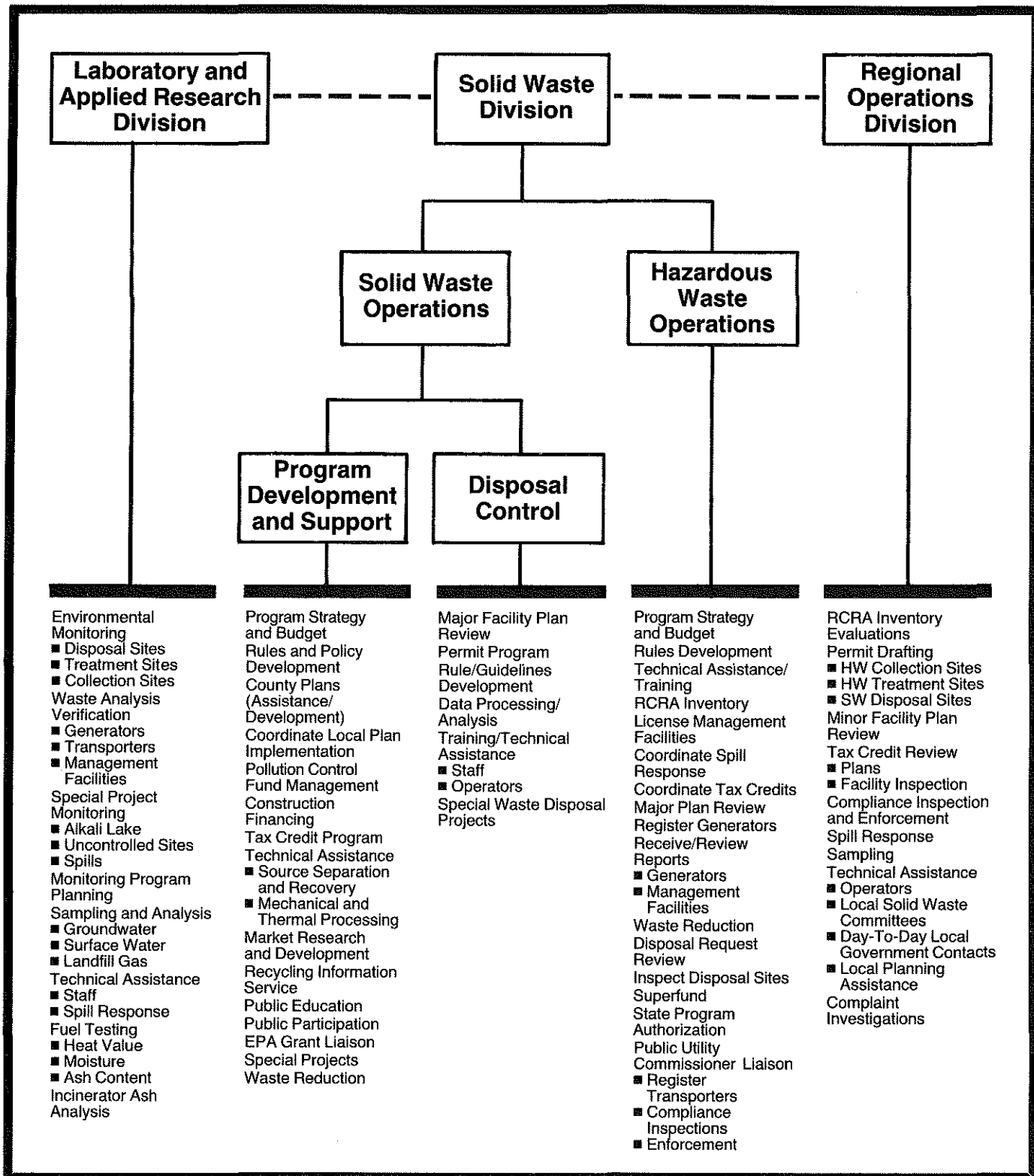
This report summarizes solid waste events and activities in Oregon for 1981. They are blended into a background narrative describing trends and issues in solid waste management.

It was a year of change for the DEQ Solid Waste Program. Beginning in July, a new two-year budget with less resources precipitated a tightening of the organizational structure (Figure 1) and reprioritization of work in the goals and objectives program planning process. Federal funding of hazardous waste activities peaked while the Legislature approved a more complete hazardous waste program for Oregon and the Environmental Protection Agency (EPA) approved Phase-I Interim Authorization for Oregon. Funding and leadership in the municipal waste management battle stalled at the federal level (hopefully only temporarily), leaving the states to continue their major role.

You will read how more Oregon communities became active in recycling as a diversion to land disposal. Landfill capacity continued to diminish as some old sites closed and no new sites were established, in spite of identifying potentially acceptable sites by private operators, local government, and the state.

Energy recovery opportunities remained attractive to the Portland metropolitan areas.

Details about specific county or regional solid waste management programs and our hazardous waste management activities are presented in the Oregon Solid Waste Management Status Report 1979 and Oregon's Hazardous Waste Management Status Report 1980. Other publications are available on request as listed in the "Additional Information" Section, page 49.



1
FIGURE

The Structure of the Solid Waste Program Changed in 1981 as Two Distinct and Logical Sections Emerged from the Solid Waste Division: Solid Waste Operations and Hazardous Waste Operations

SIGNIFICANT EVENTS - 1981

Legislation

During the 1981 Legislature, a majority of bills on hazardous waste issues were successful. However, solid waste bills were not as successful. Bills that passed concerned the management of hazardous waste, disposal of low-level radioactive waste, Interstate Compact (all hazardous wastes), Pollution Control Bond Fund, tax credit application fees, Marion County resource recovery, and tax credits for Metro's resource recovery facility (all solid wastes). Bills that were unsuccessful covered funding waste reduction plans, financial assurance for landfill closure, sludge application authority, and permit fees.

The Legislative Task Force for the Solid Waste Division monitored the progress of the bills throughout the Session. Another group, the Hazardous Waste Task Force was instrumental in the passage of the hazardous waste management bills.

Hazardous Waste

The biggest news came on July 16, 1981, when the EPA approved the first phase of Oregon's hazardous waste program to operate in lieu of the federal program. Tentative plans for application for the second phase is June 1982 with final authorization application in 1983 or 1984. The main areas yet to be authorized are permitting procedures and final standards for disposal facilities (landfills, land treatment, and disposal surface impoundments).

A major achievement was the licensing of five facilities to treat hazardous wastes and five facilities to temporarily store hazardous wastes.

Another example of Oregon industry's commitment to environmental protection is when 14 companies voluntarily agreed to pay for the removal of 2,000 drums of hazardous waste from a treatment facility. The Caron Chemical facility in Monmouth, Oregon, was forced to close because the operator had insufficient funds to pay for the proper management of the remaining waste.

Solid Waste

Despite the depressed market conditions, material recovery prospered. For example, with the aid of a tax credit, a facility was constructed in Hermiston for recovery of cardboard and newsprint; Corvallis officials maintained a city-wide, source-separation program through a private collection firm; and the Metropolitan Service District (Metro) provided \$75,000 in grants to 17 firms for recycling activities including support for the Portland Recycling Team dropoff centers. Private collection firms in the Portland metropolitan area offered home pickup service for source-separated materials, and Washington County collectors began picking up

newspapers from customers every week. Another recycling event was the tenth anniversary of the Oregon Bottle Bill in 1981.

Marion County continued to pursue studies on a possible energy recovery program in the Salem area. In Lane County, tests conducted on emissions from the University of Oregon's boilers were deemed successful and the County is preparing to enter into a Phase-II study for use of the material. Metro continued negotiations with Wheelabrator-Frye for construction of an energy facility designed to burn garbage.

Fourteen tax credits for solid waste projects totaling \$24 million were granted during the year.

In August 1981, the Environmental Quality Commission (EQC) adopted substantial amendments to the Department of Environmental Quality's (DEQ) rules governing the establishment and operation of landfills. These were the first amendments since original adoption in March 1972.

The Department evaluated proposals during 1981 for new major landfill sites in Columbia, Clatsop, Marion, Multnomah, and Yamhill Counties. All the landfills received preliminary approval except for the Ocaw Ranch (OW) site in Marion County. No new landfills were established during 1981, however, and the total number of landfills decreased slightly. Several marginal or substandard landfills were closed, including sites in Benton, Hood River, Josephine, Klamath, and Linn Counties.

The Department completed the second year of its statewide evaluation of 125 disposal sites according to the Resource Conservation and Recovery Act (RCRA) of 1976. Four landfills were removed from the 1980 Open-Dump List and three sites were added in 1981 for a total of 30 facilities.

Program Support

The Regional Operations Division completed 1,903 solid waste actions, including complaint investigations, permit and compliance field inspections, source site evaluations, and compliance conferences.

The Laboratory and Applied Research Division analyzed 472 solid waste and hazardous waste samples, involving 20 landfills.

The major production of the public information staff was a hazardous waste slide show.

Metro's acquisition of the Recycling Switchboard duties for the Portland metropolitan area provided more time for DEQ's Recycling Information Service to give attention to the rest of the state and to revitalize the waste oil program.

The public participation program involved the Legislative Task Force during the 1981 Legislature and the Task Force on Rules and Program Direction in the fall 1981. The public also participated in the Division's Goals and Objectives Planning Session in November.

LEGISLATIVE REPORT

Two major themes dominated the 1981 Legislative Session: (a) reduce demand on the State General Fund and (b) reduce government interference with citizens and local governments. But despite budget reductions, DEQ's regulatory authority remained intact with increased authority in hazardous waste management.

Agency bills that passed were:

- o Senate Bill (SB) 142, allowing the Pollution Control Bond Fund to loan up to 100 percent (up from 70 percent) of the cost of an eligible project and increasing the amount of outstanding bonds from \$160 to \$260 million.
- o House Bill (HB) 2288, allowing DEQ to charge a fee for processing of tax credit applications.
- o SB 146 and HB 2301, giving the state additional regulatory authority for improved management of hazardous waste, and placing the state on a sound basis for full authorization to operate in lieu of a federal waste management program.

Key issues of SB 146 and HB 2301 include: (a) allowing EQC to adopt rules governing transportation of hazardous wastes by air and water, and the Public Utility Commissioner (PUC) to adopt rules and standards regulating transportation by rail, (b) requiring hazardous waste collection and treatment facility operators to maintain a bond that covers license conditions and costs of closing the facility, (c) increasing criminal penalty from \$3,000 to \$10,000 for each day of violation, and (d) expanding civil penalty authority to cover any violation of statute, rule, EQC order, or license condition, and establishing maximum penalty of \$10,000.

Other issues are: (a) requiring EQC to provide for highest and best practicable disposal of hazardous wastes to minimize uncontrolled releases and amount of land used, (b) requiring a report to the 1983 Legislature on consequences of and alternatives to burying flammables and other hazardous wastes, and (c) allowing DEQ to limit, prohibit, or otherwise restrict the disposal of certain hazardous wastes to protect public health and safety or to prolong the useful life of the site.

Bills introduced by others that received favorable consideration were:

- o SB 108, allowing disposal of some naturally occurring low-level radioactive wastes within the state, including small vials of waste solvents containing radioactivity from medical laboratories. See page 9, "Disposal," for more information on the impact of this bill.
- o SB 479, constituting a possible major step towards energy recovery. Marion County may exercise control over all but source-separated

solid wastes. The bill allows authority over regulating, licensing, franchising, and certifying of disposal, transfer, and resource recovery facilities. The new statute also provides for the state to enter into long-term contracts for purchase of solid waste or fuel derived from solid waste.

- o HB 3220, allowing tax credit for resource recovery at full cost if initiated before December 31, 1983, and allowing tax credit to be shared among those with a financial interest (e.g., Metro's proposed resource recovery facility).

Bills the Department actively advocated but were unsuccessful included:

- o SB 138, allowing funding of waste reduction plans out of the Pollution Bond Fund (perceived to be an expansion of the fund but actually clarifies existing authority).
- o SB 144, requiring performance bonds or other financial assurance for the proper closure of landfills. But the bill was perceived to be an increased cost to local government without a strong showing of need. As more unanticipated closure problems with high costs occur, the need for financial assurance will become more apparent. DEQ continues to consider this requirement to be reasonable.
- o SB 145, clarifying DEQ authority over sludge application. The bill was intended to clarify the authority to regulate the agricultural use of sludge. Since food processors wanted a special exclusion for food wastes in the bill and the assigned legislative committee became involved in land-use legislation, SB 145 never made it. Because of the potential health hazards with improper agricultural use of sludge, DEQ plans to present the idea again to the 1983 Legislature. (For more information, refer to "Sludge Management," page 39.)
- o HB 2287, requiring permit fees. But local government and disposal site operators opposed the bill and the House Environment and Energy Committee tabled it with a 5 to 4 vote. Because retraction of federal funding of state programs and the state General Fund shortfalls are seriously threatening the environmental programs, the Solid Waste Program is seeking other sources of funding from public and private municipal and industrial waste operations that correspond with similar activities in the program. The funding issue must be resolved for the 1983-85 state budget.

A bill that passed but was opposed by the Department was SB 327, prohibiting the EQC from banning backyard burning until mid-1982.

Advisory groups for the Solid Waste Program assisted DEQ in the legislature process. The Hazardous Waste Task Force represented by Oregon industries reviewed the need for additional regulatory authority and explored the question of EPA or DEQ running Oregon's hazardous waste program. Their assistance was very important for the passage of SB 146 and HB 2301.

The Legislative Task Force made up of representatives of the solid and hazardous waste industries, local government, recyclers, and the public met weekly in Salem during the legislative session to monitor legislative progress and exchange views on bills of mutual interest. The open communication was valuable in heading off unnecessary misunderstandings over legislative intent. The Solid Waste Program intends to continue the task force process for communication on and development of legislative proposals for the 1983 Legislature. Refer to the "Public Participation," page 45, for more information on task forces.

HAZARDOUS WASTE

Hazardous waste is (a) useless, unwanted, or discarded pesticide materials, (b) residues from any process of industry, manufacturing, trade, business, or government that may cause or significantly contribute to serious illness or death, or (c) empty containers for transport, storage, or use for a material or waste classified as hazardous. A hazardous waste requires extra careful management because of characteristics such as ignitability, reactivity, corrosivity, or toxicity. Regardless of the characteristic(s), all hazardous wastes have one of several things in common: They may present a handling hazard, may pose an immediate hazard to our health, or may disrupt the biological, physical, and chemical threads that bind together the building blocks comprising the environment.

In 1981, an additional 39 Oregon firms registered as hazardous waste generators, bringing the total to 191. Altogether, they generated 454,831 cubic feet of hazardous waste. An additional 73 hazardous waste transporters registered with the PUC bringing the total to 156 (72 Oregon haulers and 84 out-of-state haulers).

The generated waste was transported to treatment and collection sites (52,963 cubic feet in Oregon) or disposal sites (306,980 cubic feet at the Arlington Pollution Control Center in northeastern Oregon). (The amount of hazardous waste treated in Oregon is based on data from the last two quarters of 1981.) Also note that not all Oregon hazardous waste went to treatment or disposal sites in Oregon; for example, 94,888 cubic feet was disposed of in other states.

Refer to the following discussions on treatment, collection, and disposal as well as Phase I-Interim Authorization, Superfund, and rulemaking for a better understanding of the hazardous waste program in Oregon in 1981.

Treatment and Collection

Since adoption of treatment and collection rules in 1980, five facilities were licensed in 1981 for treating hazardous waste: Sol-Pro, Van Waters and Rogers, Tektronix, Baron Blakeslee, and Pacific Chemical Laboratories. Tektronix treats only their own heavy metal and industrial solvent-contaminated wastes; the other four facilities treat a variety of industrial solvents for recovery and reuse. Including Tektronix, 52,963 cubic feet of hazardous wastes were treated with 31,777 cubic feet of usable product recovered. Unusable residues from the treatment processes are hauled to an authorized disposal site.

Also, five facilities were licensed in 1981 for collecting hazardous waste: Sol-Pro, Van Waters and Rogers, Chem-Security, Tektronix, and Baron Blakeslee. The collection sites handle primarily industrial quantities of hazardous wastes, a service that provides a staging area for smaller quantities of hazardous wastes for numerous companies. Once collected, more efficient and economical transportation is arranged to authorized treatment and disposal facilities.

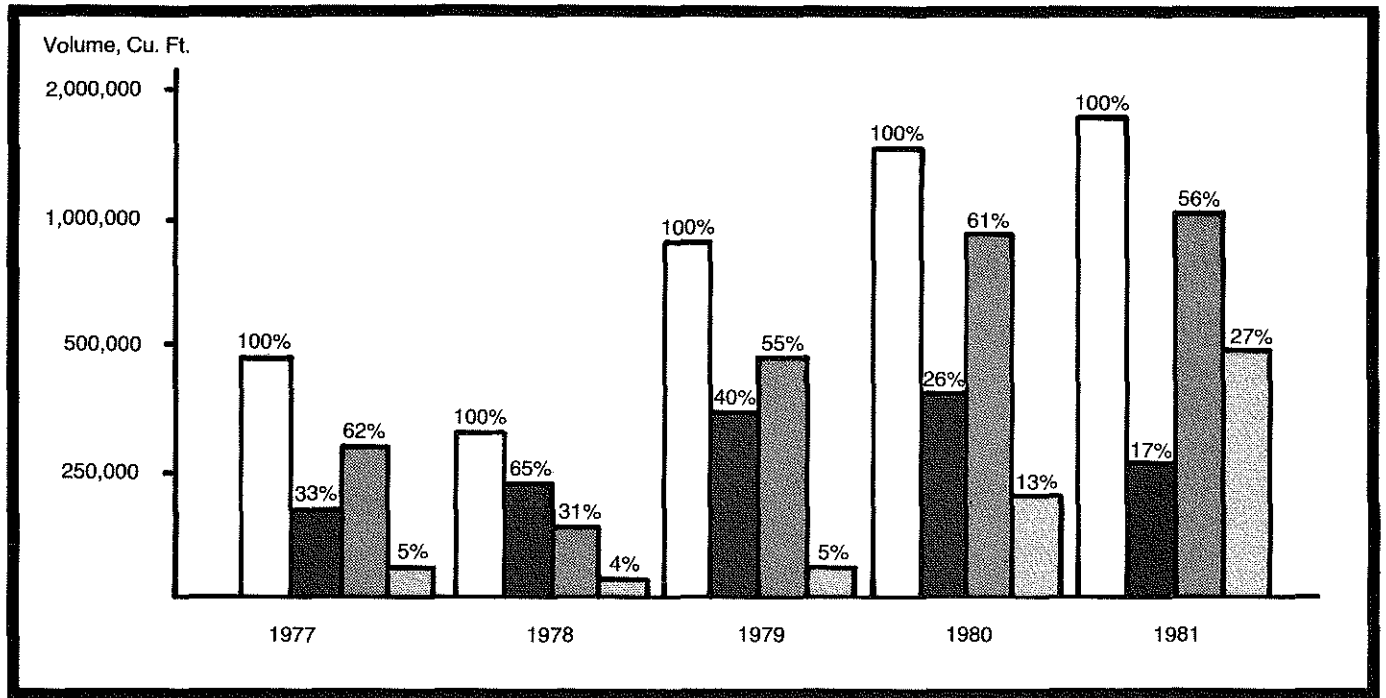
Disposal

As in 1979 and 1980, volumes of hazardous waste disposed of at the Arlington Pollution Control Center (APCC) continued to rise significantly during 1981 (see Figure 2). This rise is largely the result of hazardous waste programs implemented in Oregon and other states in the Pacific Northwest. The APCC received and disposed of 306,980 cubic feet of Oregon-generated waste, which is about 17 percent of the total waste volumes received and disposed of.

As shown in Figure 3, wastes received at the APCC are managed through various ways.

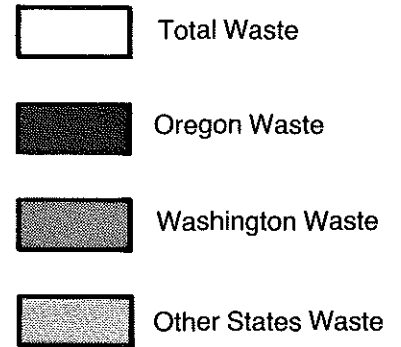
- o Environmentally persistent or acutely toxic wastes are buried in six specially designed disposal trenches and covered daily with earth. Incompatible wastes are separately handled in the trench.
- o Liquid wastes that can be evaporated are placed in nine large evaporation ponds with synthetic liners that prevent seepage into the soil. The ponds are surrounded by a fence to keep animals out, and flags are strung across the ponds to frighten the birds so they don't come near the ponds.
- o Certain wastes that require neutralizing or detoxifying (e.g., waste acids, cyanide-containing plating waste) are piped to the treatment facility before burial.
- o Liquid polychlorinated biphenyls (PCBs) and PCB capacitors are placed in the special PCB storage area for eventual shipment to authorized incinerators in Arkansas and Texas. The first two shipments of liquid PCBs, approximately 7,000 gallons, were sent to the Texas incinerator during 1981.
- o Through land treatment, organic wastes that can be biologically degraded (such as oil) are spread on and tilled into surface soil for degradation by soil bacteria.

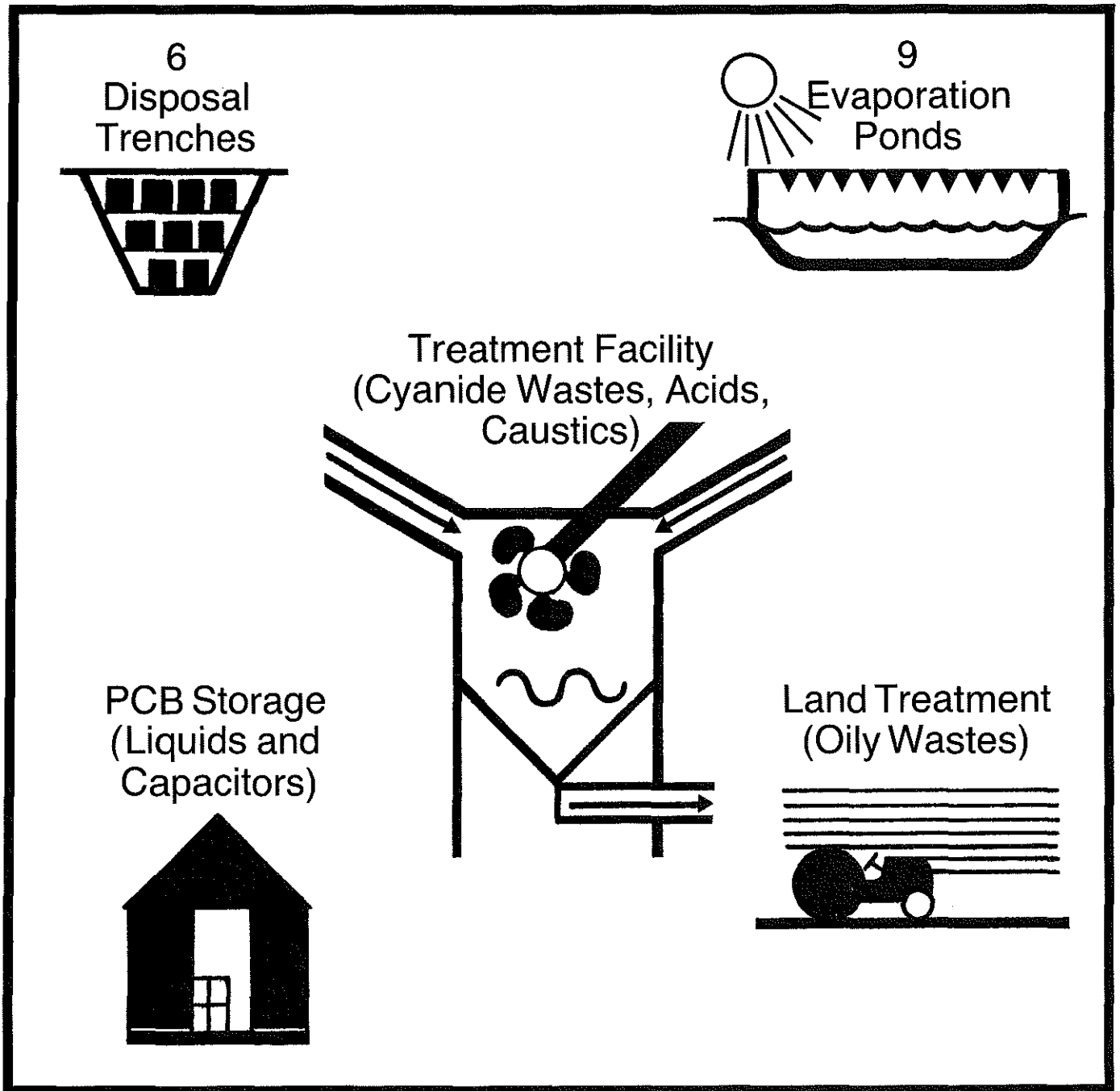
As a result of legislative action (SB 108), hazardous waste disposal sites are now allowed to treat or dispose of medical, industrial, and research laboratory wastes (i.e., small vials of wastes solvents and animal carcasses) containing very low-level radioactive materials. The Oregon Legislature reached this decision after learning that the Nuclear Regulatory Commission removed these wastes from their list of radioactive wastes. Also, low-level radioactive waste disposal sites (such as Hanford in Washington) adopted policies prohibiting receipt of these materials after December 31, 1982. With the cooperation of the State Health Division, DEQ may take action through adoption of rules during 1982 to allow the APCC to receive these legislatively authorized wastes.



2
FIGURE

The Total Amount of Hazardous Waste Disposed of in Oregon Increased in 1981





3
FIGURE

Five Methods are Available at APCC for Hazardous Waste Management

Phase I-Interim Authorization

On July 16, 1981, the Oregon program got a psychological boost when EPA granted Phase I-Interim Authorization to that portion of the state program that was substantially equivalent to EPA's rules for general definitions, classifications of hazardous waste, generators, transporters, and management facilities. Because of delays and uncertainties at the federal level dealing with final standards for new and existing storage, treatment, and disposal facilities, Oregon decided during late 1981 to pursue Phase II-Interim Authorization for Component A (permitting authority) and B (incinerator standards). A draft application will probably be submitted in March 1982 and a formal application in June 1982. With the current status of EPA's program, Final Authorization will be applied for in 1984.

Superfund

In 1981, major federal implementation of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Superfund) also occurred. Again, because of delays and uncertainties at the federal level, Oregon's role was one of critiquing various drafts of the National Contingency Plan and Degree-of-Hazard Ranking Model (prepared under contract by the Mitre Corporation). In the meantime, DEQ made additional efforts to complete investigations under the Uncontrolled (Abandoned) Hazardous Waste Disposal Site Survey. Rhone-Poulenc and Stauffeur Chemical began two major groundwater monitoring programs and Gould, Inc. proposed a third for installation. All three companies are in the Portland area. Industry was also cooperative in the cleanup of 2,000 drums of hazardous waste at the Caron Chemical treatment facility in Monmouth, Oregon. Through a voluntary agreement with the original generators of the waste, all the waste was removed to an authorized disposal site without incident. Groundwater monitoring of wells in the area showed that no additional cleanup was needed. The speed with which agreement and cleanup was achieved (less than two months) is yet another indication of Oregon industry's willingness to solve existing or potential environmental problems.

Knowing the amount of Oregon's hazardous waste produced, who produced it, how it is transported, and how and where it is treated or disposed of, is only part of the hazardous waste management story. The present and future challenge is to reduce the hazardous waste production at the source, and to recover and reuse the usable portion of the waste produced. As more companies collect "dirty" solvents and recover materials for reuse like the companies who are licensed to collect and treat hazardous wastes, the life of our chemical waste landfill will be prolonged, and the high economic burdens associated with hazardous waste disposal will be partially reduced.

Rulemaking

The Solid Waste Division made extensive efforts during 1981 to involve the public, regulated community, and other interested people in several changes to the existing hazardous waste rules. One of the changes gives the Department authority to assess civil penalties up to \$10,000 per day for violation of any statute or rule. The other changes would clarify those rules dealing with management of pesticide wastes (e.g., excess spray mixtures and equipment wash-down water) and empty pesticide containers. EQC will probably consider both actions for adoption in early 1982.

In addition, the program prepared a schedule for major rule revisions to enable Oregon to apply for Final Authorization. Expected to take 3 years, the proposed rule revisions are divided into eight subjects on generators, permit issuance, air and water transportation, storage and treatment standards, hazardous waste classification system, disposal site standards, motor vehicle and rail transportation (to be handled by PUC), and the total package incorporating all of the above. The strategy reflects the anticipated order in which EPA may finally resolve similar issues at the federal level. The first set of rules for generators was distributed for comment in December 1981. The informational meetings planned for each rule package will involve the public, regulated community, and other interested people. The feedback received at the meetings will help make the rules more understandable.

SOLID WASTE

Solid waste is an unwanted, discarded material, such as garbage, rubbish, refuse, ashes, waste paper, cardboard, sludge, abandoned vehicles and home appliances, dead animals, and commercial, industrial, demolition, and construction scrap. However, solid waste does not include materials used for fertilizer or other productive purposes in agricultural operations.

Managing solid waste covers two major areas: (a) reduction of the amount of materials that become garbage during the manufacture, distribution, and consumption of goods, and then recovery of the useful materials or energy for reprocessing or reuse, and (b) storing, collecting, transporting, treating, and disposing of the unwanted, discarded materials.

Solid waste begins with generation. In 1981, Oregonians generated about 2 million tons of municipal solid waste, or about 1,500 pounds for every person. (Municipal solid waste is produced in residential, commercial, and institutional settings).

Table 1 shows that in 1981 approximately 1.1 million tons, or 55 percent of all waste was produced in the five major urban areas located in the Willamette Valley. An additional 600,000 tons were generated by the 694,000 residents in the remaining eight urban areas, and about 300,000 tons were produced by the 526,000 residents of rural Oregon.

TABLE 1. ESTIMATED AND MEASURED AMOUNT OF MUNICIPAL SOLID WASTE DISPOSED OF IN FIVE URBAN AREAS OF OREGON IN 1981

<u>Urban Area</u>	<u>Population</u>	<u>Tons/Year</u>
Portland	998,000	784,000 ^a
Salem	100,000	88,000 ^b
Eugene-Springfield	180,000	147,000 ^c
Corvallis-Albany-Lebanon	79,000	67,000 ^d
Medford-Ashland	<u>55,000</u>	<u>45,000^e</u>
Total:	1,412,000	1,131,000

- a. Measured weight was estimated by Metro during their 1981 fiscal year (July 1, 1980, to June 30, 1981).
 - b. DEQ estimate using 4.81 pounds per capita per day (PCD) generation rate.
 - c. Measured weight according to Lane County Solid Waste Division.
 - d. DEQ estimate using 4.66 PCD generation rate.
 - e. DEQ estimate using 4.52 PCD generation rate.
-

Refer to the following discussions on waste reduction and disposal for activities in these areas in 1981.

Waste Reduction

Waste reduction is reducing the amount of materials that become garbage during the manufacture, distribution, and consumption of goods. Another part of waste reduction is recovering the useful materials or energy for reprocessing or reuse. This section covers the status of waste reduction plans, material recovery, energy recovery, used-oil recovery, and tax credits.

Status of Waste Reduction Plans

One effort to reduce Oregon's garbage was instituted by the 1979 Legislature with the passage of SB 925. The bill says that before a local government can get Pollution Control Bond Fund money or a permit for a landfill in an exclusive farm-use zone, the local government must submit to the DEQ a plan for reducing the local area's waste.

Six jurisdictions submitted waste reduction plans or drafts of plans in 1981, and three have begun implementing them.

In order to be accepted, the plans have to fulfill criteria spelled out in the Oregon Administrative Rules, Chapter 340. The plans must include (among other things):

- o Commitment by the local jurisdiction to reduce waste volumes
- o Description of the waste reduction techniques chosen by the jurisdiction
- o Statement of the local resources committed to the waste reduction program
- o Timetables for implementing the program
- o Cost effectiveness and energy efficiency analyses for the waste reduction techniques chosen
- o Estimates of materials to be saved and pollution to be reduced by the program
- o Data about the volume and composition of waste in the area.

None of the plans submitted in 1981 were complete enough or consistent enough with the rules to warrant approval. However, some of the local agencies have begun implementing their plans while preparing to submit additional information to DEQ.

Following is the current status of waste reduction plans:

Metro, which was required to develop a waste reduction plan when it received \$1.9 million from the DEQ for expanding the St. Johns Landfill, has begun implementing a program. The Metro Council approved a four-part plan that covers yard debris recovery, recycling, source separation support, and packaging waste control.

Out of some 25 key tasks outlined in the plan, Metro is currently working on the following: educating citizens about home composting, encouraging curbside collection programs, funding drop-off centers, providing for recycling at Metro disposal sites, assisting with market development for recyclables, continuing the Recycling Switchboard, providing promotional and educational materials, supporting office paper recycling programs, and distributing information about packaging waste to consumers.

Lincoln County prepared and adopted a plan in anticipation of receiving up to \$180,000 for constructing a new sanitary landfill. The first phase of the plan, maintaining the existing dropoff project in Newport, is being carried out. The other elements of the plan--improving public awareness about waste reduction, coordinating marketing activities for county recyclers, and setting up recycling facilities at a new county landfill with satellite depots in other parts of the county--hinge upon development of the new landfill.

Tillamook County submitted a draft plan to the DEQ in order to get \$257,000 for constructing a new sanitary landfill and a transfer station. The County has begun a recycling project at the Tillamook Landfill, but the rest of the plan is on hold pending Solid Waste Division assistance in completing the plan.

Clatsop County's plan is not yet being implemented. Prompted by a request for \$33,874 for locating a new landfill, the plan calls for recycling facilities at the new site, promotion of waste reduction, development of procurement standards for the county government, and reduction of fees for haulers providing multimaterial collection.

Klamath County submitted a draft plan when it requested \$56,200 for constructing a transfer station and for buying equipment. The County requested Solid Waste Division assistance in completing a plan.

Columbia County gave the DEQ an outline for a plan and an agreement to complete it by July 1982. The County is receiving \$49,000 for studying the feasibility of a site and for designing a new landfill.

Lane County contracted for the development of a waste reduction plan, even though it hasn't requested any money or support from the DEQ. The County intends to incorporate the plan into its overall solid waste management plan.

Material Recovery

Material recovery is the recovery of paper fibers, glass, ferrous and nonferrous metals, and other valuable materials from the waste stream. The financial status of material recovery in Oregon produced mixed signals in 1981. Oregon remained the national leader in recycling, and corrugated cardboard, newspaper, and glass recycling plants in Oregon used out-of-state sources for supplies. However, Oregon recyclers were not exempt from the effects of the recession. Some areas of recycling suffered along with the poor housing and construction markets, but other areas of recycling stayed strong or continued to grow.

Hardest hit areas were the traditionally active commodities of corrugated cardboard and waste (or secondary) aluminum. Demand and price structures for these materials dropped dramatically. The result was the curtailment of recycling of much corrugated cardboard and stockpiling of large inventories. Aluminum recycling levels remained high but prices dropped to basement levels, orders were cut, and inventory storage was costly.

Glass and newspaper acted as stabilizers in 1981. Glass price and demand remained constant. Oregon was fortunate to have developed a local market for old newspaper for deinking, which kept the supply system active. Oregon recyclers were unhappy with the price level and the occasional quota restrictions but were more fortunate than out-of-state recyclers who saw the demand for their old newspaper disappear. International demand for old newspaper and construction-related Oregon markets were very weak in 1981.

In overview, recycling is alive in Oregon. The portion of the system that slowed down because of the poor economy is poised for a rallying comeback. The portion that sustained a high level of recycling will grow when the normal economy returns.

In 1981, Lane County recycled approximately 55,178 tons of material that otherwise would have been disposed of. Table 2 shows the amounts recycled according to the class of material in Lane County.

TABLE 2. AMOUNT OF MATERIAL RECYCLED IN LANE COUNTY IN 1981^a

<u>Material</u>	<u>Tons</u>
Newsprint	8,640
Glass	1,690
Corrugated Paper	9,276
High-Grade Paper	1,440
Aluminum	1,436
Ferrous Scrap Metal (including tin cans)	31,736
Other Nonferrous metal	522
Plastic	<u>408</u>

Total: 55,148

a. Lane County Recovered Materials Marketing Study, 1981, Resource Conservation Consultants (Portland, OR), Pacific Economica (Salem, OR), and Franklin Associates (Prairie Village, KS).

East of the Cascades, in Hermiston (population 9,500), about 600 tons of corrugated paper were recycled in 1981. Sanitary Disposal Inc. headed up the recycling project with the financial assistance of a tax credit provided by DEQ. The facility consists of an automatic feed baler with preshredding. The corrugated paper is shipped over 400 miles to North Bend. Working with local organizations that sponsor newspaper dropboxes, the firm also recycles nearly 50 tons of newsprint per month.

In the Portland metropolitan area, over 20 garbage collectors provide home pickup recycling services and 200 sites are available for people to drop off their recyclables. In 1981, recyclers collected around 100,000 tons of recyclables that otherwise would have been disposed of in landfills. According to the 1981 Metro waste reduction plan, 30 percent of the approximately 800,000 tons of municipal solid waste disposed of in Portland area landfills could have been recycled or recovered.

Throughout the state, about 50 recycling companies serve more than 200 community and commercial recycling programs in 28 counties and 65 cities. The recycling companies collected more than 400,000 tons of recyclables, which included materials coming in from out of state (based on a 1978 DEQ market survey). One recycled material is container glass as shown in Figure 4. Although an apparent decrease in glass recycling was recorded, an increase in the reuse of glass containers actually occurred. In fact, reuse of glass containers has increased annually since 1975. (The 1980 recycling number reflects a beverage manufacturer's change from a process that remelted and reshaped the containers to a process that reused the container in its original shape.)

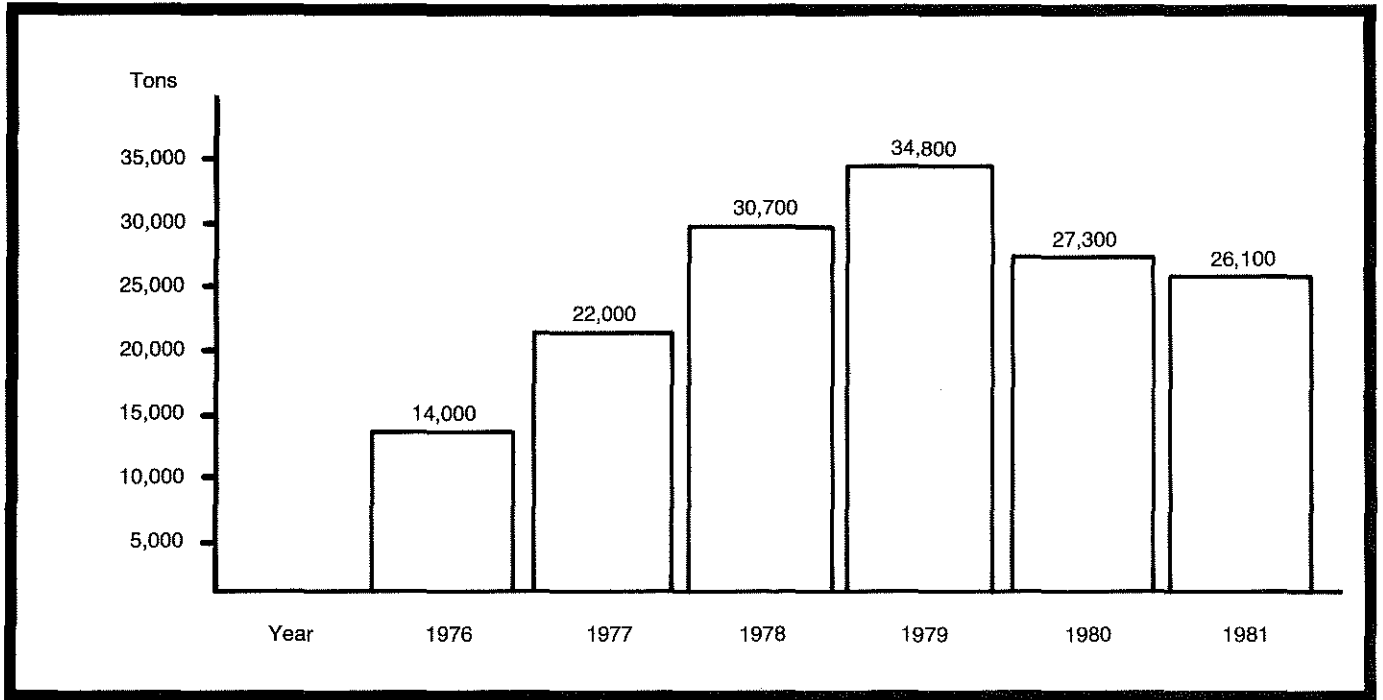
The Solid Waste Program actively supports the recycling concept. Through recycling, material can be diverted from landfills for reuse or reprocessing and Oregonians can save money. Even though recycling efforts around the state were substantial in 1981, we estimate that 600,000 tons more material could have been recycled (30 percent of the estimated 2 million tons disposed of). Every ton of recyclable material discarded as waste in 1981 cost Oregonians \$59 to \$79 for collection and disposal.^a

Energy Recovery

Energy recovery is any process or technology that converts solid wastes into a fuel to produce energy from the steam or hot water. Examples of conversion technologies include mass burning and production of refuse-derived fuel, methane, or alcohol.

No best technology exists that can be used everywhere to recover energy from solid wastes. Factors that influence the selection of a

a. Calculated cost is based on the assumption that one can weighs 30 to 40 pounds, or 50 to 67 cans would equal one ton. The equation is 12.5 to 16.8 months (to collect one ton of garbage) X \$4.70 (average collection cost for one can) = \$59 to \$79. Monthly average collection cost for one can of \$4.70 in 91 Oregon cities is from Kathy Tri, Bureau of Governmental Research, University of Oregon, 1982.



4
FIGURE

**The Amount of Glass Cullet Recycled in 1981
Decreased Slightly Compared to the
Previous Year**

Year	Tons
1976	14,000
1977	22,000
1978	30,700
1979	34,800
1980	27,300
1981	26,100
Total	154,900

particular energy recovery technology for a specific location include the amount and composition of the wastes, the type of energy market at that location, and the amount of money needed to construct and operate the recovery facility. Other factors that will influence this decision include how well developed the recovery technology is and the amount of risk that each party involved in the project is willing to assume.

In the early 1970s, EPA provided funds for constructing facilities using a variety of approaches to the problem of recovering energy from municipal solid wastes. In addition, the EPA began to fund studies to increase knowledge about energy recovery from municipal solid waste and to fund feasibility studies for 57 proposed projects. As part of this effort, a management manual was developed to act as a guide through the complex procedure of implementing energy recovery projects. This management model provides step-by-step procedures for the process of converting a waste to energy, from the initial idea into successful operation.

As part of DEQ's effort to satisfy the legislatively mandated requirement to provide technical assistance to local governments, the Solid Waste Division promoted the use of the EPA management model and worked with local governments to develop economically viable and environmentally sound energy recovery projects. The following discussions describe the progress made in four areas in Oregon to implement solid wastes-to-energy projects.

Marion County. Faced with the closure of the major landfill serving the Salem area, Marion County officials began in 1978 to investigate alternatives to the dependence on landfills for solid waste disposal. The County staff and several consultants started to develop a waste-to-energy proposal. However, the passage of the Northwest Power Bill and the Public Utilities Regulatory Policy Act and difficulties in negotiating contracts with potential refuse-derived fuel customers influenced the County to change the direction of the proposed project from preparation of a refuse-derived fuel to that of electrical generation.

Recognizing the need for accurate information on the amount and composition of the available solid wastes to design an energy recovery facility, Marion County began a garbage truck weighing program in the summer 1981. The County also asked the DEQ Solid Waste Division to assist in designing, conducting, and analyzing a study on the composition of garbage. DEQ developed a method to acquire valid composition data for wastes collected by commercial compacting trucks. This method was designed to estimate the amount of various materials being disposed of in a landfill that could otherwise be recovered for material recycling and for recovery of energy.

For 2 weeks, County and DEQ staff separated samples from 18 compacting trucks into 16 categories. A statistical analysis of the samples provided valid data on the amount of combustible material found in the solid waste stream during a 2-week period. Predictions of the amounts of the other categories (paper, glass, metals, etc.) could not be made with acceptable accuracy due to the small sample size and the variations in the percent of each category in the samples from the trucks. DEQ staff revised the composition study methodology since the completion of the initial tests in Marion County to reduce the number of categories. Future sampling in

Marion County should produce accurate composition data on recyclable materials in the wastes. (The County staff planned to conduct a second weighing program in March 1982, providing waste generation data for the winter. More information will be available in the 1982 annual report.)

Metro. Metro entered into negotiations with one of the vendors, Wheelabrator-Frye, who responded to the 1980 request-for-proposal to construct an energy recovery facility in Oregon City. The contract covered design, construction, testing, and long-term operation of the facility by the corporation. The facility is expected to burn up to 586,000 tons of municipal solid waste each year, which is approximately two-thirds of the projected amount of wastes generated within the Portland metropolitan area. Steam produced in the facility would be sold to Publishers Paper Company for use in their plant in Oregon City, beginning in 1985. The contract was signed in October 1980.

A \$6.4 million grant and loan from the Pollution Control Bond Fund was used to prepare the site for the proposed energy recovery facility and for the proposed Clackamas Transfer and Recycling Center to be located nearby.

Lane County. After many attempts, Lane County reached agreement with the University of Oregon to explore use of refuse-derived fuel from the County's resource recovery facility in two types of boilers owned and operated by the University.

As part of this effort, Lane County, University of Oregon, Lane Regional Air Pollution Authority, and DEQ Solid Waste Division staff developed a test procedure that involved three distinct phases:

- o Preparation of an improved quality, refuse-derived fuel, using equipment designed to screen out noncombustible materials contained in the processed refuse-derived fuel produced at the resource recovery facility.
- o Processing of the screened refuse-derived fuel from the first phase of the test program to produce a cubed or densified product.
- o Use of the densified refuse-derived fuel obtained during phase two as a partial replacement for the waste-wood fuel usually burned in two different types of boilers at the University. This phase included the collection of air pollutant emissions data and boiler performance data.

During the course of the test program, several changes were made because of equipment problems. The amount of noncombustible material in the screened fuel was higher than expected because the refuse-derived fuel produced at the resource recovery facility was not fed onto the screens the way recommended by the screen manufacturer. The second phase of the test program was terminated due to failures of the cuber machinery. The limited amount of cubed refuse-derived fuel was used to substitute for some of the waste-wood fuel in one boiler for part of a day at the University.

The remaining screened refused-derived fuel was then rescreened, producing a product with less noncombustible material. The higher quality

refuse-derived fuel was used to substitute for part of the waste-wood fuel in the larger University boiler. Emission data, boiler performance data, screen performance data, and data describing the characteristics of the refuse-derived fuel was used to prepare a report submitted in January 1982 to the County Board of Commissioners and to the University administration. The report recommended that the resource recovery facility and the University boilers be modified to complete a functioning energy recovery facility. A decision on the recommendations in the report will be made in 1982.

Douglas County. Douglas County completed the second phase of a report reviewing alternatives to solid waste disposal using sanitary landfills. County staff reviewed material and energy recovery technologies that are in operation and developed projected construction, operation, and maintenance costs. The County found that present economic conditions eliminated the available recovery technologies because of the lack of local markets for fuel or energy.

Since one wood products company expressed interest in negotiating an agreement, Douglas County plans to continue examining processing technologies and to continue discussions with that interested company when the economy improves. The process should reduce the time needed to implement an energy recovery project when the economy improves.

Used-Oil Recycling

The used-oil recycling program boomed in Oregon in 1981. The amount of oil recycled by the do-it-yourself oil changers almost tripled from 1980 to 1981. The 450 collection sites received 430,000 gallons in 1981 from the do-it-yourself oil changers compared to 150,000 gallons the previous year.

Part of the credit goes to the DEQ Recycling Information Service, who distributed used-oil recycling signs to collection sites, updated and distributed a brochure on used oil, and answered phone inquiries (15 percent of the total calls on recycling specifically related to used oil). DEQ also personally contacted used-oil haulers and collection site operators, public works directors, and government officials as interest in used-oil recycling grew in Oregon.

Another part of the credit goes to the used-oil collection site operators, who voluntarily participated in the program (e.g., service stations, auto maintenance businesses, car dealerships, recycling centers, retail stores with collection facilities, city maintenance yards, transfer stations, and landfills). These sites have become an important community contact for the recycling of used oil.

In addition, the market value for used oil increased, providing an incentive for used-oil collection site operators and haulers. The competitive market for used oil allowed reprocessing to become a viable alternative to the wasting of a valuable energy resource. In fact, 85 percent of the used oil collected in Oregon was reprocessed for use as a fuel oil.

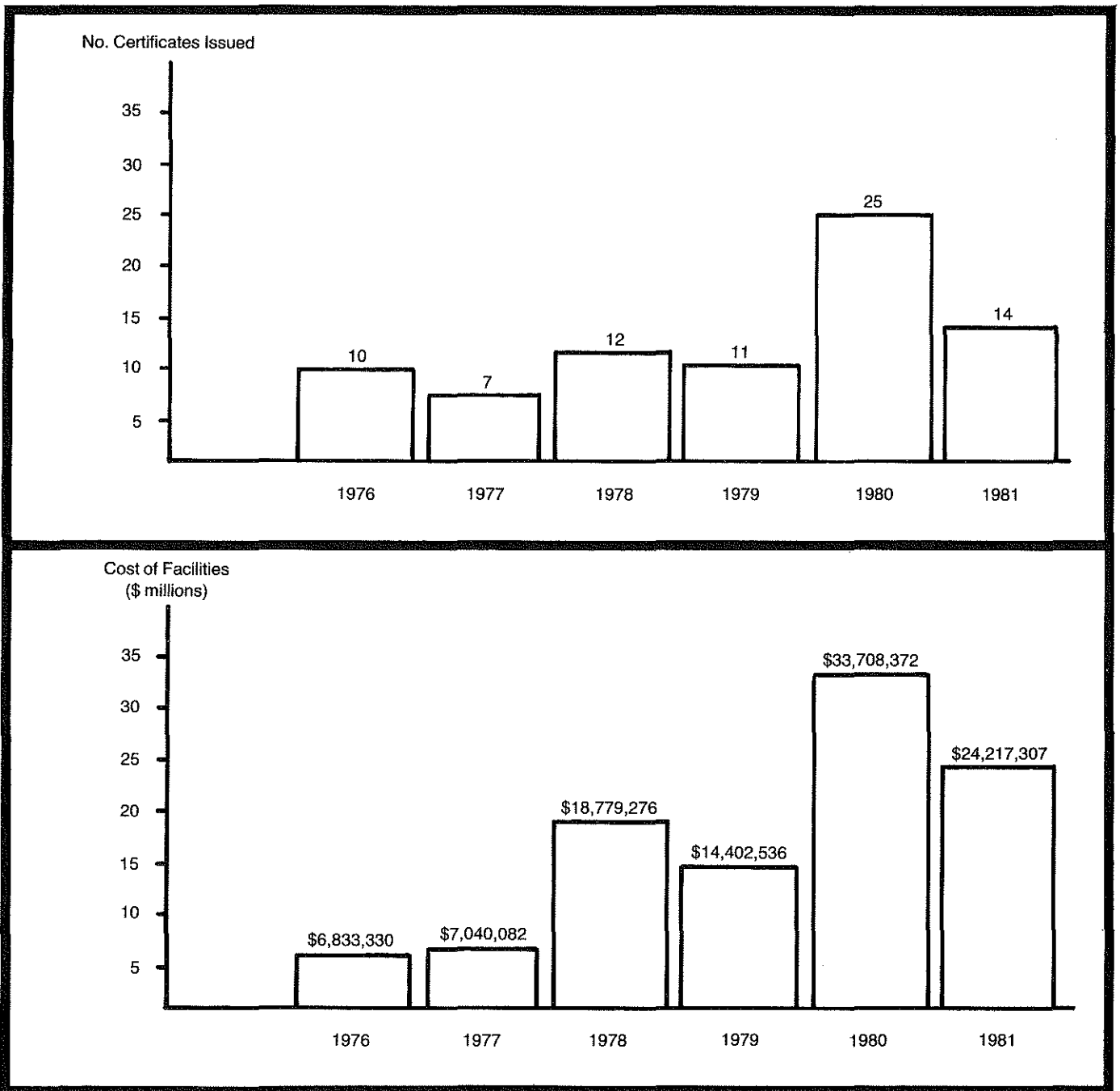
Note: The issue of classifying used oil as a hazardous waste has not been resolved yet by federal regulations. At this time, used oil is not classified as a hazardous waste in Oregon, and is not expected to be unless federal regulations are enacted.

Tax Credits

Fourteen tax credits totaling over \$24 million were issued in 1981. See Table 3 for a list of tax credits approved by the EQC. Also refer to Figure 5 for a comparison of tax credits issued from 1975 to 1981.

TABLE 3. TAX CREDITS GRANTED IN 1981

<u>Company</u>	<u>Facility</u>	<u>Value (\$)</u>
Hilton Fuel	Truck & Drop Boxes	90,767.87
Smith & Hill	Recycling Facilities	39,485.00
Blassen & Blassen	Wood Waste Boiler	265,644.79
Lane Plywood	Wood Waste Boiler	769,567.15
Ellingson Timber	Wood Waste Storage	27,639.05
Sanitary Services, Inc.	Newsprint & Cardboard; Shredder & Baler	204,407.00
Roseburg Lumber	Steam Generating Facility	1,939,328.00
Roseburg Lumber	Steam Generating Facility	1,633,491.00
Diamond International	Wood Waste Burner	3,808,000.00
D & E Wood Products	Waste Wood Processing Plant	75,085.98
Willamette Industries	Whole Log Chipper	2,883,395.86
Willamette Industries	Wood Waste Boiler	1,103,710.01
Green Veneer	Wood Waste Boiler	607,903.70
Publishers Paper Co.	Electrical Generating System	<u>10,768,882.00</u>
	Total:	24,217,307.41



5
FIGURE

Fewer Tax Credits were Granted in 1981

WASTE DISPOSAL

Amended Landfill Rules

In August 1981, EQC adopted a substantially amended version of the Department's rules governing the establishment and operation of landfills. The Department's previous rules were adopted in March 1972 and no longer accurately reflected philosophies and policies nor current state-of-the-art in proper solid waste management.

The old rules were also not consistent with national landfill criteria adopted by the EPA in September 1979, pursuant to the Resource Conservation and Recovery Act (RCRA). In January 1981, the Commission adopted a State Solid Waste Management Plan, which the Department developed according to RCRA requirements. The plan called for adoption of revised rules consistent with EPA's landfill criteria.

The amended rules include the following major provisions:

- o An expanded list of definitions for the purpose of clarity.
- o A more detailed explanation of the roles and responsibilities of the Department and applicants in the permitting process.
- o An expanded description of the information to be included in a permit application.
- o A provision that the Department may waive the requirements for detailed plans and specifications, a feasibility study report, and construction certification for low-volume, low-risk disposal sites. Previous rules included no such provision.
- o A provision that applications for new or expanded disposal sites include evidence of need. Previous rules included no such provision.
- o A provision that the Department may require a certification of proper completion from the permittee's engineer at major or critical construction projects at landfills. Previously, the Department had sole responsibility for checking construction.
- o The establishment of groundwater contamination limits for landfills consistent with the Department's Groundwater Protection Policy (essentially a federal standard). Previously there were no state groundwater standards.
- o A clarification of the Department's authority to require permittees to collect and analyze samples of groundwater, surface water, and landfill gases when deemed necessary and practicable. Previous rules gave general authority to require reporting, but did not specifically address groundwater, surface water, or gas monitoring.

- o A provision that the Department may require the weighing of incoming loads of refuse at a disposal site to facilitate planning decisions related to resource recovery, transfer, and landfill siting. Previous rules included no such provision.
- o A restriction on the types of waste that may be open burned at a landfill to allow burning of only tree stumps and limbs, brush, timbers, lumber, and other wood waste (federal standard). Previous rules also allowed open burning of cardboard and other bulky combustibles.
- o The establishment of standards for landfill operators pertaining to protection of endangered species, control of landfill decomposition gases, and the prevention of bird hazards to aircraft (federal standards). Previously there were no state standards in these areas.

Refer to "Additional Information," page 49, to order a copy of the amended rules.

Status of Existing Disposal Sites

During 1981, the total number of permitted solid waste disposal sites in Oregon decreased from 293 in January to 277 in December.

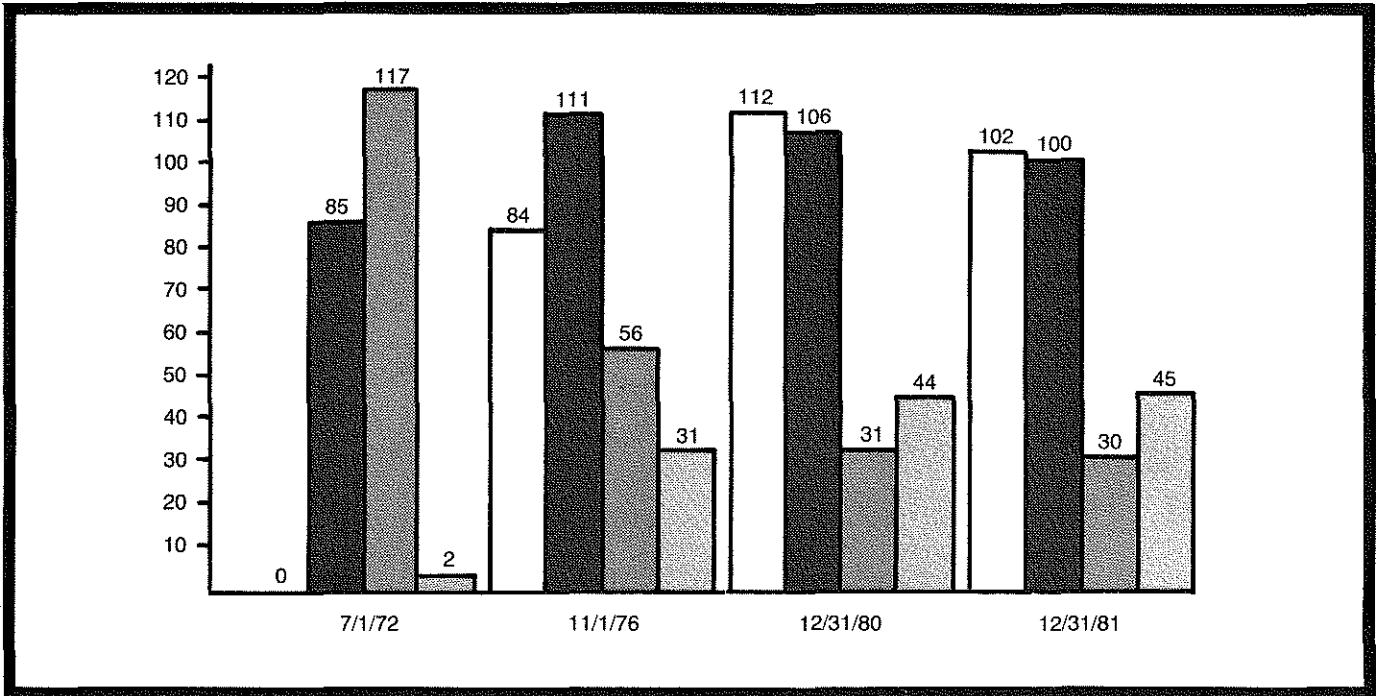
Most disposal sites closed because they were full while others closed because of economic conditions (e.g., industrial waste landfills). But a few disposal sites closed for environmental quality reasons; refer to the following list:

- o Benton County - The Monroe Disposal site was replaced. A substandard landfill at the site was closed because of water quality concerns and a transfer facility at the site was expanded and improved. All wastes delivered to the site are now transferred to a regional landfill, Coffin Butte, near Corvallis. The Monroe Landfill was listed on the 1980 RCRA Open-Dump List.
- o Hood River County - The County's regional landfill, located near the city of Hood River, was closed on November 1, 1981. The site reached approved final grades and the Department was concerned that additional filling might aggravate existing water quality problems. The site was listed on the 1980 RCRA Open-Dump List because of drainage problems. Construction of a permanent transfer station, which will replace the landfill, should be completed in 1982. In the meantime, a dropbox serves as a temporary transfer station for the public. The commercial refuse collectors are transporting most of the County's waste to a regional landfill site in northern Wasco County near The Dalles.
- o Josephine County - The Airport Industrial Waste Disposal Site, located near the Grants Pass Airport, closed. The facility primarily received glue waste from plywood mills. Leaks plagued the disposal site, which threatened nearby water resources. Most

industries that previously used the disposal site found ways to recycle their glue. Now it appears there is no need to replace this facility.

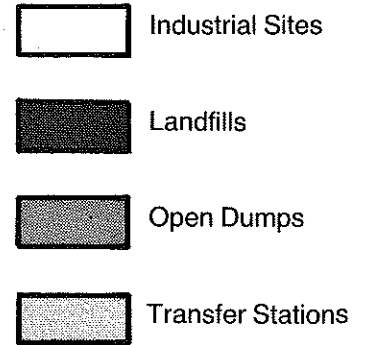
- o Klamath County - The Bonanza Landfill, which served the small community of Bonanza (population 270), closed and a transfer station replaced it. Due to its relatively remote location, the site was expensive to maintain and periodically experienced some operational problems due to lack of proper attention. The new transfer station will be more economical to operate and should be relatively free of nuisances. Construction was aided with a grant from the Pollution Control Bond Fund.
- o Linn County - The Roche Road Demolition Waste Landfill, located near Corvallis on the Linn-Benton County line, closed. Concerns about the site included periodic severe odor problems and the landfill's impact on groundwater. Wastes which had been going to this site have been diverted to the Coffin Butte Landfill in Benton County.
- o Union County - The County's regional landfill at La Grande underwent significant changes in 1981. Substantial improvements in drainage control and overall site operation were made and the County turned the operation over to a private firm. In addition, experimental transfer stations were established in Elgin, North Powder, and Union. These facilities are intended to replace open-burning dumps that were closed in 1978. For the past few years, citizens hauled wastes directly to La Grande, but problems with promiscuous dumping and open burning at the old dump sites occurred. If the experiments are successful, the transfer stations will remain open indefinitely.

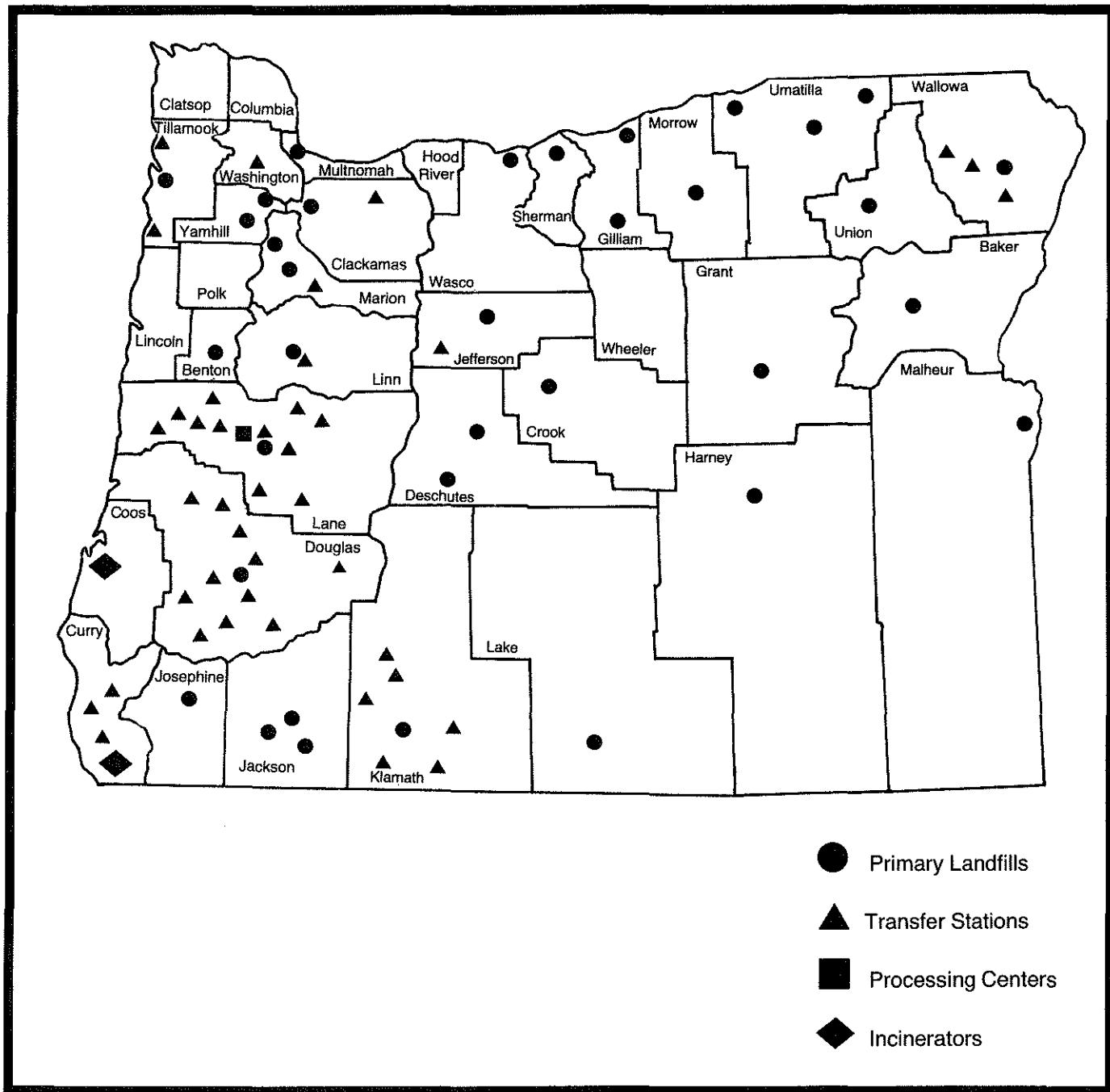
For the number of disposal sites under permit in 1972, 1976, 1980, and 1981, refer to Figure 6. Also refer to Figure 7, which shows the location of primary landfills as well as transfer stations, processing centers, and incinerators in Oregon.



6
FIGURE

The Number of Permitted Industrial Sites, Landfills, and Open Dumps Decreased While the Number of Transfer Stations Increased in 1981





7
FIGURE

Map Shows the Location of Major Oregon Solid Waste Management Facilities in 1981

The relative size of municipal waste disposal sites in terms of population served is displayed in Table 4. The population estimates are suitable to illustrate that generally the heavily urbanized areas of the state are served by a few larger disposal sites and that the rural areas are served by many smaller facilities. The trend in Oregon over the past few years has been a steady decrease in the number of small rural landfills. As these sites have become full, many are either replaced by transfer stations or not replaced at all. Transfer stations are on the increase because they affect the environment less adversely, are more acceptable to the public, and are often less costly to operate than small, rural landfills.

TABLE 4. POPULATION SERVED BY VARIOUS FACILITIES^a

Facility Type ^b	Serving Less than 5,000 people	Serving 5,000 to 10,000 people	Serving 10,000 to 50,000 people	Serving More than 50,000 people	Total
Landfills	58	12	23	7	100
Open Dumps	23	2	4	1	30
Transfer Stations	39	3	2	1	45
Total:	<u>120</u>	<u>17</u>	<u>29</u>	<u>9</u>	<u>175</u>

a. DEQ estimates.

b. Excludes industrial waste landfills.

Table 5 displays the relationships between the private and public sectors, with respect to disposal site ownership, operation, and control that existed in 1981. Of the 175 municipal solid waste disposal site permittees in Oregon, 139 (80 percent) are public bodies (primarily counties). Most municipal waste facilities are publicly owned and operated. However, when industrial waste disposal sites are included, public bodies comprise only about 52 percent, or 143 of the 277 total number of permittees.

TABLE 5. PUBLIC VS. PRIVATE CONTROL OF SOLID WASTE DISPOSAL SITES

Facility Type	Permittees		Owners		Operators	
	Public	Private	Public	Private	Public	Private
Landfills	76	24	72	28	68	32
Open Dumps	23	7	22	8	21	9
Transfer Stations	40	5	40	5	35	10
Industrial Waste Landfills	4	98	7	95	3	99
Total:	143	134	141	136	127	150

Table 6 displays landfill permit compliance as of December 31, 1981, based on the most recent inspection for each facility. It is important to note that the data relates to permit compliance only and not to either state or federal landfill standards. Specifically, a landfill that is classified as an open dump for failure to comply with state or federal standards, may nevertheless be in full compliance with its permit. The permit may contain a compliance time schedule that provides for temporary or short-term violation of landfill standards while the facility is in the process of upgrading or closing.

As Table 6 indicates, 93 of Oregon's 130 municipal solid waste landfills (or approximately 72 percent) were considered to be substantially in compliance with their permits at the end of 1981. Important to note is that 13 of the 15 landfills reported to be out of compliance were small sites serving less than 10,000 people. Also, 25 of Oregon's 30 open dumps are sites serving less than 10,000 people. Therefore, it is apparent that the vast majority of municipal solid waste generated in Oregon was being safely disposed during 1981.

TABLE 6. MUNICIPAL WASTE LANDFILL PERMIT COMPLIANCE STATUS^a

<u>Landfill Size</u>	<u>Sites Substantially in Compliance</u>	<u>Sites Out of Compliance</u>	<u>Indeterminate^b</u>
Sites serving less than 10,000 people	67	13	15
Sites serving 10,000 to 50,000 people	22	1	4
Sites serving more than 50,000 people	4	1	3
Total:	<u>93</u>	<u>15</u>	<u>22</u>

a. Effective December 31, 1981.

b. Sites were either not inspected during 1981 or additional information is required.

New Disposal Sites

There were no new landfills established in Oregon in 1981, but a permit was issued for the River Bend Landfill in Yamhill County, which is expected to open in mid-1982. This landfill will replace the nearby Whiteson Landfill, which was established in 1972 amid controversy and public opposition. Once Whiteson was in operation, citizen complaints were virtually nonexistent, and the landfill proved to be one of the best operated sites in the state. We are confident that the new River Bend Landfill, operated by the same people, will be even more environmentally sound.

Several preliminary proposals to establish new major landfills were submitted to the Department for evaluation in 1981. All but one were granted preliminary approval (i.e., the proposal is technically feasible and the proposed design appears to meet state pollution control standards; however, preliminary approval does not guarantee that the final, more detailed proposal will be approved). The applicants who received preliminary approval are proceeding with land-use reviews by local agencies and preparation of detailed final engineering plans for Department review. Those sites are located in (a) southern Marion County to serve the Salem metropolitan area, (b) northern Multnomah County to serve the Portland metropolitan area including parts of Clackamas, Multnomah, and Washington Counties, (c) northern Yamhill County to serve Newberg and parts of the Portland metropolitan area, (d) Clatsop County to serve the County, and

(e) Columbia County to serve the St. Helens mill operated by Boise Cascade. Only the proposed Ocaw Ranch (OW) site in Marion County was not granted preliminary approval because it lacked sufficient detail.

RCRA Inventory Update

From October 1980 through September 1981 (federal fiscal year 1981), the Department continued its evaluation of solid waste disposal sites according to RCRA. Called the RCRA Inventory or Open-Dump List, the evaluation was conceived by the U.S. Congress as a means to identify the state-of-the-art of solid waste disposal activities nationally and to establish a base from which states could build a solid waste management program. Oregon's Solid Waste Program has been active for many years. However, RCRA provided new criteria for evaluating disposal sites. Failure to participate in the inventory could subject the state and some disposal site operators to penalties under various provisions of the law (e.g., citizen suit, lack of federal financial assistance).

Since the inventory began in September 1979, 260 disposal sites have been evaluated. During federal fiscal year 1981, 120 disposal sites were evaluated including 75 industrial waste landfills, 10 municipal waste landfills, and 35 waste water impoundments (ponds and lagoons are considered to be solid waste disposal sites under RCRA). The results of the inventory are:

- o No industrial waste sites were identified for placement on the Open-Dump List, however, several require further study.
- o Four municipal disposal sites were removed from the 1980 Open-Dump List because of closure or upgrading (Hood River Landfill, Monroe Demo Landfill, Adrian Landfill, and Old Pilot Rock Landfill).
- o Three municipal disposal sites were added to the Open-Dump List for 1981 (Jordan Valley Landfill, Mitchell Landfill, and Seneca Landfill).

Refer to Table 7 for Oregon's RCRA Open-Dump List, effective September 30, 1981. During federal fiscal year 1982 (October 1, 1981, through September 30, 1982), we will continue to evaluate industrial waste disposal sites and waste water impoundments.

TABLE 7. RCRA OPEN-DUMP LIST FOR 1981

<u>County</u>	<u>Landfill</u>	<u>Criteria Violation^a</u>
Clatsop	Astoria	2
Clatsop	Cannon Beach	1,2
Clatsop	Elsie	1,2
Clatsop	Seaside	1,2
Clatsop	Warrenton	3,5
Columbia	Santosh	3,5
Coos	Powers	1
Grant	Seneca	1,4
Jackson	Butte Falls	1,2
Lake	Adel	1
Lake	Christmas Valley	1
Lake	Fort Rock	1
Lake	Paisley Landfill	1
Lake	Plush Landfill	1
Lake	Silver Lake	1
Lake	Summer Lake	1
Lane	Cottage Grove	4
Lane	Creswell	3
Lincoln	Agate Beach	2,5
Lincoln	North Lincoln	2
Lincoln	Waldport-Yachats	2,5
Malheur	Brogan-Jamieson	2,4
Malheur	Harper Landfill	1,2,4
Malheur	Jordan Valley	1,2,4
Malheur	Juntura	1,2,4
Malheur	Willowcreek	2,4
Marion	Brown's Island	3,4
Polk	Fowler's	3
Wheeler	Fossil	1
Wheeler	Mitchell	1,4

a. Key to criteria violations:

- 1 - Open burning of garbage.
- 2 - Inadequate covering of refuse with earth.
- 3 - Contamination of groundwater.
- 4 - Safety problems (e.g., bird hazards to aircraft, inadequate control of access, unsupervised open burning).
- 5 - Contamination of surface water.

Methane Gas Generation at Landfills

Some methane gas is generated as a normal byproduct of organic material decomposition at all landfills in Oregon. The amount of methane generated depends on the type of waste, moisture content, oxygen content of the fill pH, and other factors. Explosions, asphyxiation due to carbon dioxide, and odors are the primary concerns with methane and other decomposition gases at landfills:

Landfills located in clays tend to vent most gas upwards through the landfill surface because the small discontinuous pore spaces in the soils restrict the lateral flow of gas. Gravels have relatively large, continuous pore spaces that offer much less resistance to gas flow and allow greater lateral movement. Sands have smaller pores than gravel but larger pores than clay so their ability to transmit gas falls between the two. Groundwater acts as a barrier, effectively preventing the flow of gas.

Garbage and demolition landfills in Oregon have been evaluated during the recent RCRA inventory process to determine the potential for methane to build up in on-site structures or migrate beyond property lines in concentrations greater than the lower explosive limit. Refer to Table 8 for the sites that were sampled for methane gas. Noteworthy is that the table is the first time information on methane gas has been summarized and presented.

TABLE 8. SITES SAMPLED FOR METHANE GAS

<u>Landfill/Location</u>	<u>Status</u>	<u>Type of Waste</u>	<u>Soils/ Geology</u>	<u>Methane Levels</u>	<u>Comments</u>
Astoria/ Clatsop County	Active site	Household garbage	Silty soils over marine sediment— "Astoria shale sandstone and siltstone	Trace to 0.7%, in manholes; 8% in small hole in landfill surface	Major concern was methane buildup in on-site manholes. Dilution with air keeps methane levels well below the explosive range in the manholes. Extensive surface and off-site sampling was not conducted because gas migration is unlikely in this geologic setting and no nearby structures exist.
Bend Demolition/ Deschutes County	Active site	Demolition waste	Pumice	0% onsite	Dry climate—apparently little methane production.
Brown's Island/ Marion County	Active site	Household garbage	Gravel	Up to 60% (surface) and 0 to 20% (inside house) on site	Dead or stressed vegetation adjacent to the landfill dike suggests gas migration beyond the fill boundary. Major concern is house located on original gravels but surrounded by fill. The poorly designed passive gas venting system installed around the house is not effective. Significant levels of methane have been detected entering the basement of the house through small cracks. The landfill operator relies on ventilation of the basement and crawl space to dilute methane to below the explosive level. The operator installed methane sensors and alarm system for the occupants.
Day Island/ Lane County	Closed site	Household garbage	Gravels	Methane found on-site by Lab staff but not recorded	Methane gas cannot migrate laterally due to water around site. A passive venting system has been installed to vent methane from the fill surface. Tests have been conducted by a private company about the potential production of marketable methane.

TABLE 8. (continued)

<u>Landfill/Location</u>	<u>Status</u>	<u>Type of Waste</u>	<u>Soils/ Geology</u>	<u>Methane Levels</u>	<u>Comments</u>
Hillsboro/ Washington County	Active site	Demolition waste	Silty soils over clay	15 to 28% onsite; 0% off-site	Testing showed no off-site methane migrating towards nearby greenhouses. Additional testing to be done when the west side is filled next to other greenhouses.
Klamath Falls/ Klamath County	Active site	Household garbage	Silt or clay loam over diatomite	7 to 60% onsite	A housing development that would encircle the landfill was proposed. No methane was found offsite.
Knott Pit/ Deschutes County	Active site	Household garbage	Gravel pit	0% to trace onsite	Dry climate—apparently little methane production.
LaVelle's 82nd Street/ Multnomah County	Active site	Demolition waste	Loam topsoil over gravels	Up to 53% onsite; 0 to 47% offsite	Significant levels of methane were found up to 175 feet beyond the edge of the fill in the residential area, showing the passive clay barrier and vent system were inadequate. Off-site gas migration occurred only where waste was filled to final grade, not where an open vertical pit wall existed above the waste level. An active gas control system was installed in April 1980 to control gas migration.
LaVelle's Johnson Creek/Clackamas County	Closed site	Demolition waste	Gravel	30 to 45% (methane vent manhole) and 0 to 34% (surface) onsite	Neighbors report children have set fire to methane vent manholes on numerous occasions. No methane detected off-site. Testing conducted because developer wanted to build commercial buildings on old dump site.
LaVelle's King Road/ Clackamas County	Closed site	Demolition waste	Loamy topsoil over gravels	Up to 65% onsite; 0 to 37% offsite	Geology and waste are similar to LaVelle's 82nd Street Landfill. The passive clay barrier and venting system is partially successful. But methane was found across the street from the site.

TABLE 8. (continued)

<u>Landfill/Location</u>	<u>Status</u>	<u>Type of Waste</u>	<u>Soils/ Geology</u>	<u>Methane Levels</u>	<u>Comments</u>
Obrist/ Multnomah County	Currently closed but opened during initial methane gas sampling	Demolition waste	Silty soil over sand and gravel	Up to 25% onsite; up to 12.5% offsite in monitoring pools near the property line	The developer of an adjacent subdivision sued the City of Troutdale and the former landfill operator because of the potential for methane migration and slope stability problems caused by overexcavation. To settle the case, the city bought 7 lots and the former landfill operator bought the remaining 14 lots. Increased methane gas migration could occur if the pit is filled with waste to the elevation of the surrounding land without installation of a reliable gas control system.
Prospect/ Jackson County	Active site	Household garbage	Silty soils	0 to less than 0.5% onsite	No significant amounts of methane were found, probably because the very shallow depth of fill allows air to enter, preventing methane formation.
Rossmann's/ Clackamas County	Active site	Household garbage	Silts and clays	Up to 56% onsite	Major concern is odor control, not methane migration. An active landfill gas extraction and flaring system is operating. County studied the potential of using landfill gas for fuel.
St. Johns/ Multnomah County	Active site	Household and industrial waste	Silts and clay	Not tested onsite	The potential for commercial recovery of methane gas is being studied.
Vance Pit/ Multnomah County	Closed site	Demolition waste	Gravels	15 to 64% onsite	The County built a new underground public works building at this old landfill. They excavated and relocated 250,000 cubic yards of refuse. The wisdom of the project and the need to provide a gas barrier and venting system was discussed with the County and their consulting engineer.

Sludge Management

Legislation was introduced by the Department during the 1981 Legislature to clarify our authority to regulate sludge (refer to "Legislative Report," page 5). The state law classifies all of the various types of sludge as solid waste, but excludes them if the sludge is used in agricultural operations for growing crops or raising animals. According to the Department's legal counsel, the general water quality laws provide the only authority to regulate the sludge, and these apply only to the contamination or threatened contamination of surface or groundwater.

The Department actively promotes the agricultural use of sewage treatment plant sludge, pulp-mill lime sludge, and other suitable sludges where the fertilizer or soil-conditioner value can be used productively. However, without proper precautions, the agricultural use of sludge can cause the following adverse conditions, which the Department apparently lacks the authority to regulate:

- o Sludge may be applied to areas used for growing root crops, or other crops where direct contact with the sludge could result in pathogen contamination (bacteria, virus). This is a particular concern when the crop is not processed, but is eaten raw. Pathogen contamination could also affect dairy cows grazing on a pasture that has recently been treated with sludge, or it could result from the application of sludge in areas such as parks where there is easy public access.
- o Sludge may be applied at rates that result in potentially toxic heavy metals (e.g., cadmium, lead) entering the food chain and concentrating in certain crops such as leafy vegetables. Restricting crop types and/or adding lime to the soil to help adjust the pH (a term used universally to express the intensity of the acid or alkaline condition of a solution) may be necessary.
- o Sludge may be applied at rates that result in certain heavy metals (e.g., zinc and copper) becoming toxic to the crop itself.
- o Odors, flies, and other nuisances from sludge being used in agricultural operations may annoy nearby residents.

The ability of both the Department and local government to regulate nuisance conditions resulting from sludge operations were further restricted when the 1981 Legislature passed SB 317, the "Right to Farm" bill. This bill says that local government nuisance abatement ordinances may no longer apply to "farm practices," which may include virtually anything done during operation of a farm. Basically, the bill promotes the state's goal of preserving agricultural land and its use for agricultural purposes. However, the bill is not limited to exclusive farm-use zones, so that "farming practices" in any zone cannot be regulated under nuisance abatement ordinances.

Other sludge-related activities which occurred in 1981 include:

- o The DEQ Water Quality Division revised and updated its Guidelines for Application of Wastewater and Sludge. These guidelines, though not enforceable, provide information on site evaluation and selection, monitoring, and application rates for sludge and treatment plant effluent. The guidelines are for maximizing the benefit of the use of sludge in agriculture while minimizing adverse environmental affects.
- o Food processors in the Salem area, following the lead of the Del Monte Corporation, refused to accept any crops that were grown on sludge-amended fields. This action was taken because the U.S. Food and Drug Administration (FDA) did not set numerical standards for acceptable levels of heavy metals in processed foods. FDA and EPA signed a joint statement endorsing use of sludge in growing food-chain crops under controlled conditions and according to RCRA criteria. However, the food processors apparently felt that this is not a sufficient guarantee to eliminate liability for their products. Salem has very low levels of heavy metals in its sludge and the action has had a major negative impact on Salem's sludge-use program.
- o High nitrate levels in the groundwater were found in the Mission Bottom area near Salem. This is an area where sludge from the Salem sewage treatment plant was used extensively in agriculture. Initially, it was feared that the problem was caused by the sludge; however, it was discovered that many parts of the Mission Bottom area had very high nitrate levels and had never received sludge. This indicated that the high nitrate levels most likely were caused by excessive application of chemical fertilizers, a practice not uncommon in Oregon. Though cleared as the primary cause of the problem, sludge application has been diverted to areas with lower groundwater nitrate levels. The result is increased hauling distances and operational costs and further impacts on the sludge-use program.

Variance for Modular Combustion

During October 1981, EQC granted Coos County a variance from the Department's air quality rules to allow continued operation of two (50 tons per day) modular combustion units near Coos Bay. The facility serves the majority of Coos County residents for the disposal of municipal solid waste. NOTE: "Modular Combustion Unit" is the term applied to a variety of small-scale combustors ranging up to 50 tons per day capacity. They are generally installed in multiples, operated independently of one another, and attached with additional units when the amount of solid waste increases.

Air contaminant tests were performed on a 50-tons-per-day unit and a 12.5-tons-per-day unit, which burned solid wastes. However, both modular combustion units failed the tests, showing they could not comply with the Department's air quality rules. The variance was given because the County

could not afford additional air quality control devices. The County reported that they were already paying \$24 per ton to dispose of waste at the facility and the necessary control devices were estimated to cost approximately \$550,000.

This information is important since many people believe that modular combustion units are a low cost and environmentally safe way to dispose of solid waste. Planning for future facilities will need to include air contaminant devices.

PROGRAM SUPPORT

The Solid Waste Program depends on the Regional Operations Division for implementation and enforcement of the program and the Laboratory and Applied Research Division to provide the scientific data. Other support activities that help carry out the philosophies of the program are public education, recycling information, and public participation services. Internal processes that are necessary for providing program direction are the Goals and Objectives Planning Session and the State-EPA Agreement.

Regional Operations Division

In 1981, the five regions worked on 1,490 activities relating to solid waste and 413 relating to hazardous waste, for a total of 1,903 activities. Refer to Table 9 for a breakdown on the different activities. One of the major areas was the development of proposed resource recovery facilities for the Portland metropolitan area and Marion County. For future ash disposal and backup garbage disposal for the proposed resource recovery facilities, regional operations ensured that adequate landfills were maintained.

Other areas the regions provided assistance in was the closure of the Hood River County Landfill, development of a mini-transfer system that provided local pickup in Union County with disposal at the La Grande Landfill, and resolution of seafood waste disposal at the Reedsport Landfill.

TABLE 9. SOLID WASTE AND HAZARDOUS WASTE ACTIVITIES IN THE REGIONS IN 1981

<u>Region</u>	<u>Complaint Investigations SW/HW</u>	<u>Permit, Com- pliance Field Inspections SW/HW</u>	<u>Source Site Evaluations SW/HW</u>	<u>Compliance Conferences SW/HW</u>	<u>Total SW/HW</u>
Northwest	53/34	102/49	52/29	24/10	231/122
Willamette Valley	85/26	321/79	23/6	51/12	480/23
Southwest	50/14	150/51	45/0	61/5	306/70
Central	3/5	112/10	31/13	118/17	264/45
Eastern	16/11	122/33	6/0	65/9	209/53
Total:	207/90	807/222	157/48	319/53	1,490/413

More information is available on solid waste activities at any of the regional offices in Oregon.

Concerning enforcement, the regions issued 25 notices of violations and four civil penalty warning notices for solid waste violations; of those, one notice of violation and one civil penalty warning notice concerned

hazardous waste. (The regions initiate a notice of violation when a party does not voluntarily comply with rules or violates a condition of a solid waste disposal permit. More formal enforcement measures are taken if the violation continues, such as issuing an intent to assess a civil penalty if the violation continues or reoccurs five or more days following receipt of the notice.)

Laboratory and Applied Research Division

In 1981, the Laboratory and Applied Research Division structurally reorganized under functional rather than programmatic lines. Under the new organization, the air, water, and solid waste sections of the Laboratory were combined to form an inorganic laboratory and an organic laboratory. The air monitoring and water monitoring sections remained intact except that the solid waste groundwater sampling is carried out by the water monitoring section. This functional structure greatly increased the efficiency of the Solid Waste Program by cutting duplication of effort and reducing the number of supervisors while still providing a total analytical support to DEQ.

During 1981, a total of 472 samples were analyzed for the Solid Waste Program: (a) 250 were varying solid waste analyses of landfill leachate and groundwater monitoring, landfill methane production, incinerator ash metals, bacterial scans from septic sludge disposal sites, and combustion analyses of refuse derived fuel, and (b) 222 were varying hazardous waste analyses (such as monitoring hazardous waste sites at Arlington and Alkali Lake), inspecting abandoned sites, examining transformer oil polychlorinated biphenyls (PCBs), confirming extraction protection (EP) toxicity, and determining biological strength of waste sludges.

Refer to Table 10 for a list of landfills where groundwater and leachate were sampled.

Public Education

In 1981, the Solid Waste Program continued to provide the public with information about all aspects of solid waste management. As in the past, the approach was two-fold: to respond to requests for information from the public and to generate interest in and understanding about particular solid waste issues.

As national events made hazardous waste management a prominent issue, the program felt it was necessary to explain Oregon's program to the public. A private firm produced a slide/tape presentation, Hazardous Waste...Yours, Mine Ours. Much staff time was devoted to writing and editing the script and working with the firm during production. The show received favorable comments from industry representatives and members of the public.

The public education staff also published three fact sheets about hazardous waste, Hazardous Waste: A Fact Sheet for Oregonians, Disposal of Household Chemicals, and Hazardous Waste Disposal in Oregon.

TABLE 10. NUMBER OF GROUNDWATER AND LEACHATE SAMPLES COLLECTED BY THE LABORATORY IN 1981

<u>Landfill</u>	<u>1st Quarter</u>	<u>2nd Quarter</u>	<u>3rd Quarter</u>	<u>4th Quarter</u>
<u>Northwest Region</u>				
Nash Pit			4	
Rossman's	6	6	2	
Santosh	6		4	
St. Johns			9	
Tillamook	5			
<u>Willamette Valley</u>				
Brown's Island		17		
Coffin Butte	13			
Creswell				4
Day Island				4
Fowlers		4		
Lebanon		8		
Newberg			6	
River Bend			7	
Roche Road			6	
Short Mountain				3
Woodburn	2			
<u>Southwest Region</u>				
Merlin	10		2	
Roseburg	4			
<u>Central Region</u>				
Hood River	5	4		
Shields		4		

The staff updated several brochures and fact sheets about other aspects of solid waste management. Those included: How to Recycle, Funding Sources for Recycling Programs, Solid Waste Film Library, Used Oil Recycling, and Recycle Used Motor Oil. In all, the Division handled approximately 2,981 requests for brochures, flyers, and fact sheets.

Making use of the recycling poster display produced in 1980, the staff took information about recycling to the outlying areas of the State. The display was set up for a month each at Cottage Grove, Gold Beach, Ashland, John Day, Ontario, and Baker.

An ongoing education effort is the production of Beyond Waste, the program's monthly newsletter. Beyond Waste is distributed to approximately 2,000 people from local governments, public interest groups, and solid waste, hazardous waste, and recycling industries.

Recycling Information Service

A major change in the public education efforts occurred in March 1981 when Metro took over the Portland portion of the Recycling Switchboard.

The move allowed the DEQ to concentrate on recycling efforts outside the metropolitan area and on the used-oil recycling program (refer to "Used-Oil Recycling," page 22, for more information).

The staff answered 739 calls from outside the Portland area in 1981; Metro answered 15,302 calls in Portland from March to the end of the year. Both the statewide and Metro figures are equivalent to previous years' totals.

The number of statewide calls to the DEQ steadily increased throughout the year as publicity efforts were stepped up. The staff took a display to all ends of the state, issued regular news releases about recycling, and distributed a television public service announcement that publicized the Recycling Information Service's phone number.

The program changed the name of the Recycling Switchboard to Recycling Information Service to better indicate that we provide extensive written and technical information about recycling, as well as information about the locations of recycling centers.

Public Participation

The Legislative Task Force formed in February and continued through August during the 1981 Legislature. Members of the task force represented recyclers, electronics industry, consulting firms, collectors, environmentalists, environmentalists, industry associations, county and city government, and nonprofit groups. The major accomplishment was providing an opportunity for DEQ to explore the issues around solid waste and hazardous waste legislation before and during the hearings on the bills. The group usually met weekly in Salem.

In October 1981, the Task Force on Rules and Program Direction formed for a planned two-year period. Representation includes all the above groups plus representatives from universities, hazardous waste generators, paper and pulp industry, and landfill operators. The general concept of the task force is to: (a) provide community perspective on DEQ rules and program direction, (b) represent a particular point of view, (c) provide new ideas, recommendations, or potential sources of information, (d) perform technical reviews, (e) and explain rules and program direction to others, advise DEQ of the reaction, and help educate the public about the program.

Projects for the Task Force in 1981 were reviewing and providing recommendations on the Goals and Objectives Report, policy on disposal of tires, budget reductions, and hazardous waste rules for generators. Future topics for the Task Force will be other hazardous waste rules and solid waste rules, waste reduction plans, State-EPA Agreement, grants/loans

guidelines, and legislative concepts. A subcommittee on alternative funding for the program is planned.

Mailing lists of 200 advisors have been maintained and are continually updated (see "Additional Information," page 49). The advisors acted as a sounding board for the Program on legislation, rules, goals and objectives, and other items of general concern.

The public also participated in public hearings for pesticide rule revisions and public meetings on hazardous waste treatment site operated by Caron Chemical and the former hazardous waste disposal site at Alkali Lake.

Program Planning

Goals and Objectives Planning Session

The 1981 Goals and Objectives Planning Session occurred in November. The major focus was on updating and prioritizing the work from the 1979 Goals and Objectives Session. The main theme was assigning the highest priorities to objectives and tasks in the case of a possible reduction in staff caused by a predicted shortfall in the State General Fund and reduced federal revenues. Highest priorities for 1982 through 1985 were given to:

- o Maintaining the Recycling Information Service.
- o Implementing statutory requirements for waste reduction plans.
- o Making maximum use of the tax credit program for recycling.
- o Evaluating feasibility of mechanical and thermal processing of solid waste, maintaining expertise in processing techniques, and promoting use of appropriate technology (except for technical assistance program, which was given a lower priority).
- o Ensuring that all major and minor landfills comply with statutes, rules, and permits.
- o Ensuring that all sludge disposal sites comply with statutes, rules, and permits (except for updating the administrative rules, which was given a lower priority).
- o Evaluating industrial waste sites and impoundments and following up as required.
- o Conducting a groundwater protection program in conjunction with the Department's groundwater protection policy (except for routinely collecting and analyzing groundwater samples from selected landfills, which was given a lower priority).

- o Ensuring that all hazardous waste treatment facilities are licensed, and in compliance with licenses, plans, statutes, and rules.
- o Ensuring that all hazardous waste generators are in compliance with statutes and rules (except for reviewing quarterly reports, initiating compliance followup, and preparing a quarterly summary, which were given a lower priority).
- o Ensuring that all hazardous waste disposal sites are in compliance with procedural requirements, reviewing site operational plans, and conducting monthly site compliance inspections.
- o Assuming authority for Phase II and Final Authorization for the state hazardous waste program.
- o Providing adequate response for hazardous waste material/waste spills or other emergencies.
- o Implementing pesticide waste management program.
- o Preparing a biennial budget.
- o Securing alternative funding for the solid waste disposal control program.
- o Developing a data base for geographic region for hazardous waste for the identified urban areas.
- o Developing Program-Regional Agreements.
- o Administering Pollution Control Bond Fund.
- o Carrying on a Division-wide public participation program for hazardous waste.
- o Editing and publishing Beyond Waste newsletter, annual report, and status report.
- o Providing for staff training and development.

See "Additional Information," page 49, for obtaining a complete copy of the Goals and Objectives Report.

State-EPA Agreement

During the spring and summer months of 1981, the annual State-EPA Agreement (SEA) was prepared. This agreement is the mechanism by which the Department obtains federal funding for specified work. A Solid Waste Division five-year strategy, hazardous waste 1-year work plan and integrated projects covering toxics and hazardous materials, Portland metro resource recovery, and municipal sludge utilization and disposal were provided by Division staff for the final document.

LOOKING AHEAD IN 1982

Hazardous Waste

- o Apply for Phase II-Interim Authorization.
- o Complete uncontrolled (abandoned) disposal site survey.
- o Complete industrial open-dump inventory.
- o License approximately 25 on-site storage and treatment facilities.
- o Develop proposed rules on generation, permit issuance, air and water transportation, and storage and treatment.
- o Prepare State-EPA Agreement for fiscal year 1983.

Solid Waste

- o Issue solid waste permit for Metro's resource recovery project with final decision on construction made by Metro's Council.
- o Prepare State-EPA Agreement for fiscal year 1983.
- o Prepare 1983-85 biennium budget.
- o Accept four waste reduction programs: Metro, Lincoln County, Tillamook County, and Clatsop County.
- o Place greater emphasis on the regulation of major solid waste sites and less emphasis on minor solid waste sites.
- o Increase effort in the management of the groundwater monitoring program by spending more time analyzing data and ensuring that monitoring wells are properly installed and maintained.
- o Continue to work with the Task Force on Rules and Program Direction. Form Legislative Subcommittee from Task Force prior to 1983 Legislature.
- o Draft new legislation for the 1983 Legislature and reintroduce bills on funding mechanisms and regulation of agricultural use of sludge.

ADDITIONAL INFORMATION

For those people desiring additional information, check the line next to the items you are interested in, cut out the marked page(s), and mail to:

DEQ Solid Waste Division
P.O. Box 1760
Portland, OR 97207

PLEASE INCLUDE YOUR NAME AND ADDRESS. Note: These materials are free in limited quantities to Oregonians. For people outside the state, please contact the DEQ Solid Waste Division for price information, (503) 229-5913.

Recycling and Waste Reduction

- ___ How Do You Stack Up? (Fact Sheet)--One-page handout to help people think about their contribution to the garbage problem.
- ___ Wasting Less: A Consumer Process (Fact Sheet)--Relates garbage to our consumer patterns.
- ___ Recycling (Fact Sheet)--What is recycling, why recycle, what hinders recycling, and how to recycle.
- ___ How to Recycle (Brochure)--Brief guide to where, why, and how to recycle paper, metals, glass, oil, etc. (large quantities available in-state).
- ___ Operating a Recycling Program: A Citizen's Guide--An EPA publication. Includes markets, models of operation, publicity and education, funding and business, and handling, processing, equipment, and labor.
- ___ Guidelines for Recycling Waste in Schools--Information on how to go about setting up a recycling program in schools. Includes organizing the program, education ideas, case studies, and resources.
- ___ Markets for Recyclables--An up-to-date list of known markets for glass, paper, plastic, and metals in Oregon.
- ___ Composting (Fact Sheet)--Describes one alternative to disposal.
- ___ Packaging (Fact Sheet)--Some facts and figures about packaging and the waste stream.
- ___ Plastics (Fact Sheet)--What it is and problems associated with its disposal.
- ___ Energy & Garbage (Fact Sheet)--A look at how energy conservation relates to the things we buy and how we dispose of them.

Making Plain and Fancy Soap--How soap was made years ago and how it can be made today from used oils and fats.

Make Your Own Stationery--How to use scrap paper to create stationery.

Buzz Board Design Plans--Provides plans and sample questions for a "buzz board" (a plywood board with multiple choice questions and a doorbell-type buzzer for each answer that buzzes when the right answer is pressed); can be used at fairs and schools.

Recycle Used Motor Oil (Brochure)--Brief statistics on oil recycling.

Used Oil Recycling (Fact Sheet)--General information about motor oil recycling, including rerefining, reprocessing, and how and why to recycle oil.

Oregon's Oil Recycling Program Update--A survey conducted in 1981 on used oil recycling in Oregon.

Used Oil Haulers--List of haulers from all areas of Oregon.

Oregon's 1982 Bottle Bill Report--Summarizes bottle bill's effect, energy savings, and popularity.

Resource Recovery and You!--Simplifies resource recovery; many drawings. Non-DEQ publication.

Solid Waste Disposal

The Garbage Glossary (Fact Sheet)

Where Does Your Garbage Go? Garbage Disposal in Oregon (Fact Sheet)-- Gives overview of landfills, energy recovery, and source separation. Includes "Your Trash Profile."

Sanitary Landfill Design & Operation

Pollution Control Facility Tax Relief in Oregon

Surface Impoundment Assessment for the State of Oregon, May 1980

Oregon Solid Waste Management Status Report, 1979

1980 Portland Metropolitan Area Yard Debris Survey

Alternatives to Open Burning of Domestic Yard Debris

Resource Conservation and Recovery Act (RCRA) information

Amended solid waste rules, 1981

Solid waste statutes

- ___ Guidelines for obtaining a solid waste permit
- ___ EPA landfill guidelines
- ___ RCRA landfill criteria

Hazardous Waste Information

- ___ Oregon's Hazardous Waste Management Status Report 1980--Lists hazardous waste volumes, major generator types listed.
- ___ Uncontrolled (Abandoned) Hazardous Waste Disposal Site Survey--Progress report, November 1, 1981.
- ___ Everybody's Problem: Hazardous Waste--Gives overview of the national hazardous waste problem. EPA publication
- ___ Hazardous Waste: A Fact Sheet for Oregonians--Gives overview of hazardous waste management in Oregon.
- ___ Disposal of Household Chemicals (Fact Sheet)--Recommends disposal methods for small quantities of household chemicals.
- ___ Disposal: Arlington Pollution Control Center (Fact Sheet)--Describes prior approval process that hazardous waste generators must go through to dispose of waste at Arlington site.
- ___ Transportation (Fact Sheet)--Explains registration of transporters, manifest system, vehicle placards, and PUC inspections.
- ___ Collection Sites (Fact Sheet)--Describes state regulations of collection sites.
- ___ Treatment Facilities (Fact Sheet)--Describes types of facilities and rules governing them.
- ___ Generators (Fact Sheet)--Lists types of generators and how they are required to manage their waste.
- ___ List of hazardous waste generators, transporters, and licensed management facilities
- ___ Hazardous waste rules and statutes

Division-Wide Topics

- ___ 1980 Accomplishments in Solid Waste Management (available for loan only at the regional offices and headquarters)
- ___ 1982-85 Goals and Objectives Report for the Solid Waste Division

Audio-Visual

(Contact the Solid Waste Division, 229-5913, for loan or sale information.)

Garbage: A Closer Look--Slide/tape program explaining where garbage comes from and disposal alternatives. Shown from perspective of one Oregon family. Also available as filmstrip. Suitable for 5th graders and older. 13 minutes.

Hazardous Waste...Yours, Mine, Ours--Explanation of "cradle to grave" concept of hazardous waste management in Oregon. Presented in nontechnical way. Suitable for junior high and older. 10 minutes.

Solid Waste Film Library--A list of films related to solid waste that are available from the DEQ and other sources. Includes summaries and ordering information.

Mailing Lists

(Your name can be placed on any of the following public participation mailing lists for the Solid Waste Division.)

- ___ Hazardous Waste Rules Revisions
- ___ Solid Waste Rules Revisions
- ___ Notice of Federal Regulations
- ___ Legislation
- ___ How Federal Funds Affect the Program
- ___ Data Base Development Strategy
- ___ Review of 1982 Solid Waste Management Annual Report
- ___ Meeting Notices and Minutes for Task Force on Rules and Program Direction
- ___ Public Education Projects
- ___ Beyond Waste Newsletter
- ___ Public Hearing Notices
- ___ Press Releases
- ___ Additional Opportunities for Public Participation

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